

## TWENTY-NINTH DAY

Friday, March 13, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 12:13 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor John Honold from Hope Chapel in Kapolei, after which the Roll was called showing all members present with the exception of Representatives Herkes, Menor, Morihara, Pendleton, Santiago, Takamine, Tarnas, Whalen, White and Yonamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Eighth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 383 through 386) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 383, transmitting S.B. No. 2363, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES, which passed Third Reading in the Senate on March 12, 1998.

Sen. Com. No. 384, transmitting S.B. No. 2727, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION, which passed Third Reading in the Senate on March 12, 1998.

Sen. Com. No. 385, transmitting S.B. No. 2736, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT, which passed Third Reading in the Senate on March 12, 1998.

Sen. Com. No. 386, transmitting S.B. No. 2774, SD 3, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT, which passed Third Reading in the Senate on March 12, 1998.

On motion by Representatives M. Oshiro, seconded by Representative Marumoto and carried, S.B. Nos. 2363, SD 1; 2727, SD 2; 2736, SD 2; and 2774, SD 3, passed First Reading by title and further action was deferred until later in the calendar. (Representatives Herkes, Menor, Morihara, Pendleton, Santiago, Takamine, Tarnas, Whalen, White and Yonamine were excused.)

## INTRODUCTION

Representative Yamane introduced a group of sixth grade students from Aliiolani Elementary School and their teachers, Mrs. Morihara, Mrs. Cheng, Mrs. Fridolf and Ms. Ampico.

## ORDER OF THE DAY

## COMMITTEE REFERRALS

The following Senate Bills were referred to committee by the Speaker:

S.B.Nos.Referred to:

2363 Committee on Finance

2727 Committee on Judiciary, then to the Committee on Finance

2736 Committee on Judiciary

2774 Committee on Finance

INTRODUCTION OF RESOLUTION  
(FLOOR PRESENTATION)

H.R. No. 23, entitled: "HOUSE RESOLUTION CONGRATULATING AND COMMENDING SEALASKA CORPORATION AND ITS NATIVE MEMBERS," was jointly offered by Representatives Kanoho, Ahu Isa, Aiona, Kahikina, Kawakami, Kawanakoa and Morita, and was announced by the Clerk.

The presence of Governor Benjamin J. Cayetano was noted by the Speaker. The Governor was then called to the rostrum to present a State Proclamation to the Sealaska Corporation which read as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

March 12, 1998

P R O C L A M A T I O N

WHEREAS, over the past decade the people of Hawaii and the native Tlingit, Haida, and Tsimshian people of Southeast Alaska have developed strong bonds of friendship and goodwill through cultural exchange and mutual support; and

WHEREAS, in 1990, the Sealaska Corporation donated two 200-foot Sitka spruce trees that were carved by master canoe builder, Wright Bowman, Jr., into the hulls of the proud voyaging canoe, Hawaiiloa; and

WHEREAS, five years later, the canoe's crew and other Hawaii residents had a unique opportunity to express their appreciation to the donors on a memorable sailing tour of eleven towns and villages on the coast of Southeast Alaska; and

WHEREAS, Hawaii's people are deeply indebted to their Alaska brothers and sisters for their past support -- and also for their generous gift of a house post, created by Tlingit master carver, Nathan Jackson, to commemorate the historic Alaskan voyage of Hawaiiloa; and

WHEREAS, it is a great privilege for the State of Hawaii to host the visiting Sealaska Corporation delegation -- and to strengthen a relationship that is built on the stronger foundation of shared values and traditions of the indigenous people of both Alaska and Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby proclaim March 13, 1998, to be Sealaska Corporation Day in Hawaii and welcome our visitors from Southeast Alaska with warmest Aloha.

DONE in the Executive Chamber  
Honolulu, State of Hawaii  
this 12th day of March, 1998.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO  
Governor of Hawaii"

On motion by Representative Kanoho, seconded by Representative Kawakami and carried, H.R. No. H.R. No. 23 was adopted, with Representatives Cachola, Chang, Herkes, Menor, Pendleton, Takamine, Tarnas, Whalen and White being excused.

Representative Kanoho introduced Ms. Marjorie Young, the Chair of the Board Sealaska Corporation; Mr. Alan Williams, former Chair of the Board Sealaska Corporation; Dr. Walter Soboleff, Trustee Sealaska Heritage Foundation; Mr. Austin Brown and Ms. Minnie Stevens, brother and sister of the late Chief Judson Brown; and Mr. Nathan Jackson, Master Carver of the Fellowship House Post, who was seated in the gallery.

At 12:48 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:55 o'clock p.m.

### STANDING COMMITTEE REPORTS

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 810-98) recommending that H.C.R. No. 41, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 41, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEASIBILITY OF ESTABLISHING A MULTIMEDIA EDUCATION PROGRAM TO INFORM AND EDUCATE INCOMING PASSENGERS OF THE DETRIMENTAL EFFECTS AND SERIOUSNESS OF BRINGING ALIEN SPECIES INTO THE STATE," was adopted, with Representatives Ahu Isa, Cachola, Chang, Hamakawa, Herkes, Hiraki, Kahikina, Kanoho, Kawakami, Menor, Nakasone, Pendleton, Santiago, Takamine, Tarnas, Yonamine, Ward, Whalen and White being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 811-98) recommending that H.C.R. No. 42, as amended in HD 1, be referred to the Committee on Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 42, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SCHOOL FOOD SERVICES PROGRAM OF THE DEPARTMENT OF EDUCATION TO ADOPT AN OFFICIAL POLICY TO PURCHASE LOCALLY PRODUCED FOOD WHENEVER POSSIBLE," was referred to the Committee on Education, with Representatives Ahu Isa, Cachola, Chang, Hamakawa, Herkes, Hiraki, Kahikina, Kanoho, Kawakami, Menor, Nakasone, Pendleton, Santiago, Takamine, Tarnas, Yonamine, Ward, Whalen and White being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 812-98) recommending that H.C.R. No. 45, as amended in HD 1, be referred to the Committee on Energy and Environmental Protection.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 45, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENTS OF

HEALTH AND AGRICULTURE TO DEVELOP APPROPRIATE MEASURES TO IDENTIFY AND ELIMINATE THE REGULATORY IMPEDIMENTS RESTRICTING THE DEVELOPMENT OF THE AQUACULTURE INDUSTRY IN HAWAII," was referred to the Committee on Energy and Environmental Protection, with Representatives Ahu Isa, Cachola, Chang, Hamakawa, Herkes, Hiraki, Kahikina, Kanoho, Kawakami, Menor, Nakasone, Pendleton, Santiago, Takamine, Tarnas, Yonamine, Ward, Whalen and White being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 813-98) recommending that H.C.R. No. 53 be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF PROPOSED REGULATION OF PROFESSIONAL MENTAL HEALTH COUNSELORS AND PROFESSIONAL REHABILITATION COUNSELORS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY," was referred to the Committee on Consumer Protection and Commerce, with Representatives Ahu Isa, Cachola, Chang, Hamakawa, Herkes, Hiraki, Kahikina, Kanoho, Kawakami, Menor, Nakasone, Pendleton, Santiago, Takamine, Tarnas, Yonamine, Ward, Whalen and White being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 814-98) recommending that H.C.R. No. 58 be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE COST-EFFECTIVENESS OF DIRECT ACCESS TO DERMATOLOGISTS IN MANAGED CARE PLANS," was referred to the Committee on Consumer Protection and Commerce, with Representatives Ahu Isa, Cachola, Chang, Hamakawa, Herkes, Hiraki, Kahikina, Kanoho, Kawakami, Menor, Nakasone, Pendleton, Santiago, Takamine, Tarnas, Yonamine, Ward, Whalen and White being excused.

### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 22) and concurrent resolutions (H.C.R. Nos. 76 through 80) were offered and referred to committee by the Speaker:

H.R. No. 22, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN ACTUARIAL STUDY AND A PROGRAMMATIC AUDIT OF THE PUBLIC EMPLOYEES HEALTH FUND OPERATIONS, AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO ASSESS THE POLICY ISSUES RELATING TO THE CHANGE IN THE STRUCTURE OF GOVERNANCE OF THE HEALTH FUND TO AN EMPLOYER-UNION TRUST CONCEPT," was offered by Representative Yonamine.

Referred to: Committee on Labor and Public Employment, then to the Committee on Finance.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT

AUDIT OF THE UNIVERSITY OF HAWAII TO DETERMINE THE EFFECTS OF 1998 LEGISLATION GRANTING IT FLEXIBILITY IN VARIOUS AREAS," was jointly offered by Representatives Morihara, Takai, Chang, Tarnas, Ito, Abinsay, Ahu Isa, Fox, Goodenow, Hamakawa, Kahikina, Kawakami, Marumoto, McDermott, Morita, Santiago, Stegmaier, Suzuki, Takumi and Yonamine.

Referred to: Committee on Higher Education, then to the Committee on Finance.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING SUPPORT FOR EFFORTS TO IMPROVE ENERGY EFFICIENCY AND RENEWABLE ENERGY AS A MEANS OF REDUCING GREENHOUSE GAS EMISSIONS IN HAWAII," was jointly offered by Representatives Yoshinaga, Tarnas, Goodenow, Hamakawa, Kanoho and Morihara.

Referred to: Committee on Energy and Environmental Protection.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REAFFIRMING STATE SUPPORT FOR EFFORTS TO ENCOURAGE THE DEVELOPMENT AND USE OF RENEWABLE ENERGY," was jointly offered by Representatives Yoshinaga, Tarnas, Garcia, Goodenow, Hamakawa, Kanoho and Morihara.

Referred to: Committee on Energy and Environmental Protection, then to the Committee on Water and Land Use, then to the Committee on Consumer Protection and Commerce.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PAYMENT OF EMERGENCY RESTITUTION TO ELDERLY NATIVE HAWAIIAN BENEFICIARIES OF THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was offered by Representative Santiago, by request.

Referred to: Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE, CIVIL DEFENSE DIVISION TO CONDUCT A STUDY ON THE AVAILABILITY AND CONDITION OF HURRICANE-RESISTANT PUBLIC SHELTERS WITHIN EACH COUNTY," was offered by Representative Garcia.

Referred to: Committee on Public Safety and Military Affairs, then to the Committee on Finance.

#### ADJOURNMENT

At 12:57 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, March 16, 1998. (Representatives Ahu Isa, Cachola, Chang, Hamakawa, Herkes, Hiraki, Kahikina, Kanoho, Kawakami, Menor, Nakasone, Pendleton, Santiago, Takamine, Tarnas, Yonamine, Whalen and White were excused.)

## THIRTIETH DAY

Monday, March 16, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 12:10 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Alan Urasaki from Aiea Hongwanji Mission, after which the Roll was called showing all members present with the exception of Representatives Hiraki, Kahikina, Menor, Meyer, Say, Takamine, Takumi, Tarnas, Yonamine and Yoshinaga, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Ninth Day was deferred.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Arakaki introduced students and advisors from the following schools: Fern Elementary and Ms. Marilyn Taylor; Kalihi Kai Elementary and Ms. Rebecca Hirakami; Kalihi Elementary and Ms. Erica Boyd; Kalihi Uka Elementary and Ms. Sandy Yo; Kalakaua Intermediate and Ms. Renee Bailey; Dole Middle School and Ms. Cheryl Johnson; Farrington High, "one student, Chambrelle"; and Puuhale Elementary and Ms. Linda Takai.

Representative Arakaki also introduced "a large contingency" from Kalihi Elementary School and their principal, Ms. Susan Yoshinaka.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTION  
(FLOOR PRESENTATION)

H.R. No. 24, entitled: "HOUSE RESOLUTION HONORING LORETTA SCHULER, JOANNE NOONE, NATIVIDAD DAHLIG, MARY MILLER, AND WAILUA BRANDMAN FOR THEIR OUTSTANDING CONTRIBUTIONS IN THE NURSING COMMUNITY," was jointly offered by Representatives Lee, Santiago and Arakaki, and was announced by the Clerk.

On motion by Representative Lee, seconded by Representative Santiago and carried, H.R. No. 24 was adopted, with Representatives Ahu Isa, Halford, Kahikina, Kawanakoa, Meyer, Takamine and Tarnas being excused.

Representative Santiago introduced Mr. Wailua Brandman, recipient of the Hawaii Nurses' Association 1997-1998 Ruth Kemble Award; Ms. Natividad Dahilig, recipient of the Hawaii Nurses' Association 1997-1998 Excellence in Practice Award; Ms. Joanne Noone, recipient of the Hawaii Nurses' Association 1997-1998 Nurse of the Year; and Ms. Mary Miller, recipient of the Hawaii Nurses' Association 1997-1998 Maternal Child Health Nurse of the Year Award.

Representative Lee also introduced Ms. Nancy McGuckin-Smith and Ms. Stephanie Munet of the Hawaii Nurses's Association; and Mr. Richard Dahilig,

At 12:33 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

## CONFERENCE COMMITTEE REPORT

Representatives Arakaki and Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1488, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 51) recommending that H.B. No. 1488, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51 and H.B. No. 1488, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," was deferred for a period of 48 hours.

## INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 81 through 85) were referred to Printing and further action was deferred:

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE TO SUPPORT THE KYOTO PROTOCOL ON CLIMATE CHANGE," was offered by Representative Hiraki.

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF STUDENT-CENTERED MENTAL HEALTH INTERVENTION SERVICES," was jointly offered by Representatives Santiago, Tarnas, Lee, Arakaki, Abinsay, Morita, Halford, Hamakawa, Kahikina, Kanoho, Kawakami, Meyer, Morihara, Nakasone, Stegmaier and Takai.

H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COORDINATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE, THE UNITED STATES CUSTOMS SERVICE, AND THE HAWAII AIRLINES ASSOCIATION, TO SEEK OUT AND ASSESS TECHNOLOGIES THAT WILL EXPEDITE THE CUSTOMS AND IMMIGRATION CLEARANCE PROCESS AT THE HONOLULU INTERNATIONAL AIRPORT," was jointly offered by Representatives Chang, Cachola, Aiona, Fox, Thielen, Goodenow, Marumoto, Ahu Isa, Jones, Kahikina, Kawakami, Morihara, Morita, Nakasone, P. Oshiro, Santiago, Say, Suzuki, Takai, Takumi and Yonamine.

H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL STATE EMPLOYEES TO USE THE WORD 'ALOHA' AS AN OFFICIAL GREETING WHEN MEETING THE PUBLIC OR ANSWERING PHONE CALLS FROM THE PUBLIC," was jointly offered by Representatives Chang, Cachola, Kahikina, Marumoto, Ahu Isa, Aiona, Fox, Goodenow, Jones, Kawakami, Morihara, Morita, Nakasone, P. Oshiro, Say, Suzuki, Takai, Takumi, Thielen and Yonamine.

H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT



AUDIT OF THE HAWAII DISTRICT SECTION OF THE DIVISION OF FORESTRY AND WILDLIFE, DEPARTMENT OF LAND AND NATURAL RESOURCES," was jointly offered by Representatives Takamine, Chang, Hamakawa, Herkes and Tarnas.

#### ADJOURNMENT

At 12:42 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 17, 1998. (Representatives Ahu Isa, Chang, Goodenow, Halford, Ito, Jones, Kahikina, Meyer, Nakasone, Takamine, Tarnas, Tom, Yamane and Yonamine were excused.)

## THIRTY-FIRST DAY

Tuesday, March 17, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 12:10 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Alan Urasaki from Aiea Hongwanji Mission, after which the Roll was called showing all members present with the exception of Representatives Ito, Menor, Meyer, Pendleton, Say, Suzuki, Takamine and Yoshinaga, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirtieth Day was deferred.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Halford introduced a former Miss Hawaii and former Maui County Councilwoman, Mrs. Leinaala Teruya Jackson.

Representative Arakaki introduced guests from Okinawa with the 8th Annual Hawaii-Okinawa Sister State Student Exchange Program who were in the gallery: Mr. Seishou Tamaki, Chief Teacher's Consultant, Okinawa Prefectural Board of Education; Mr. Kiyoshi Oshiro, English Teacher, Nanbu Commercial Sr. High School; Ms. Hiromi Uezato, English Teacher, Futenma Senior High School; Mrs. Lana Mito, DOE Student Activities Education Specialist; and staff person, Ms. Alice Nakama.

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

The following concurrent resolutions (H.C.R. Nos. 81 through 90) were referred to committee by the Speaker:

H.C.R.Nos. Referred to:

- |    |  |
|----|--|
| 81 | Committee on Energy and Environmental Protection   |
| 82 | Committee on Health, then to the Committee on Education, then to the Committee on Finance        |
| 83 | Committee on Transportation, then to the Committee on Judiciary                                  |
| 84 | Committee on Tourism, then to the Committee on Labor and Public Employment                       |
| 85 | Committee on Water and Land Use, then to the Committee on Legislative Management                 |
| 86 | Committee on Agriculture   |
| 87 | Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance |
| 88 | Committee on Labor and Public Employment, then to the Committee on Finance                       |

89 Committee on Public Safety and Military Affairs

90 Committee on Public Safety and Military Affairs

## COMMITTEE REASSIGNMENTS

The following Senate Bills were re-referred to committee by the Speaker:

S.B.  
No.Re-referred to:

- |      |   |
|------|---|
| 2496 | Committee on Labor and Public Employment, then to the Committee on Finance  |
| 2589 | Committee on Consumer Protection and Commerce, then to the Committee on Finance   |
| 2621 | Committee on Human Services and Housing, then to the Committee on Labor and Public Employment, then to the Committee on Finance |
| 2761 | Committee on Transportation, then to the Committee on Consumer Protection and Commerce  |
| 2969 | Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary                                     |

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATION)

H.R. No. 25, entitled: "HOUSE RESOLUTION CONGRATULATING THE 1998 HAWAII'S JUNIOR MISS JOCELYN WIN CHIEN CHONG, FIRST RUNNER-UP STACY NOELANI MAU, AND SECOND RUNNER-UP CORALIE SHIGECO KAM-OI TODO," was jointly offered by Representatives Takai, Saiki and Ward, and was announced by the Clerk.

On motion by Representative Takai, seconded by Representative Saiki and carried, H.R. No. 25 was adopted, with Representatives Cachola, Ito, Jones, Kahikina, Menor, Meyer, Moses, Pendleton and Stegmaier being excused.

Representative Takai introduced the 1998 Hawaii's Junior Miss Jocelyn Win Chien Chong, First Runner-up Stacy Noelani Mau, Second Runner-up Coralie Shigeko Kam-Oi Todo, and Ms. Corlis Chang, Co-Executive Vice President of the Hawaii Junior Miss Pageant.

At 12:27 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

At this time, Representative Hamakawa was permitted a late introduction and he introduced a group of students from Waiakea High School, Keaau Elementary and Intermediate School, and Waiakea Intermediate School.

## STANDING COMMITTEE REPORTS

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 815-98) recommending that H.C.R. No. 35, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 35, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A RURAL HEALTH PLAN FOR THE ISLAND OF HAWAII," was adopted, with Representatives Cachola, Case, Jones, Kahikina, Menor, Meyer, Moses, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 816-98) recommending that H.R. No. 16, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 16, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY WAYS TO ENCOURAGE AND FACILITATE ORGAN DONATION IN HAWAII," was referred to the Committee on Legislative Management, with Representatives Cachola, Case, Jones, Kahikina, Menor, Meyer, Moses, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 817-98) recommending that H.C.R. No. 56, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 56, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FOLLOW-UP STUDY TO DETERMINE THE VIABILITY OF INCLUDING CHIROPRACTIC COVERAGE UNDER VARIOUS INSURANCE POLICIES IN THE STATE," was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Case, Jones, Kahikina, Menor, Meyer, Moses, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 818-98) recommending that H.C.R. No. 57, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 57, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FOLLOW-UP STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE FOR NATUROPATHIC CARE," was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Case, Jones, Kahikina, Menor, Meyer, Moses, Pendleton and Stegmaier being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 819-98) recommending that H.C.R. No. 10, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 10, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING SUPPORT FOR THE EAST-WEST CENTER," was referred to the Committee on Finance, with Representatives Cachola, Case, Jones, Kahikina, Menor, Meyer, Moses, Pendleton and Stegmaier being excused.

## INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 26) and concurrent resolutions (H.C.R. Nos. 86 through 91) were referred to Printing and further action was deferred:

H.R. No. 26, entitled: "HOUSE RESOLUTION REQUESTING A MARKETING PROGRAM FOR EDUTOURISM," was jointly offered by Representatives Cachola, Ahu Isa, Chang, Ito, Fox, Jones, Morita and White.

H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON IMPORTATION OF MICROORGANISMS FOR RESEARCH AND COMMERCIAL USE," was jointly offered by Representatives Tarnas, Morita, Thielen, Goodenow, Abinsay, Chang, Halford, Hamakawa, Herkes, Jones, Meyer, Morihara, Takai, Takamine, Whalen, White and Yoshinaga.

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO ENSURE THE CONTINUED VIABILITY OF THE SCHOOL OF PUBLIC HEALTH WITHIN THE UNIVERSITY SYSTEM," was offered by Representative Santiago.

H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN ACTUARIAL STUDY AND A PROGRAMMATIC AUDIT OF THE PUBLIC EMPLOYEES HEALTH FUND OPERATIONS, AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO ASSESS THE POLICY ISSUES RELATING TO THE CHANGE IN THE STRUCTURE OF GOVERNANCE OF THE HEALTH FUND TO AN EMPLOYER-UNION TRUST CONCEPT," was offered by Representative Yonamine.

H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO STUDY THE FEASIBILITY OF ESTABLISHING AND OPERATING A STATE CORRECTIONAL FACILITY ON MIDWAY ISLAND," was offered by Representative P. Oshiro.

H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION AND OTHER ACTION TO PROVIDE EQUITY TO FILIPINO-AMERICAN VETERANS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES OR JOINED THE PHILIPPINE SCOUTS BEFORE OCTOBER 6, 1945," was jointly offered by Representatives Cachola, Garcia, Abinsay, Menor, Pendleton and Herkes.

H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MARKETING PROGRAM FOR EDUTOURISM," was jointly offered by Representatives Cachola, Chang, Ahu Isa, Ito, Jones, Morita and White.

## ANNOUNCEMENTS

Representative McDermott: "After session today, I'll be hosting a fellowship in Room 309. Thank you."

Representative Marumoto: "Mr. Speaker, we will have a very short Republican Caucus immediately following adjournment."

Representative Okamura: "Mr. Speaker, today is St. Patrick's Day. Irishmen real and feigned celebrate the luck of the Irish by wearing green and acting like leprechauns. Meself Tom O'kamura is proud to announce me Irish heritage along with me countrymen besides me, Paul O'shiro and Marcus O'shiro. We are from the southern most part of Ireland, thus our olive complexion."

"Contrary to popular belief, O'shiro, O'kamura and O'shiro are not to be confused with an ambulance-chasing law firm, are not leprechauns, and are not Lucky Charms guys. We prefer to be thought of as the 'Irish Spring' guys who smell fresh as a daisy and are strong enough to cut soap. Mr. Speaker, an Irish lunch of corned beef and cabbage with Irish ale will be hosted and served by Representatives O'shiro, O'shiro, and myself O'kamura immediately following session. And if you believe this, I have a blarney stone you can kiss. Thank you."

Representative Santiago: "Thank you, Mr. Speaker. As tough as that is to follow, I actually do have a serious announcement to make. The State Planning Council on Developmental Disabilities is inviting all of us to join them in a conversation regarding the closing of the institution and outcomes for individuals with developmental disabilities. We're very honored to have Dr. James Conroy who is the President for the Center of Optimal Analysis. I am also hosting this and you can believe this one. This is for real. Today at 12:45 they're starting and it's going to go to about 2:00. Lunch will be provided. We're in Conference Room 423. I believe they're setting up as we speak. So those of you who have an interest and all of you should, please attend. Thank you, Mr. Speaker."

#### ADJOURNMENT

At 12:39 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 18, 1998. (Representatives Cachola, Case, Jones, Kahikina, Menor, Meyer, Moses, Pendleton and Stegmaier were excused.)

## THIRTY-SECOND DAY

**Wednesday, March 18, 1998**

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 12:16 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Jack Smith from Wahiawa Church of the Nazarene, after which the Roll was called showing all members present with the exception of Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-First Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 387 through 388) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 387, informing the House that the President, on March 16, 1998, has made the following changes to Senate conferees assignments for the House Bills listed below:

**H.B. No. 33, HD 2, SD 2:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 345, SD 1:**

Discharge Baker as co-chair  
Appoint Metcalf as co-chair

**H.B. No. 371, HD 2, SD 1:**

Discharge Baker as member  
Appoint Metcalf as member

**H.B. No. 432, HD 1, SD 1:**

Discharge Metcalf as member  
Appoint Ihara as member

**H.B. No. 646, HD 2, SD 2:**

Discharge Metcalf as co-chair  
Appoint Fernandes Salling/Baker/Fukunaga as co-chairs

**H.B. No. 675, HD 1, SD 1:**

Discharge Metcalf as member

**H.B. No. 971, SD 1:**

Discharge Metcalf as member

**H.B. No. 979, HD 2, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1031, HD 1, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1049, HD 1, SD 1:**

Discharge Baker as co-chair  
Appoint Metcalf as co-chair

**H.B. No. 1087, HD 1, SD 2:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1138, HD 1, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1196, HD 2, SD 1:**

Discharge Baker as co-chair  
Appoint Metcalf as co-chair

**H.B. No. 1244, HD 2, SD 1:**

Discharge Metcalf as co-chair  
Appoint Fernandes Salling as co-chair

**H.B. No. 1320, SD 1:**

Discharge Fernandes Salling as co-chair  
Discharge Baker as member  
Appoint Baker as co-chair

**H.B. No. 1433, HD 2, SD 3:**

Discharge Fernandes Salling as co-chair  
Appoint Baker and Fukunaga as co-chairs

**H.B. No. 1618, HD 1, SD 2:**

Discharge Fernandes Salling as co-chair  
Discharge Baker as member  
Appoint Baker as co-chair

**H.B. No. 1624, HD 1, SD 2:**

Discharge Fernandes Salling as co-chair  
Discharge Baker as member  
Appoint Baker as co-chair

**H.B. No. 1639, HD 2, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1650, HD 1, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1694, SD 2:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1714, HD 2, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1770, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1772, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1773, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1779, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1780, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1782, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1783, SD 1:**

Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1784, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1785, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1786, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1787, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1788, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1789, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1790, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1791, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1793, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1797, HD 1, SD 2:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1798, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1799, HD1, SD1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1805, HD 2, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1806, HD 1, SD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**H.B. No. 1833, SD 2:**  
Discharge Metcalf as co-chair  
Appoint Fernandes Salling as co-chair  
Appoint Kanno as member

**H.B. No. 1860, HD 3, SD 1:**  
Discharge Metcalf as member  
Appoint Metcalf as co-chair  
Appoint Fukunaga as member

Sen. Com. No. 388, informing the House that the President, on March 16, 1998, has made the following changes to Senate conferees assignments for the Senate Bills listed below:

**S.B. No. 202, SD 1, HD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**S.B. No. 263, SD 2, HD 1:**

Discharge Baker as co-chair  
Appoint Fernandes Salling as co-chair

**S.B. No. 286, SD 2 HD 2:**  
Discharge Fernandes Salling as co-chair  
Discharge Metcalf as member  
Appoint Baker as co-chair  
Appoint Ihara as member

**S.B. No. 388, SD 2, HD 2:**  
Discharge Metcalf as member  
Appoint Metcalf as co-chair

**S.B. No. 497, HD 2:**  
Discharge Metcalf as co-chair  
Appoint Fernandes Salling as co-chair  
Appoint Chun Oakland as member

**S.B. No. 681, SD 2, HD 1:**  
Appoint Metcalf as co-chair

**S.B. No. 831, SD 2, HD 2:**  
Discharge Fernandes Salling as co-chair  
Discharge Metcalf as member  
Appoint Baker as co-chair

**S.B. No. 871, SD 2, HD 3:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair  
Appoint McCartney as member

**S.B. No. 1089, SD 2, HD 2:**  
Discharge Metcalf as co-chair  
Appoint Fernandes Salling as co-chair

**S.B. No. 1113, SD 1, HD 1:**  
Discharge Baker as co-chair  
Appoint Metcalf as co-chair

**S.B. No. 1116, SD 1, HD 1:**  
Discharge Baker as co-chair  
Appoint Metcalf as co-chair

**S.B. No. 1293, SD 1, HD 1:**  
Discharge Fernandes Salling as co-chair  
Discharge Baker as member  
Appoint Baker as co-chair  
Appoint Metcalf as member

**S.B. No. 1472, SD 2, HD 2:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**S.B. No. 1533, HD 1:**  
Discharge Baker as co-chair  
Appoint Metcalf as co-chair

**S.B. No. 1773, SD 2, HD 2:**  
Discharge Metcalf as co-chair  
Appoint Fernandes Salling as co-chair

**S.B. No. 1802, SD 2, HD 1:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**S.B. No. 1806, SD 2, HD 2:**  
Discharge Fernandes Salling as co-chair  
Appoint Baker as co-chair

**S.B. No. 1948, SD 1, HD 1:**  
Discharge Baker as co-chair  
Appoint Metcalf as co-chair

## INTRODUCTION

Representative Say introduced 25 women of the Financial Women International and their leader, Ms. Becky Kam Nacasio; and Debbie, Loretta and Liane, "who I do business with."

### ORDER OF THE DAY

#### DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 26, 27 and 29) and concurrent resolutions (H.C.R. Nos. 91 through 105) were referred to committee by the Speaker:

#### H.R.

#### Nos. Referred to:

- 26 Committee on Tourism, then to the Committee on Higher Education, then to the Committee on Finance
- 27 Committee on Culture and the Arts
- 29 Committee on Health, then to the Committee on Finance

#### H.C.R.

#### Nos. Referred to:

- 91 Committee on Tourism, then to the Committee on Higher Education, then to the Committee on Finance
- 92 Committee on Economic Development and Business Concerns, then to the Committee on Higher Education, then to the Committee on Finance
- 93 Committee on Education, then to the Committee on Transportation, then to the Committee on Judiciary
- 94 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
- 95 Committee on Legislative Management, then to the Committee on Finance
- 96 Committee on Energy and Environmental Protection, then to the Committee on Legislative Management
- 97 Committee on Finance
- 98 Committee on Hawaiian Affairs, then to the Committee on Water and Land Use, then to the Committee on Finance
- 99 Committee on Health, then to the Committee on Judiciary
- 100 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 101 Committee on Human Services and Housing, then to the Committee on Public Safety and Military Affairs, then to the Committee on Finance
- 102 Committee on Culture and the Arts
- 103 Jointly to the Committee on Ocean Recreation and Marine Resources and the Committee on Water and Land Use, then to the Committee on Finance

- 104 Committee on Health, then to the Committee on Finance

- 105 Committee on Agriculture, then to the Committee on Finance

#### COMMITTEE REASSIGNMENTS

The following Senate Bills were re-referred to committee by the Speaker:

#### S.B.

#### Nos. Re-referred to:

- 146 Committee on Tourism, then to the Committee on Finance
- 1946 Committee on Health, then to the Committee on Consumer Protection and Commerce
- 2078 Committee on Tourism, then to the Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
- 2608 Committee on Health, then to the Committee on Consumer Protection and Commerce

#### INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

H.R. No. 28, entitled: "HOUSE RESOLUTION HONORING STANFORD B.C. YUEN FOR HIS OUTSTANDING CONTRIBUTION TO THE COMMUNITY AND CONGRATULATING HIM AS THE 1998 ENGINEER OF THE YEAR AWARD," was offered by Representative Ahu Isa, and was announced by the Clerk.

On motion by Representative Ahu Isa, seconded by Representative Hiraki and carried, H.R. No. 28 was adopted, with Representatives Cachola, Garcia, Goodenow, Hamakawa, Ito, Kanoho, Meyer, Morihara, Nakasone, Saiki, Thielen, Ward, White and Yoshinaga being excused.

Representative Ahu Isa, congratulating him as the 1998 Engineer of the Year, introduced Mr. Stanford B.C. Yuen and his wife, Mrs. Lynette Yuen.

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 12:44 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering a bill on Final Reading on the basis of a modified consent calendar. (Representatives Cachola, Garcia, Hamakawa, Kanoho, Meyer, Morihara, Thielen, Ward, White and Yoshinaga were excused.)

#### UNFINISHED BUSINESS

**Conf. Com. Rep. No. 51 and H.B. No. 1488, HD 2, SD 1, CD 1:**

Representative Okamura moved that the report of the Committee be adopted and H.B. No. 1488, HD 2, SD 1,



CD 1, pass Final Reading, seconded by Representative M. Oshiro.

Representative McDermott then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1488, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," passed Final Reading by a vote of 40 ayes to 1 no, with Representative McDermott voting no, and Representatives Cachola, Garcia, Hamakawa, Menor, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

The Chair directed the Clerk to note that H.B. No. 1488 had passed Final Reading at 12:45 o'clock p.m.

### STANDING COMMITTEE REPORTS

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 820-98) recommending that H.C.R. No. 22, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 22, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE FEASIBILITY OF AND TO MAKE RECOMMENDATIONS FOR A RECREATIONAL MARINE FISHING LICENSE," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 821-98) recommending that H.C.R. No. 43 be referred to the Committee on Health.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REQUIRE THAT THE IMPORTATION OF ALL AGRICULTURAL PRODUCTS INTO HAWAII HAVE A DESIGNATION OF COUNTRY OR ORIGIN AND A CERTIFICATION OF INSPECTION BASED ON UNITED STATES DEPARTMENT OF AGRICULTURE STANDARDS," was referred to the Committee on Health, with Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 822-98) recommending that S.B. No. 3024, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 3024, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Pendleton rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will be casting a 'no' vote on this particular bill because again we are moving forward with

special funds and taking things away from the privy of the Legislature where they would rightfully belong. Thank you."

Representative Kawanakoa then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Jones then rose to speak in support of the measure, stating:

"The primary reason for establishing a special fund for the Animal Quarantine Station is to make this program self-sustaining. This fund will still be under the scrutiny of the Legislature. Like other funds, airport funds, highway funds, harbors special funds, these are all special funds and they are under the privy of the Legislature. This quarantine special fund will be no different.

"The Department cannot continue to finance this program through general funds. It really is imperative that we switch over to special funds to make this program self-sustaining and not dependant on the State general funds for financing. Thank you, Mr. Speaker."

Representative Marumoto then rose to speak in opposition to the measure, stating:

"I feel that if you have a special fund that is self-sustaining, you often will find that these could go up in case costs go up, in case you want to continue hiring the same number of people. I think it's not a wise use of taxpayers' dollars, and an imposition on people who have to use the Quarantine Center. Also the number of animals will be decreasing as technology makes this not as lengthy a process. So for all those reasons, I will be voting 'no.' Thank you."

Representative Fox then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Moses then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. The Chair of Agriculture has helped convince me that just like all those other special funds which we have no say over, I think we should have a say over this. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3024, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUARANTINE," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Kawanakoa, Marumoto, Moses, and Pendleton voting no, and Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 823-98) recommending that S.B. No. 2171, SD 2, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2171, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES," passed Second Reading and was referred to the Committee on Education, with Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 824-98) recommending that S.B. No. 2346, SD 2, pass Second

Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2346, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 825-98) recommending that S.B. No. 1946, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1946, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF MEDICINE," passed Second Reading and was referred to the Committee on Hawaiian Affairs, with Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 826-98) recommending that S.B. No. 2439, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2439, SD 1, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative M. Oshiro.

Representative McDermott rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Stegmaier then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, the report of the Committee was adopted and S.B. No. 2439, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOL AND DRUG DEPENDENCE BENEFITS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce with Representative McDermott voting no, and Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 827-98) recommending that S.B. No. 2847, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2847, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE FOR MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 828-98)

recommending that S.B. No. 2851, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2851, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga being excused.

## INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 27 and 29) and concurrent resolutions (H.C.R. Nos. 92 through 105) were referred to Printing and further action was deferred:

H.R. No. 27, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO RESOLVE THE PROBLEMS WITH THE HONOLULU SYMPHONY AND WORK TOWARDS AN AMICABLE SETTLEMENT OF BOOKING DATES," was offered by Representative Takai.

H.R. No. 29, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY TO ASSESS ALTERNATIVE SOLUTIONS FOR PLACEMENT, THEIR RELATIVE COST DIFFERENCES, THE LIMITATIONS OF EXISTING REGULATIONS AND QUALITY OF CARE ISSUES RELATED TO THE TRANSFER OF THE REMAINING PATIENTS FROM WAIMANO TRAINING SCHOOL AND HOSPITAL," was jointly offered by Representatives Abinsay, Ahu Isa, Arakaki, Chang, Fox, Goodenow, Hamakawa, Hiraki, Ito, Kahikina, Kanoho, Kawakami, Marumoto, Nakasone, Santiago, Say, Suzuki, Ward and White.

H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF STRATEGIES AND THE COORDINATION OF INITIATIVES TO FACILITATE THE GROWTH OF HAWAII'S BIOTECHNOLOGY INDUSTRY," was jointly offered by Representatives Okamura, Herkes, Morita, Saiki, M. Oshiro, Tarnas and Jones.

H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HONOLULU PUBLIC TRANSIT AUTHORITY TO ADOPT POLICIES AND PROCEDURES ALLOWING BUS DRIVERS TO DENY SERVICE TO STUDENTS WHO DO NOT HAVE A VALID OFF-CAMPUS PASS DURING SCHOOL HOURS," was jointly offered by Representatives Kahikina, Case, Arakaki, Ito, Moses, Stegmaier, Fox, Goodenow, Ahu Isa, Aiona, Halford, Hiraki, Jones, McDermott, Morihara, Morita, Santiago, Suzuki, Takai and Takumi.

H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE STATE AUDITOR STUDY THE IMPACTS UPON THE COST OF LIVING THAT RESULT FROM THE CURRENTLY PRACTICED COMMERCIAL AND INDUSTRIAL LAND-LEASEHOLD SYSTEM," was offered by Representative Say.

H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," was offered by Representative Thielen.

H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF FOOD SAFETY PROGRAMS IN THE DEPARTMENT OF HEALTH, ENVIRONMENTAL HEALTH SERVICES DIVISION," was offered by Representative Thielen.

H.C.R. No. 97, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHIEF PROCUREMENT OFFICERS OF THE STATE AND COUNTIES TO GIVE PREFERENCE TO THE PURCHASE OF INDUSTRIAL HEMP CARPETING FOR GOVERNMENT OFFICE BUILDINGS," was jointly offered by Representatives Thielen, Kanoho, Suzuki, Fox, Abinsay, Arakaki, Morita, Kawakami, Lee, Souki, Okamura, Kahikina, Hamakawa, Chang, Santiago, Yonamine, Ahu Isa, Takumi, M. Oshiro, Tarnas, Herkes, Moses, Garcia, P. Oshiro, Goodenow, Takai, Hiraki, Jones, Marumoto, McDermott, Menor, Meyer, Saiki and Takamine.

H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF TRANSPORTATION TO HOLD THE LANDS OF PELEKANE IN TRUST FOR THE RESTORED NATION OF HAWAII AND TO HOLD THIS GUARDIANSHIP OF HALE 'O KAPUNI HEIAU BY ISSUING A LEASE TO THE OFFICE OF HAWAIIAN AFFAIRS WITH THE CONDITION THAT THE OFFICE PURSUE A JOINT MANAGEMENT AGREEMENT AND INTERPRETATIVE PLANNING IN COORDINATION WITH THE NATIONAL PARK SERVICE AND IN CONSULTATION WITH THE HAWAIIAN COMMUNITY," was offered by Representative Tarnas, by request.

H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING PRESCRIPTIVE ACCESS TO MEDICAL MARIJUANA," was jointly offered by Representatives Tarnas, Arakaki, Chang, Hamakawa, Herkes, Lee, Santiago and Takamine.

H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A WORLD TRADE CENTER ASSOCIATION IN HAWAII," was jointly offered by Representatives Chang, Ahu Isa, Ward, Cachola, Ito, Abinsay, Kanoho, Thielen, Jones, Goodenow, Okamura, Garcia, M. Oshiro, Marumoto, Arakaki, Fox, Halford, Herkes, Hiraki, McDermott, Morihara, Morita, Santiago, Suzuki, Takai, Takamine, Takumi, Tarnas, Tom and White.

H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE OFFICE OF YOUTH SERVICES," was offered by Representative Garcia.

H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO RESOLVE THE PROBLEMS WITH THE HONOLULU SYMPHONY AND WORK TOWARDS AN AMICABLE SETTLEMENT OF BOOKING DATES," was offered by Representative Takai.

H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT HALE O LONO HARBOR, ON THE ISLAND OF MOLOKAI FOR REDEVELOPMENT, MANAGEMENT, AND OPERATION BY A QUALIFIED PRIVATE ENTITY FOR RECREATIONAL PURPOSES," was offered by Representative Souki, by request.

H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

HEALTH TO CONDUCT A STUDY TO ASSESS ALTERNATIVE SOLUTIONS FOR PLACEMENT, THEIR RELATIVE COST DIFFERENCES, THE LIMITATIONS OF EXISTING REGULATIONS AND QUALITY OF CARE ISSUES RELATED TO THE TRANSFER OF THE REMAINING PATIENTS FROM WAIMANO TRAINING SCHOOL AND HOSPITAL," was jointly offered by Representatives Abinsay, Ahu Isa, Arakaki, Chang, Fox, Goodenow, Hamakawa, Ito, Jones, Kahikina, Kanoho, Kawakami, Marumoto, Nakasone, Santiago, Say, Suzuki, Takai, Takumi and White.

H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF THE KOLOA SUGAR MILL VENTURE ON THE OPERATIONS OF THE KAUA'I TROPICAL FRUIT DISINFESTATION FACILITY," was jointly offered by Representatives Kanoho, Kawakami, Jones and Morita.

## ANNOUNCEMENTS

Representative Okamura: "Mr. Speaker, I want to share with the members an article acknowledging the efficiency and professionalism of our House Printshop. This occurred in Dave Donnelly's column on Friday, March 13th in the Honolulu Star-Bulletin, and I'd like to quote, as part of the column, it's part of the race is on and it says:

'There was a major race decided last weekend at the State Capitol and most people weren't even aware it was underway. The race was between the House and Senate print shops, vying to see who could get the bills printed and distributed to the public first. The first test came last Friday at midnight when the bills had to be reported out of committee. The House print shop had them all printed by Saturday morning, with the Senate crew not finishing until Monday afternoon. Take a bow House print shop Managers Dorothy 'Dot' Horie and Virgil Jhoo. As for the Senate being slow who'd have guessed?'

"Mr. Speaker, let's acknowledge Dot and Virgil. Mr. Speaker, I also would like to acknowledge, on behalf of all of the members, our outstanding Chief Clerk, Pat Mau-Shimizu, and her able Assistant 'Deputy' Clerk, CJ Leong, for the professionalism and outstanding leadership. Thanks to all of you for making us look good."

Representative Ahu Isa: "Mr. Speaker, I just wanted to make an announcement that tomorrow we'll be congratulating and honoring the Narcissus Queen and her Court for 1998 and for the young single guys, or even the married men, if they want to take pictures with them, you can bring your cameras. Thank you."

## ADJOURNMENT

At 12:53 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, March 19, 1998. (Representatives Cachola, Garcia, Meyer, Morihara, Thielen, Ward, White and Yoshinaga were excused.)

## THIRTY-THIRD DAY

Thursday, March 19, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Vernon Tom from Po'okela Church on Maui, after which the Roll was called showing all members present with the exception of Representatives Hiraki, Menor, Say, Stegmaier, Thielen and Yoshinaga, who were excused.

On motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, reading of the Journals was dispensed with and the Journals of the House of Representatives of the Twenty-Fourth, Twenty-Fifth and Twenty-Sixth Days were subsequently approved. (Representatives Menor, Say, Stegmaier, Thielen and Yoshinaga were excused.)

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 183 and 184) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 183, transmitting copies of the 1996 Annual Report prepared by the Office of Youth Services, pursuant to Section 352D-6(11), Hawaii Revised Statutes and Section 4 of Act 151, SLH 1991.

Gov. Msg. No. 184, transmitting copies of the 1996 Annual Report of the Executive Office on Aging.

## SENATE COMMUNICATION

Sen. Com. No. 389, informing the House that House Bill No. 1488, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," passed Final Reading in the Senate on March 18, 1998, was received and announced by the Clerk and was placed on file.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Tarnas introduced Ms. Sophia Jenson, a student at Hawaii Preparatory Academy and his legislative "shadow" for the day.

Representative Ahu Isa introduced Mr. Wesley Fong, President of the Chinese Chamber of Commerce; Mr. Randall Chang and his wife, Mrs. Norma Chang; and the father of the Narcissus Queen, Major Robert Prasser.

Representative Okamura introduced a group of fourth grade students from Alva Scott Elementary School with their teachers, Ms. Mary Agor, Mrs. Karen Chun, Ms. Aileen Shu and Mrs. Joy Kumagai; and parents, Mrs. Faith Okawa, Mr. Chong, Ms. Sheldon Gordon and Mrs. Anjura Barnes.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENT

The following Senate Bill was re-referred to committee by the Speaker:

**S.B.**  
**No.**    **Re-referred to:**

2910    Committee on Water and Land Use, then to the Committee on Finance

INTRODUCTION OF RESOLUTION  
(FLOOR PRESENTATION)

H.R. No. 39, entitled: "HOUSE RESOLUTION CONGRATULATING THE 1998 NARCISSUS FESTIVAL QUEEN KIT ZHU LAN LO AND THE MEMBERS OF HER COURT: FIRST PRINCESS MINNIE MIN HUAN KWOK, SECOND PRINCESS COURTNEY HON LUNG LAU, THIRD PRINCESS LILLIAN LI-LING TSANG, AND FOURTH PRINCESS CARLENE JYALYN YEE," was jointly offered by Representatives Ahu Isa, Abinsay, Aiona, Arakaki, Fox, Ito, Kawakami, Marumoto, McDermott, Morihara, Morita, M. Oshiro, Souki, Takai and Takumi, and was announced by the Clerk.

On motion by Representative Ahu Isa, seconded by Representative Santiago and carried, H.R. No. 39 was adopted, with Representatives Menor, Nakasone, Say, Thielen and Yoshinaga being excused.

Representative Ahu Isa introduced the 1998 Narcissus Festival Queen Kit Zhu Lan Lo and the members of her court: First Princess Minnie Min Huan Kwok, Second Princess Courtney Hon Lung Lau, Third Princess Lillian Li-Ling Tsang, and Fourth Princess Carlene Jyalyn Yee.

At 12:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:47 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 829-98) recommending that S.B. No. 2769 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION PROJECTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 830-98) recommending that S.B. No. 2771 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2771 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative M. Oshiro.

Representative Ward rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2771, entitled: "A BILL FOR AN ACT RELATING TO MILK," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 831-98) recommending that S.B. No. 2770, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2770, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed Second Reading and was referred jointly to the Committees on Consumer Protection and Commerce and Judiciary, with Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 832-98) recommending that S.B. No. 3025, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 3025, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Ward then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3025, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL," passed Second Reading and was referred to the Committee on Finance with Representative Ward voting no, and Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 833-98) recommending that S.B. No. 2828, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2828, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 834-98) recommending that S.B. No. 2845, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2845, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIRECTOR OF HEALTH," passed Second Reading and was referred to the Committee on Finance, with

Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 835-98) recommending that S.B. No. 2862, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2862, SD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH ADULT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Finance, with Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 836-98) recommending that S.B. No. 3051 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3051, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 837-98) recommending that S.B. No. 2389, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2389, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATIC EXTERNAL DEFIBRILLATORS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 838-98) recommending that S.B. No. 2855, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2855, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEHEALTH," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 839-98) recommending that H.C.R. No. 59, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 59, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING A RESIDENTIAL TREATMENT CENTER FOR ADOLESCENTS IN HILO,

HAWAII," was referred to the Committee on Legislative Management, with Representatives Case, Hiraki, Menor, Morihara, Thielen and Yoshinaga being excused.

### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 30 through 38) and concurrent resolutions (H.C.R. Nos. 106 through 132) were offered and were referred to committee by the Speaker:

H.R. No. 30, entitled: "HOUSE RESOLUTION CONCERNING THE DISPENSATION OF FORENSIC PSYCHIATRIC PATIENTS," was offered by Representative Garcia.

Referred to: Jointly to the Committee on Public Safety and Military Affairs and the Committee on Health.

H.R. No. 31, entitled: "HOUSE RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO ESTABLISH A GOAL TO INCREASE THE RATE OF HOMEOWNERSHIP IN HAWAII TO FIFTY-SIX PER CENT BY THE YEAR 2002," was jointly offered by Representatives Ward, Goodenow, Arakaki, Ito, Morita, Saiki, Stegmaier, Takai and Thielen.

Referred to: Committee on Human Services and Housing.

H.R. No. 32, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE ON GOVERNMENT EFFICIENCY TO RECOMMEND WAYS TO MAKE GOVERNMENT MORE EFFICIENT AND COST-EFFECTIVE THROUGH RESTRUCTURING, RIGHT-SIZING, AND PRIVATIZING APPROPRIATE GOVERNMENT SERVICES," was jointly offered by Representatives Ward, Arakaki, McDermott, Morita, Saiki, Stegmaier, Takai, Takumi and Thielen.

Referred to: Committee on Labor and Public Employment, then to the Committee on Finance.

H.R. No. 33, entitled: "HOUSE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONVENE A TASK FORCE TO DRAFT LEGISLATION CONCERNING THE READABILITY OF INSURANCE POLICIES," was offered by Representative Ward, by request.

Referred to: Committee on Consumer Protection and Commerce.

H.R. No. 34, entitled: "HOUSE RESOLUTION REQUESTING THE CONSUMER ADVOCATE TO CONVENE A TASK FORCE OF ELDER CONSUMERS TO ASSIST IN DRAFTING LEGISLATION REGARDING READABILITY OF PHONE BILLINGS," was offered by Representative Ward, by request.

Referred to: Committee on Consumer Protection and Commerce.

H.R. No. 35, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM'S STATE OFFICE OF TOURISM AND THE HAWAII VISITORS AND CONVENTION BUREAU TO SUPPORT CULTURE AND THE ARTS AND ITS POSITIVE IMPACT ON HAWAII'S ECONOMY," was offered by Representative Takai.

Referred to: Committee on Culture and the Arts, then to the Committee on Tourism, then to the Committee on Finance.

H.R. No. 36, entitled: "HOUSE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO CONSULT WITH THE HONOLULU ACADEMY OF ARTS IN FORMING A PUBLIC-PRIVATE PARTNERSHIP," was offered by Representative Takai.

Referred to: Committee on Culture and the Arts, then to the Committee on Finance.

H.R. No. 37, entitled: "HOUSE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO PREPARE A PLAN TO GENERATE REVENUES FOR THE FOUNDATION TO SUPPLEMENT ITS BUDGET," was offered by Representative Takai.

Referred to: Committee on Culture and the Arts, then to the Committee on Finance.

H.R. No. 38, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A PUBLIC-PRIVATE PARTNERSHIP TO CONSTRUCT AND MANAGE A PERFORMING ARTS THEATRE FOR HAWAIIAN MUSIC," was offered by Representative Takai.

Referred to: Committee on Culture and the Arts, then to the Committee on Finance.

H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE 'ALOHA EVERY DAY' CONCEPT AND EFFORTS TO NURTURE THE ALOHA SPIRIT IN GOVERNMENT AND ENHANCE HAWAII'S REPUTATION AS THE ALOHA STATE," was jointly offered by Representatives Cachola, Ahu Isa, Chang, White, Morita, Ito, Fox and Jones.

Referred to: Committee on Hawaiian Affairs, then to the Committee on Tourism.

H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF JUROR FEES," was offered by Representative Saiki.

Referred to: Committee on Judiciary, then to the Committee on Finance.

H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF INTEGRATED APPROACHES TO JUVENILE CRIME AND DELINQUENCY PREVENTION AND IDENTIFICATION OF FEDERAL AND PRIVATE FUNDING SOURCES," was offered by Representative Saiki.

Referred to: Committee on Judiciary, then to the Committee on Finance.

H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO ESTABLISH A GOAL TO INCREASE THE RATE OF HOMEOWNERSHIP IN HAWAII TO FIFTY-SIX PER CENT BY THE YEAR 2002," was jointly offered by Representatives Ward, Arakaki, Ito, Lee, Morita, Moses, Saiki, Stegmaier, Takai and Thielen.

Referred to: Committee on Human Services and Housing.



H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE ON GOVERNMENT EFFICIENCY TO RECOMMEND WAYS TO MAKE GOVERNMENT MORE EFFICIENT AND COST-EFFECTIVE THROUGH RESTRUCTURING, RIGHT-SIZING, AND PRIVATIZING APPROPRIATE GOVERNMENT SERVICES," was jointly offered by Representatives Ward, Arakaki, Goodenow, McDermott, Morita, Moses, Saiki, Stegmaier, Takai, Takumi and Thielen.

Referred to: Committee on Labor and Public Employment, then to the Committee on Finance.

H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO REVOKE EXECUTIVE ORDER NO. 11166 ALLOWING THE RETURN OF MAKUA MILITARY RESERVATION," was jointly offered by Representatives Kahikina, Ahu Isa, Kanoho, Morita, Goodenow, Arakaki, Aiona, Jones and Kawakami.

Referred to: Committee on Water and Land Use, then jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary.

H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE BUSINESS ALOHA TEAM PROGRAM TO ASSIST INDIVIDUAL BUSINESSES IN CREATING AND RETAINING JOBS WITHIN THE STATE," was offered by Representative P. Oshiro.

Referred to: Committee on Economic Development and Business Concerns, then to the Committee on Finance.

H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE MANAGEMENT OF WETLANDS AT THE HANAIEI NATIONAL WILDLIFE REFUGE," was jointly offered by Representatives Morita, Kawakami, Lee, Kanoho, Tarnas, Abinsay, Fox, Ito, Kahikina, Kawanakoa, Santiago, Suzuki and Takamine.

Referred to: Jointly to the Committee on Energy and Environmental Protection and the Committee on Water and Land Use, then to the Committee on Agriculture.

H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ISSUE A PERMIT FOR A PILOT DEMONSTRATION OPEN OCEAN AQUACULTURE PROJECT TO THE UNIVERSITY OF HAWAII," was jointly offered by Representatives Tarnas, Hamakawa, Morihara and Takai.

Referred to: Committee on Agriculture, then to the Committee on Ocean Recreation and Marine Resources, then to the Committee on Higher Education.

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PROPOSAL TO ESTABLISH THE MARINE BIOPRODUCTS ENGINEERING CENTER, WITH FACILITIES AT THE UNIVERSITY OF HAWAII, AS A KEY COMPONENT FOR THE FUTURE SUCCESS OF MARINE BIOTECHNOLOGY IN HAWAII," was jointly offered by Representatives Tarnas, Morita, Moses, Aiona, Case, Halford, Hamakawa, Herkes, McDermott, Santiago, Say, Stegmaier, Takai, Takamine, Takumi, White and Yonamine.

Referred to: Committee on Ocean Recreation and Marine Resources, then to the Committee on Higher Education, then to the Committee on Finance.

H.C.R. No. 116, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO INITIATE A PARTNERSHIP WITH THE NATIONAL PERFORMANCE REVIEW," was offered by Representative Souki, by request.

Referred to: Committee on Labor and Public Employment, then to the Committee on Finance.

H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF MOTOR VEHICLE INSURANCE PREMIUM REDUCTIONS FOR DRIVER'S EDUCATION COURSE GRADUATES," was jointly offered by Representatives Chang, Ito, Abinsay, Ahu Isa, Aiona, Arakaki, Cachola, Fox, Garcia, Goodenow, Halford, Herkes, Hiraki, Jones, Kanoho, Kawakami, Lee, Marumoto, McDermott, Menor, Morihara, Morita, Okamura, M. Oshiro, Pendleton, Santiago, Suzuki, Takumi, Tarnas, Tom, Ward and Yonamine.

Referred to: Committee on Transportation, then to the Committee on Consumer Protection and Commerce.

H.C.R. No. 118, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A FIVE-DAY RECESS TO ALLOW THE LEGISLATURE TO SEEK COMMUNITY INPUT AND GENERATE A BROAD CONSENSUS ON THE LEGISLATURE'S 1998 ECONOMIC REVITALIZATION PROGRAM," was jointly offered by Representatives Santiago, Arakaki, Kahikina and Saiki.

Referred to: Committee on Legislative Management, then to the Committee on Finance.

H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A TASK FORCE AND REQUESTING A STUDY AND REPORT ON A NEW HEALTH CARE ASSURANCE PROGRAM," was jointly offered by Representatives Arakaki, Santiago, Lee, Yonamine, Menor, Kahikina, Abinsay, Chang, Hiraki, Ito, Kanoho, Kawakami, Morita, Saiki, Suzuki, Takai and Takumi.

Referred to: Jointly to the Committee on Human Services and housing and the Committee on Health, then to the Committee on Consumer Protection and Commerce.

H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON EARLY CHILDHOOD EDUCATION AND CARE," was jointly offered by Representatives Arakaki, Kahikina, Marumoto, Thielen, Kawakami, Morita, Lee, M. Oshiro, Tarnas, Abinsay, Cachola, Chang, Garcia, Goodenow, Hiraki, Ito, Kanoho, McDermott, Meyer, Morihara, Okamura, Pendleton, Saiki, Santiago, Stegmaier, Takai, Takumi and White.

Referred to: Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Education, then to the Committee on Finance.

H.C.R. No. 121, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CHILDREN'S HEALTH INSURANCE PROGRAM PLANNING COMMITTEE TO DEVELOP UNIVERSAL HEALTH COVERAGE FOR ALL OF HAWAII'S CHILDREN," was jointly offered by Representatives Arakaki, Kahikina, Tarnas, Santiago, Abinsay, Cachola, Case, Chang, Garcia, Goodenow,



Hiraki, Ito, Kanoho, Kawakami, Lee, Marumoto, Morihara, Morita, M. Oshiro, Pendleton, Saiki, Stegmaier, Takai, Takumi and Thielen.

Referred to: Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Finance.

H.C.R. No. 122, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OFFICE OF YOUTH SERVICES TO EXPAND ITS SERVICES TO FAMILIES OF YOUTH AND TO PURSUE THE DELIVERY OF COMPREHENSIVE, INTERDISCIPLINARY YOUTH SERVICES THROUGH THE COLLABORATION AND BLENDING OF RESOURCES," was jointly offered by Representatives Arakaki, Kahikina, Santiago, M. Oshiro, Tarnas, Abinsay, Cachola, Chang, Garcia, Goodenow, Hiraki, Ito, Kanoho, Kawakami, Lee, Marumoto, Meyer, Morihara, Morita, Pendleton, Takai, Takumi and Thielen.

Referred to: Committee on Human Services and Housing, then to the Committee on Finance.

H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE THE SCHOOL-BASED HEALTH CLINIC PROGRAM PERMANENT, TO RESTORE FUNDING TO THE PROGRAM AND EXPAND IT TO REACH OTHER HIGH SCHOOL CAMPUSES, AND TO WORK WITH THE DEPARTMENT OF EDUCATION TO INTEGRATE THE PROGRAM INTO THE COMPREHENSIVE STUDENT SUPPORT SYSTEM," was jointly offered by Representatives Arakaki, Kahikina, Stegmaier, Saiki, Meyer, Santiago, Tarnas, Lee, Thielen, Morita, Abinsay, Cachola, Chang, Garcia, Goodenow, Hiraki, Ito, Kanoho, Kawakami, Marumoto, Morihara, M. Oshiro, Takai and Takumi.

Referred to: Committee on Health, then to the Committee on Education, then to the Committee on Finance.

H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF YOUTH SERVICES AND OTHER PUBLIC AND PRIVATE AGENCIES PROVIDING SERVICES TO ADOLESCENTS TO WORK TOWARD A SOLUTION TO THE PROBLEM OF TEENAGE VICTIMS OF DOMESTIC VIOLENCE," was jointly offered by Representatives Arakaki, Kahikina, Lee, Saiki and Santiago.

Referred to: Committee on Human Services and Housing, then to the Committee on Judiciary.

H.C.R. No. 125, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS MENTAL HEALTH SERVICES AND TO PROVIDE NEEDED SERVICES FOR CHILDREN UNDER FIVE YEARS OF AGE AS EARLY AS POSSIBLE," was jointly offered by Representatives Arakaki, Saiki, Kahikina, Stegmaier, Santiago, Kanoho, Goodenow, Chang, Pendleton, Tarnas, Lee, Abinsay, Morita, Kawakami, M. Oshiro, Ahu Isa, Hiraki, Ito, Marumoto, McDermott, Morihara, Takai and Takumi.

Referred to: Committee on Health, then to the Committee on Finance.

H.C.R. No. 126, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONSIDER IMPLEMENTING AS SOON AS POSSIBLE A STATEWIDE COMPUTERIZED FINGER IMAGING PROGRAM TO PREVENT DUPLICATE ASSISTANCE WELFARE FRAUD," was jointly offered by

Representatives Arakaki, Pendleton, Case, Morita, White, Goodenow, Hiraki, Ito, Kahikina, Saiki, Takai and Takumi.

Referred to: Committee on Human Services and Housing, then to the Committee on Judiciary, then to the Committee on Finance.

H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF SATELLITE UNIVERSITIES IN THE ASIA-PACIFIC REGION," was jointly offered by Representatives Arakaki, Morihara, Goodenow, Chang, Pendleton, Ward, M. Oshiro, Abinsay, Case, Hiraki, Lee, Morita, Okamura, Saiki, Takai and Takumi.

Referred to: Committee on Higher Education, then to the Committee on Finance.

H.C.R. No. 128, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON COMPUTER-RELATED REPETITIVE STRESS INJURIES IN THE STATE," was jointly offered by Representatives Lee, Yonamine, Arakaki, Hiraki, Kahikina, Marumoto, Saiki, Suzuki, Takamine, Takumi and Yamane.

Referred to: Committee on Labor and Public Employment, then to the Committee on Finance.

H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM'S STATE OFFICE OF TOURISM AND THE HAWAII VISITORS AND CONVENTION BUREAU TO SUPPORT CULTURE AND THE ARTS AND ITS POSITIVE IMPACT ON HAWAII'S ECONOMY," was offered by Representative Takai.

Referred to: Committee on Culture and the Arts, then to the Committee on Tourism, then to the Committee on Finance.

H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO CONSULT WITH THE HONOLULU ACADEMY OF ARTS IN FORMING A PUBLIC-PRIVATE PARTNERSHIP," was offered by Representative Takai.

Referred to: Committee on Culture and the Arts, then to the Committee on Finance.

H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO PREPARE A PLAN TO GENERATE REVENUES FOR THE FOUNDATION TO SUPPLEMENT ITS BUDGET," was offered by Representative Takai.

Referred to: Committee on Culture and the Arts, then to the Committee on Finance.

H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A PUBLIC-PRIVATE PARTNERSHIP TO CONSTRUCT AND MANAGE A PERFORMING ARTS THEATRE FOR HAWAIIAN MUSIC," was offered by Representative Takai.

Referred to: Committee on Culture and the Arts, then to the Committee on Finance.

## ANNOUNCEMENTS

Representative M. Oshiro: "Mr. Speaker, I need to announce that there will be a meeting of the Committee Chairs immediately after the session in your office."

Representative Takai: "Mr. Speaker, I just wanted to announce that there will be a UH/Fresno State basketball game tonight. I wanted to wish, on behalf of all of us, and Sam Aiona wanted me to mention his name so I did, the best of luck tonight. I know it's a very important game and a few of us will be there. Thank you."

#### ADJOURNMENT

At 12:51 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 20, 1998. (Representatives Case, Hiraki, Ito, Menor, Morihara, Say, Thielen and Yoshinaga were excused.)

## THIRTY-FOURTH DAY

Friday, March 20, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 12:13 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative David A. Pendleton and his father, Mr. Richard Pendleton, who sang the Lord's Prayer, after which the Roll was called showing all members present with the exception of Representatives Cachola, Garcia, Kahikina, Morihara, M. Oshiro, Saiki, Takumi, Tarnas, Thielen and White, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Third Day was deferred.

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 185 and 186) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 185, informing the House that on March 18, 1998, he signed House Bill No. 397 as Act 3, entitled: "RELATING TO MOTOR VEHICLE REGISTRATION."

Gov. Msg. No. 186, transmitting copies of the Business Action Center Biennial Report to the Legislature for 1996 & 1997, as required by HRS, Section 201D-7.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Yamane introduced a group of eighth grade students and teachers from Kaimuki Intermediate School.

Representative Takai introduced Mr. James Noble, Jr., the Executive Vice President, American Hawaii Cruises; Dr. Doris Ching, Vice President of Student Affairs at the University of Hawaii; Dr. Amy Agbayani, Director of the Student Equity Excellence and Diversity at the University; and Dr. Lee Putnam, Interim Assistant Vice President for Academic Affairs.

Representative Takai also introduced recipients of the American Hawaii Cruises Community Service Scholarships: Ms. Tracy Barbarito, Ms. Christine Bender, Ms. Kaiming Chang, Mr. Jason Chang, Ms. Kelly Hata, Ms. Jennifer Kishi, Ms. Amy Koga, Ms. Melissa Matsuda, Ms. Heather Yuen and Mr. Jerry Yago.

Representative Pendleton introduced his mother, Mrs. Richard Pendleton.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENT

Senate Bill No. 2385 was re-referred to the Committee on Education, then jointly to the Committee on Health and the Committee on Human Services and Housing, then to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 44 and 45) were announced by the Clerk and the following actions taken:

H.R. No. 44, entitled: "HOUSE RESOLUTION RECOGNIZING MARCH AS 'ADULT AND COMMUNITY EDUCATION MONTH'," was jointly offered by Representatives Morita, Stegmaier, Hiraki, Arakaki, Chang, Halford, Ito, Jones, Kahikina, Kawakami, Marumoto, Menor, Morihara, Santiago, Suzuki, Takai, Takamine, Takumi, Tarnas and Yonamine.

On motion by Representative Morita, seconded by Representative Stegmaier and carried, H.R. No. 44 was adopted, with Representatives Garcia, Kahikina, Nakasone, M. Oshiro, Saiki, Stegmaier, Takumi, Tarnas and Thielen being excused.

Representative Morita introduced Mr. Daniel Kinoshita, recipient of the 1998 "Friend of Adult Education" award; Ms. Laverne Fernandes Moore and Mr. Vernon Paler, Hawaii State Adult & Community Education Council Co-Chairs; Mr. Wayne Kanemoto, Chair of the Principal's Executive Committee on Community Schools for Adults; and Mr. Herbert Watanabe, Board of Education member and Chair of the BOE Adult Education Committee.

H.R. No. 45, entitled: "HOUSE RESOLUTION COMMENDING ERIKA KAUFFMAN -- MISS HAWAII 1997," was jointly offered by Representatives Ward, Whalen, Halford, Kawananakoa, Moses, M. Oshiro and Takumi.

On motion by Representative Ward, seconded by Representative Whalen and carried, H.R. No. 45 was adopted, with Representatives Arakaki, Garcia, Ito, Kahikina, Nakasone, M. Oshiro, Saiki, Say, Stegmaier, Takumi, Tarnas and Thielen being excused.

Representative Ward introduced Miss Erika Kauffman of the Big Island -- Miss Hawaii 1997.

At 12:49 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:14 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 840-98) recommending that S.B. No. 705, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 705, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS FOR THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 841-98)

recommending that S.B. No. 721, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 721, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative P. Oshiro.

Representative McDermott rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Pendleton then rose to speak in opposition to the measure, stating:

"Mr. Speaker, the reason I oppose this particular measure is twofold. First, during the hearing in the Judiciary Committee, we had testimonies from a number of people, one of which represented the Hawaii State Bar Association. The concern they raised was that raising the fees without a prior study, which would evaluate how these fees would impact working middle class, indigents, or other residents of Hawaii who may have to avail themselves of our Judiciary system, passing this bill without such a study would be inappropriate because we don't know how the fees will impact these people.

"For example, Mr. Speaker, if one looks at the bill, on the first page of this bill, line 6, you see that the fee for that particular item is being raised from \$25 to \$75. On line 13 of that same page, you see that the fee is being raised from \$30 to \$100. On line 5, page 2, the fee is going from \$100 to \$200. On line 6, which has to do with, if you're appealing to a circuit court it goes from \$30 to \$100. On line 20, from \$15 to \$100, and these are but a few examples of the dramatic increases in fees. We're talking about more than a hundred percent increase in some of these cases.

"Mr. Speaker, also note that the monies from these fees are not necessarily earmarked for Judiciary expenses. They go directly into the general fund. So those are the concerns that were raised during the hearing, and for those reasons I'm going to be voting no.

"Thank you, Mr. Speaker."

Representative Tom then rose to speak in support of the measure, stating:

"First of all, the fees that were originally introduced to us were well beyond what we made it to. I mean these fees that we have are well within the limits and we scaled it down. The second thing is that many of these fees haven't been raised since 1972. That's 20 something years, I can't count, but since 1972 these fees have never been raised. I don't think that it's going to be so unreasonable that people won't be able to afford it.

"We have to raise it. We haven't raised it for over 20 years. So just to say that we're against it because of the concept is not enough. Just to say we don't like hot water, meaning we don't want all water, I don't understand the whole argument because eventually fees have to be raised. That's life.

"The fees go to the general fund so that it is going to benefit all of the people of the State of Hawaii. I don't think that to object to the bill because of a concept that we shouldn't be raising fees is valid. I think even the Hawaii Bar Association said that, that they're not against the fees being raised per se. They just want to make sure that it's still accessible to the people. I believe that the way the House Judiciary did it, we did scale down tremendously, Mr. Speaker. Thank you."

Representative Ward then rose to speak in opposition to the measure, stating:

"Mr. Speaker, as I read through fee increase, it looked to me it was the Indonesian rupiah, which has been devalued to the point where you've got 70 percent of what it used to be, you've got to put on a double, and a triple in some instances. And because there has not been a leadership change in Indonesia since 1967, does that mean everything that they're doing now is right? Does it mean that we can double and triple fees just overnight? I don't think that historical argument actually holds water, Mr. Speaker. This is a bit excessive, cruel, and unusual punishment on the public, and therefore I'll vote no."

Representative Yamane then rose to speak in support of the measure, stating:

"Contrary to some of the former speakers, if you take the cost of living index, and you take the fees of 25 years ago, the increase would be greater than what the Judiciary Chair has made it. He has reduced the fees from what was originally requested by the Judiciary.

"Mr. Speaker, if the cost of living has gone down, then I can see we should reduce the fees. The cost of living has not gone down. If there is concern about the fees going into the general fund, if those of you are interested, you can look for yourselves at the Judiciary budget every year and you'll see the amount of revenue is shown on the Judiciary budget. So when you say that the fees are just going into the general budget, that is not totally correct. The Finance Chair has access to total revenues generated by the Judiciary and by court and the fees do not total up to what the total Judiciary budget is. So maybe we should increase the fees even greater to pay off the Judiciary budget.

"Thank you, Mr. Speaker."

Representative Kawanakoa then rose to speak in opposition to the measure, stating:

"A couple of things that I heard are really getting me concerned. It's as if the taxpayers of this State don't pay any taxes. The last time I checked, government is supposed to help in the Judiciary with our courts so some of that funding doesn't all come from fees. And if we're already paying taxes and the Judiciary is our third branch of government, I think it's worthy and appropriate for this body to take some of our tax money and spend it in the Judiciary.

"So the other question with regard to the reduction, I don't think that was the argument of my good colleague from Maunawili and Enchanted Lakes. I think his point was that we haven't studied this. We're simply guessing in the dark. We seem to do a lot of that in this body, and I don't find that to be the appropriate way to legislate. No study has been performed. HSBA said, contrary to some of the discussion here as if they were in favor of this bill, they were in opposition. Maybe not because they didn't want to see fees increase, but they were concerned that we were increasing fees without any sort of backing or understanding or knowledge, to simply be grabbing the number that we felt was appropriate. It's this kind of legislation that leads to the demise of our stature and the public's trust in us -- when we just simply grab numbers.

"I don't think there was any testimony with regard to inflation at the time of the hearing so I'm curious as to why that's being advocated here on the floor now. For the following reasons, Mr. Speaker, I'll be voting no. I would hope that we'd have better, well-rationed, studied

information before we go and increase/decrease fees for that matter.

"Thank you, Mr. Speaker."

Representative Moses then rose to speak in opposition to the measure, stating:

"I'm not objecting, Mr. Speaker, to the concept. I'm objecting to the fee, 300 percent in most cases here. This is for those who seek to use our justice system. As you have heard, they've already paid for a lot of that with their tax money, and I think what we are doing is maybe forcing some of the people out of the market, so to speak, so that they won't even be able to get access to the Judicial System.

"Mr. Speaker, I think we need to see what are the actual costs of these filings, just of the filings. I have no objection to paying a proper fee that actually costs the same or covers the cost of the filings, but this doesn't appear to be contained in this measure. This appears to be a tax. It's just money going into the general fund with no direct linkage back to what it's suppose to pay for. The numbers, themselves, where do they come from. Are these PFA's? We heard that term the other day. Are these just 'picked from the air'? Thank you, Mr. Speaker."

Representative Meyer then rose and asked the Clerk to register a "no" vote for her, and the Chair "so ordered."

Representative Halford then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Jones then rose to speak in support of the measure, stating:

"When the Judiciary came into the hearing, they mentioned that they didn't raise the fees on these items for over 20 years. They presently collect little over \$15 million from the fees in the Judiciary. With the increase, this would have brought in about an additional \$2.5 million. After 20 years, I thought this was reasonable. But after considering everything, the Committee decided to bring down the fees. And the fees were dropped drastically in some areas. I thought this was a good compromise. This bill still has a way to go to the Finance Committee, and I think we'll have another shot at it. Maybe then we can raise it some more.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 721, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance with Representatives Halford, Kawanakoa, McDermott, Meyer, Moses, Pendleton and Ward voting no, and Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 842-98) recommending that S.B. No. 1273, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1273, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS OF SEXUAL ASSAULT," passed Second

Reading and was referred to the Committee on Finance, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 843-98) recommending that S.B. No. 2254, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2254, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 844-98) recommending that S.B. No. 2402, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2402, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 845-98) recommending that S.B. No. 2970, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Tourism.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2970, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Tourism, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 846-98) recommending that S.B. No. 3156, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development and Business Concerns.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3156, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PROCESSING AND INDUSTRIAL ENTERPRISES ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Economic Development and Business Concerns, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 847-98) recommending that S.B. No. 2621, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2621, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE," passed Second Reading and was referred to the Committee on Labor and Public Employment, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 848-98) recommending that S.B. No. 2340, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2340, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," passed Second Reading and was referred jointly to the Committees on Consumer Protection and Commerce and Judiciary, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 849-98) recommending that S.B. No. 3227, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3227, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 850-98) recommending that S.B. No. 2229, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2229, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION LICENSE PLATES," passed Second Reading and was referred to the Committee on Transportation, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 851-98) recommending that S.B. No.

1559, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1559, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 852-98) recommending that S.B. No. 2987, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2987, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 853-98) recommending that S.B. No. 2861, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2861, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 854-98) recommending that S.B. No. 2803, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2803, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII SMALL BUSINESS REGULATORY FLEXIBILITY ACT," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 855-98) recommending that S.B. No. 2773, SD 1, pass Second Reading and be placed on the calendar for Third Reading.



On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2773, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen and Yonamine being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 856-98) recommending that H.C.R. No. 50, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 50, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXPLORE A NEW QUEST DISTRIBUTION METHODOLOGY," was referred to the Committee on Finance, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen, Tom and Yonamine being excused.

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 857-98) recommending that H.C.R. No. 69, as amended in HD 1, be referred to the Committee on Public Safety and Military Affairs.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 69, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE COASTAL ZONE MANAGEMENT PROGRAM, THE DEPARTMENT OF THE NAVY, THE DEPARTMENT OF THE ARMY, THE DEPARTMENT OF THE AIR FORCE, THE DEPARTMENT OF THE INTERIOR MINERALS MANAGEMENT SERVICE, AND THE UNITED STATES ARMY CORPS OF ENGINEERS TO PLAN AND IMPLEMENT BEACH RESTORATION AND NOURISHMENT PROJECTS IN HAWAII," was referred to the Committee on Public Safety and Military Affairs, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen, Tom and Yonamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 858-98) recommending that H.C.R. No. 34, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 34, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL TRADE COMMISSION TO RE-EVALUATE THE AGREEMENT CONTAINING CONSENT ORDER IN THE MATTER OF SHELL OIL COMPANY AND TEXACO INC. (FILE NO. 971-0026)," was referred to the Committee on Consumer Protection and Commerce, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen, Tom and Yonamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 859-98) recommending that H.C.R. No. 68 be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ANALYZE THE PROBABLE EFFECTS OF THE PROPOSED REGULATION CONTAINED IN H.B. NO. 3123 (1998) OF PROFESSIONAL CERTIFIED MIDWIVES," was referred to the Committee on Consumer Protection and Commerce, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen, Tom and Yonamine being excused.

Representatives Stegmaier and Morihara, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 860-98) recommending that H.C.R. No. 55, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 55, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS OF THE STATUS OF EFFORTS TO PROMOTE FAIRNESS AND EQUITY FOR FILIPINO-AMERICANS," was referred to the Committee on Judiciary, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen, Tom and Yonamine being excused.

Representatives Stegmaier and Morihara, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 861-98) recommending that H.R. No. 19, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the joint report of the Committees was adopted and H.R. No. 19, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REPORTS OF THE STATUS OF EFFORTS TO PROMOTE FAIRNESS AND EQUITY FOR FILIPINO-AMERICANS," was referred to the Committee on Judiciary, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen, Tom and Yonamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 862-98) recommending that H.C.R. No. 33, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative P. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 33, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION, TEACHERS, AND ADMINISTRATORS TO IMPLEMENT THE POLICIES ESTABLISHED BY THE BOARD OF EDUCATION REGARDING STUDENT PROMOTION AND TO PROMOTE STUDENTS BASED SOLELY UPON ACADEMIC PERFORMANCE," was adopted, with Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen, Tom and Yonamine being excused.

## ANNOUNCEMENTS



Representative Ward was permitted a late introduction and he introduced Mr. Daryl Large from the Hawaii Kai community.

Representative Takai: "On behalf of Representatives Arakaki and Marcus Oshiro, I just wanted to make mention of a breakfast on Monday, March 23rd, in Room 325 of the State Capitol from 7:30 to 9:00 a.m. We're going to be in a discussion with Dr. John Marcelas and he's going to talk a little bit about pre-natal drug exposure, brain development, the neural biology of humans, neural psychiatric disorders and the like. So if any members are interested, please attend this breakfast. Thank you, Mr. Speaker."

Representative Okamura then moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving House Resolutions and House Concurrent Resolutions by the Clerk's Office, seconded by Representative Marumoto and carried. (Representatives Arakaki, Case, Chang, Garcia, Goodenow, Hiraki, Ito, Kahikina, Menor, M. Oshiro, Say, Stegmaier, Tarnas, Thielen, Tom and Yonamine were excused.)

At 1:30 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 1:31 o'clock p.m.

At this time, the Chair requested a moment of silence in honor of Representative Yoshinaga's father, who recently passed away.

At 1:32 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving House Resolutions and House Concurrent Resolutions.

### INTRODUCTION OF RESOLUTIONS

In accordance with the motion made earlier, the following resolutions (H.R. Nos. 40 through 43 and 46) and concurrent resolutions (H.C.R. Nos. 133 through 160) were received in the Clerk's Office and were referred to committee by the Speaker:

H.R. No. 40, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A STATE CONFERENCE ON THE FUTURE ROLE OF THE RESIDENTIAL CARE HOME INDUSTRY IN HAWAII," was jointly offered by Representatives Arakaki, Abinsay, Cachola, Garcia, Menor, Santiago, Chang, Case, Yonamine, Takumi, Goodenow, Lee, M. Oshiro, Okamura, Tarnas, Ahu Isa, Hiraki, Ito, Kahikina, Kanoho, Kawakami, Morita, P. Oshiro, Saiiki and Takai.

Referred to: Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Finance

H.R. No. 41, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE THE SCHOOL-BASED HEALTH CLINIC PROGRAM PERMANENT, TO RESTORE FUNDING TO THE PROGRAM AND EXPAND IT TO REACH FARRINGTON HIGH SCHOOL, AND TO WORK WITH THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HUMAN SERVICES TO INTEGRATE THE PROGRAM INTO THE COMPREHENSIVE STUDENT SUPPORT SYSTEM," was jointly offered by Representatives Arakaki, Abinsay, Ahu Isa, Ito, Santiago, Cachola and Suzuki.

Referred to: Committee on Health, then to the Committee on Education, then to the Committee on Finance

H.R. No. 42, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATURE TO CONVENE A TASK FORCE TO INVESTIGATE THE FEASIBILITY OF CREATING AND DEVELOPING PLANS FOR AN INSTITUTE FOR CANCER TREATMENT AND HOLISTIC HEALING," was offered by Representative Kawanakao.

Referred to: Committee on Health, then to the Committee on Legislative Management

H.R. No. 43, entitled: "HOUSE RESOLUTION STRONGLY URGING THE GOVERNOR AND THE DEPARTMENT OF TRANSPORTATION TO PROMOTE ACTIONS TO ENSURE HAWAII'S ROLE AS A TEST SITE IN THE FLIGHT 2000 DEMONSTRATION PROJECT," was offered by Representative Yamane.

Referred to: Committee on Transportation

H.R. No. 46, entitled: "HOUSE RESOLUTION EXPRESSING THE CONCERNS OF THE LEGISLATURE REGARDING THE SHOOTING OF RODNEY LAULUSA BY HONOLULU POLICE OFFICERS, AND REQUESTING THAT THE HONOLULU POLICE DEPARTMENT USE SENSITIVITY IN INVESTIGATING THAT CASE," was offered by Representative Say.

Referred to: Committee on Judiciary

H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE ADMINISTRATIVE SUPPORT FOR THE TEMPORARY, VOLUNTARY ATHLETIC TRAINERS COMMISSION TO EXAMINE THE PROS AND CONS OF SEPARATE STATE REGULATION OF CERTIFIED ATHLETIC TRAINERS AND THE FEASIBILITY AND IMPACT OF ALLOWING CERTIFIED ATHLETIC TRAINERS TO ACT AS THIRD-PARTY BILLERS FOR SERVICES UNDER THE PREPAID HEALTH CARE ACT AND THE WORKERS' COMPENSATION LAW," was offered by Representative Say.

Referred to: Committee on Health, then to the Committee on Labor and Public Employment, then to the Committee on Consumer Protection and Commerce

H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION ADVISING THAT THE STATE NOT ALLOW THE INSTALLATION OR DEPLOYMENT OF ANY DEVICES THAT WOULD GENERATE OR BE USED IN LOW FREQUENCY ACTIVE SONAR IF CURRENT STUDIES OFF THE COAST OF HAWAII ISLAND INDICATE LOW FREQUENCY ACTIVE SONAR WOULD RESULT IN HARM TO THE MARINE LIFE," was jointly offered by Representatives Tarnas and Garcia.

Referred to: Committee on Ocean Recreation and Marine Resources, then jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary

H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOMELANDS TO CREATE AND OVERSEE A FORUM REGARDING THE ISSUE OF AN ELECTED HAWAIIAN HOMES COMMISSION," was jointly offered by Representatives Kahikina, Kanoho,

Arakaki, Goodenow, Ahu Isa, Aiona, Case, Jones, Kawakami, Kawanakoa, Morita and Ward.

Referred to: Committee on Hawaiian Affairs, then to the Committee on Judiciary

H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE DEVELOPMENT OF KA'APUNI O'HAWAI'I TRAIL (TRAIL THAT CIRCLES THE ISLAND OF HAWAI'I)," was jointly offered by Representatives Tarnas, Chang, Hamakawa, Herkes, Hiraki, Takamine, Takumi and Whalen.

Referred to: Committee on Water and Land Use

H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO PENAL RESPONSIBILITY," was offered by Representative Case.

Referred to: Committee on Judiciary, then to the Committee on Legislative Management

H.C.R. No. 138, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE LEGISLATURE FOR WORLD PEACE 2000," was offered by Representative Takai.

Referred to: Committee on Judiciary

H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A STATE CONFERENCE ON THE FUTURE ROLE OF THE RESIDENTIAL CARE HOME INDUSTRY IN HAWAII," was jointly offered by Representatives Arakaki, Abinsay, Cachola, Garcia, Menor, Santiago, Chang, Case, Yonamine, Takumi, Goodenow, Pendleton, Lee, M. Oshiro, Okamura, Tarnas, Ahu Isa, Hiraki, Kahikina, Morita, P. Oshiro and Takai.

Referred to: Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Finance

H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE THE SCHOOL-BASED HEALTH CLINIC PROGRAM PERMANENT, TO RESTORE FUNDING TO THE PROGRAM AND EXPAND IT TO REACH FARRINGTON HIGH SCHOOL, AND TO WORK WITH THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HUMAN SERVICES TO INTEGRATE THE PROGRAM INTO THE COMPREHENSIVE STUDENT SUPPORT SYSTEM," was jointly offered by Representatives Arakaki, Abinsay, Ahu Isa, Ito, Santiago, Cachola and Suzuki.

Referred to: Committee on Health, then to the Committee on Education, then to the Committee on Finance

H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO RESTORE FOOD STAMP BENEFITS TO LEGAL, NONCITIZEN IMMIGRANTS," was jointly offered by Representatives Arakaki, Abinsay, Morita, Takai, Hiraki, Suzuki, Kawakami, Ito, M. Oshiro, Okamura, Lee, Saiki, Yonamine, Kahikina, Santiago, P. Oshiro, Souki and Kanoho.

Referred to: Committee on Human Services and Housing, then to the Committee on Finance

H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO

CONVENE A TASK FORCE TO INVESTIGATE THE FEASIBILITY OF CREATING AND DEVELOPING PLANS FOR AN INSTITUTE FOR CANCER TREATMENT AND HOLISTIC HEALING," was offered by Representative Kawanakoa.

Referred to: Committee on Health, then to the Committee on Legislative Management

H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN UPDATE OF THE 1991 AUDITOR'S STUDY ON DEPARTMENT OF HAWAIIAN HOME LANDS ENTITLEMENTS," was jointly offered by Representatives Kahikina, Ahu Isa, Aiona, Case, Kanoho, Kawanakoa, Suzuki and Yamane.

Referred to: Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE THE EXTENT OF INCIDENTS INVOLVING PATIENTS WHO ARE DENIED MEDICAL TREATMENT DUE TO LACK OF MEDICAL INSURANCE," was offered by Representative Saiki, by request.

Referred to: Committee on Health, then to the Committee on Consumer Protection and Commerce

H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT AN EVALUATION OF THE STATE'S GENERAL ASSISTANCE PROGRAM TO EVALUATE THE OVERALL IMPACT AND EFFECTIVENESS OF POLICY CHANGES AUTHORIZED IN ACT 200, SESSION LAWS OF HAWAII 1997," was offered by Representative Saiki, by request.

Referred to: Committee on Human Services and Housing, then to the Committee on Finance

H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO EXPEDITIOUSLY RENOVATE THE THELMA PARKER MEMORIAL PUBLIC AND SCHOOL LIBRARY AT WAIMEA, HAWAII," was jointly offered by Representatives Tarnas, Chang, Hamakawa, Herkes, Morita, Stegmaier, Takamine and Whalen.

Referred to: Committee on Education, then to the Committee on Finance

H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO DETERMINE AND RECOMMEND TO THE LEGISLATURE THE NECESSARY STEPS TO ENHANCE THE CORPORATION'S ABILITY TO NEGOTIATE CONTRACTS THAT DETERMINE THE REIMBURSABLE COSTS FOR MEDICAL SERVICES," was jointly offered by Representatives Tarnas, Kahikina and Santiago.

Referred to: Committee on Health, then to the Committee on Finance

H.C.R. No. 148, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE AQUACULTURE DEVELOPMENT PROGRAM, DEPARTMENT OF LAND AND NATURAL RESOURCES, FOR TWENTY YEARS OF SERVICE TO THE PEOPLE OF HAWAI'I,"

was jointly offered by Representatives Tarnas, Meyer, Hamakawa and Morihara.

Referred to: Committee on Agriculture, then to the Committee on Ocean Recreation and Marine Resources

H.C.R. No. 149, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE GOVERNOR AND THE DEPARTMENT OF TRANSPORTATION TO PROMOTE ACTIONS TO ENSURE HAWAII'S ROLE AS A TEST SITE IN THE FLIGHT 2000 DEMONSTRATION PROJECT," was offered by Representative Yamane.

Referred to: Committee on Transportation

H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO ENACT LEGISLATION BANNING GAMBLING ON THE INTERNET," was jointly offered by Representatives Marumoto, Meyer, Kanoho, Takumi, Case, Hamakawa, White, Ward, Arakaki, Aiona, Fox, Halford, Hiraki, Ito, Kahikina, Kawanakoa, Lee, McDermott, Morita, Moses, M. Oshiro, Pendleton, Saiki, Stegmaier, Takai, Tarnas, Thielen, Whalen, Yamane and Yonamine.

Referred to: Committee on Judiciary

H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE 10TH ANNIVERSARY OF THE SIGNING OF THE CIVIL LIBERTIES ACT OF 1988," was jointly offered by Representatives Marumoto, Morita, M. Oshiro, Ward, Takumi, Santiago, Pendleton, Halford, McDermott, Moses, Ahu Isa, Aiona, Arakaki, Case, Fox, Garcia, Herkes, Hiraki, Kanoho, Morihara, P. Oshiro and Yamane.

Referred to: Committee on Judiciary

H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION CREATING A TASK FORCE TO REVIEW PRIVATELY-OWNED THRILLCRAFT SAFETY AND THE FEASIBILITY OF REGISTRATION AND CERTIFICATION," was jointly offered by Representatives Marumoto, Tarnas, Morita, Ahu Isa, Aiona, Case, Fox, Garcia, Goodenow, Halford, Hamakawa, Herkes, Kanoho, Kawakami, McDermott, Morihara, P. Oshiro, Pendleton, Santiago, Stegmaier, Takumi, Ward and Yamane.

Referred to: Committee on Ocean Recreation and Marine Resources, then to the Committee on Judiciary, then to the Committee on Finance

H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A JUNIOR RESERVE OFFICER TRAINING CORPS PROGRAM AT KA'U HIGH AND PAHALA ELEMENTARY SCHOOL ON THE BIG ISLAND," was offered by Representative Herkes.

Referred to: Committee on Education, then to the Committee on Finance

H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE LEGISLATURE, AND HAWAII BUSINESS LEADERS TO DISCUSS WITH HAWAII'S CONGRESSIONAL DELEGATION THE POSSIBILITY OF EXPANDING AND ENHANCING HAWAII'S FREE TRADE ZONE PROGRAM," was offered by Representative Herkes.

Referred to: Jointly to the Committee on Economic Development and Business Concerns and the Committee on Tourism

H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A NEEDS ASSESSMENT OF FAMILIES WHO PROVIDE HOME CARE TO THEIR FAMILY MEMBER WITH A DEVELOPMENTAL DISABILITY AND DEVELOP A PLAN TO ADDRESS THOSE NEEDS," was offered by Representative Santiago.

Referred to: Committee on Health, then to the Committee on Finance

H.C.R. No. 156, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY, COMPILE, AND SUMMARIZE AVAILABLE DEMOGRAPHIC DATA ON NATIVE HAWAIIANS," was jointly offered by Representatives Case, Suzuki and Yamane.

Referred to: Committee on Hawaiian Affairs, then to the Committee on Legislative Management

H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A CITY, STATE, AND COMMUNITY TASK FORCE TO DEVELOP A MASTER PLAN FOR IMPROVEMENTS TO MANOA RECREATIONAL PARK AND MANOA ELEMENTARY SCHOOL," was offered by Representative Case.

Referred to: Committee on Education, then to the Committee on Finance

H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE CONCERNS OF THE LEGISLATURE REGARDING THE SHOOTING OF RODNEY LAULUSA BY HONOLULU POLICE OFFICERS, AND REQUESTING THAT THE HONOLULU POLICE DEPARTMENT USE SENSITIVITY IN INVESTIGATING THAT CASE," was offered by Representative Say.

Referred to: Committee on Judiciary

H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON UNISEX TOILET FACILITIES FOR PERSONS REQUIRING ASSISTANCE," was jointly offered by Representatives Hamakawa, Chang, Herkes, Takamine and Tarnas.

Referred to: Committee on Health, then to the Committee on Judiciary

H.C.R. No. 160, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF AGRICULTURE AND THE OFFICE OF PLANNING TO CLASSIFY THE KONA COFFEE LANDS AS BEING 'UNIQUE'," was offered by Representative Whalen.

Referred to: Committee on Agriculture, then to the Committee on Water and Land Use

By unanimous consent, the following resolutions (H.R. Nos. 47 through 60) and concurrent resolutions (H.C.R. Nos. 161 through 249) were referred to Printing and further action was deferred:

H.R. No. 47, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, WITH THE ASSISTANCE OF THE DEPARTMENT OF HUMAN SERVICES, TO REVIEW THE DRUG FORMULARY APPROVED FOR USE UNDER THE HAWAII QUEST PROGRAM TO DETERMINE IF IT IS

APPROPRIATE FOR AND ADEQUATELY ADDRESSES WOMEN'S HEALTH ISSUES, INCLUDING POST-MENOPAUSAL HEALTH ISSUES," was jointly offered by Representatives Thielen, Morita and Lee.

H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING THE STUDY OF THE FEASIBILITY OF THE RELOCATION OF MOORHEN AND COOT BIRDS FROM THE HANALEI NATIONAL WILDLIFE REFUGE TO OTHER PROTECTED AND MANAGED WETLANDS ON STATE LANDS," was jointly offered by Representatives Jones, Abinsay, Halford, Herkes, Takai and Whalen.

H.R. No. 49, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION GRANTING AN EXEMPTION FROM MARITIME CABOTAGE TO THE OFFSHORE JURISDICTIONS OF HAWAII, ALASKA, GUAM, AND PUERTO RICO," was jointly offered by Representatives Ward, Ahu Isa, Arakaki, Case, Meyer, Moses, Pendleton and Whalen.

H.R. No. 50, entitled: "HOUSE RESOLUTION REQUESTING THE EAST-WEST CENTER TO ESTABLISH AN INTERNATIONAL DISPUTE RESOLUTION CENTER," was offered by Representative Ward.

H.R. No. 51, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND LIEUTENANT GOVERNOR TO VOLUNTARILY TAKE A FIFTY PER CENT PAY CUT," was offered by Representative Ward.

H.R. No. 52, entitled: "HOUSE RESOLUTION REQUESTING HOSPITALS AND FACILITIES THAT PROVIDE MATERNITY SERVICES TO ENCOURAGE RECOGNITION OF PATERNITY FOR TEEN AND UNWED MOTHERS BEFORE DISCHARGE," was jointly offered by Representatives Arakaki, Santiago, Cachola, Kahikina, Lee, Abinsay, Morita, Stegmaier, Garcia, Meyer, Morihara and Takai.

H.R. No. 53, entitled: "HOUSE RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO IMPLEMENT THE RECOMMENDATIONS OF THE HUI IMI TASK FORCE FOR HAWAIIAN SERVICES ON EARLY CHILDHOOD EDUCATION FOR NATIVE HAWAIIAN AND HAWAIIAN CHILDREN," was jointly offered by Representatives Arakaki, Kawakami, Lee, Santiago, Kahikina, Case, Morita, Abinsay, Cachola, Garcia, Meyer, Morihara, Stegmaier and Takai.

H.R. No. 54, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR AND OTHERS TO PROMOTE THE PURCHASE OF SERVICES AND PRODUCTS MADE IN HAWAII," was offered by Representative Arakaki.

H.R. No. 55, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROVIDE INFRASTRUCTURE TO MAUNALAHA VALLEY, MAKIKI HEIGHTS, ON OAHU, SO THAT THE RESIDENTS HOLDING LONG-TERM LEASES CAN LIVE PROPERLY," was offered by Representative Aiona.

H.R. No. 56, entitled: "HOUSE RESOLUTION ENCOURAGING THE KIHAI HIGH SCHOOL COMMUNITY COMMITTEE TO CONTINUE ITS EFFORTS TO ESTABLISH A CHARTER SCHOOL IN KIHAI, MAUI, CENTERED ON SYSTEMS TECHNOLOGY AND BASED ON PUBLIC-PRIVATE PARTNERSHIPS," was offered by Representative Souki.

H.R. No. 57, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO DEVELOP A PLAN FOR, AND TO ESTIMATE THE COST OF, TRANSFERRING FORESTRY PROGRAMS TO THE DEPARTMENT OF AGRICULTURE," was jointly offered by Representatives Jones and Abinsay.

H.R. No. 58, entitled: "HOUSE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST THE PHILIPPINE CENTENNIAL COORDINATING COMMITTEE OF HAWAII," was jointly offered by Representatives Abinsay, Pendleton, Menor, Arakaki, Garcia and Jones.

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ALLOCATE RESOURCES FOR A COMMUNICATION SKILLS INSTRUCTOR IN THE VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND DIVISION," was jointly offered by Representatives Yoshinaga, Garcia and Santiago.

H.R. No. 60, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SEEK TO IDENTIFY THE STATEWIDE PREVALENCE OF HEPATITIS C IN VARIOUS SEGMENTS OF THE STATE'S POPULATION," was offered by Representative Case.

H.C.R. No. 161, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY ON THE FEASIBILITY OF ALLOWING, FOR NOMINAL CONSIDERATION, THE AMENDMENT OF CERTAIN LAND PATENTS BY REMOVING CONDITIONS RESTRICTING THE USE OF THE LAND FOR ELEEMOSYNARY PURPOSES," was jointly offered by Representatives Kawakami, Goodenow, Kanoho and Takamine.

H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE WAIKIKI YACHT CLUB'S ALOHA RACING CHALLENGE TO THE ROYAL NEW ZEALAND YACHT SQUADRON FOR AMERICA'S CUP XXX," was jointly offered by Representatives M. Oshiro, Tarnas, Fox, Souki, Okamura, Morita, Aiona, Yamane and Halford.

H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE BIG ISLAND'S YOUTH LEADERSHIP DEMONSTRATION PROJECT BE ALLOWED TO USE GENERAL FUNDS IN A MANNER THAT WOULD GENERATE ADDITIONAL SOURCES OF REVENUE TO FINANCIALLY SUSTAIN FUTURE STUDENT PROGRAMS," was jointly offered by Representatives Takamine and Hamakawa.

H.C.R. No. 164, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO RECOMMEND WAYS OF ATTRACTING FOREIGN HUNTERS TO THIS STATE," was offered by Representative Takamine.

H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A PUBLIC MARKET IN EACH COUNTY," was jointly offered by Representatives Jones, Abinsay, Herkes, Takai and Whalen.

H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF THE FEASIBILITY OF TRANSFERRING RESPONSIBILITY FOR THE ANIMAL QUARANTINE STATION OUT OF THE DEPARTMENT OF AGRICULTURE," was jointly offered by Representatives Jones, Abinsay, Herkes, Takai and Whalen.

H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DETERMINE HOW TO EXPAND FOREIGN LANGUAGE INSTRUCTION TO ALL SCHOOLS AND TO MAKE IT AVAILABLE TO AS MANY YOUNG STUDENTS AS POSSIBLE IN ORDER TO MAKE HAWAII'S GRADUATES COMPETITIVE IN THE JOB MARKET," was jointly offered by Representatives Stegmaier, Chang, Cachola, Kawakami, Morihara, Morita and Takai.

H.C.R. No. 168, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF SCHOOL STAFFING," was jointly offered by Representatives Stegmaier, Takamine, Morita, Moses, Arakaki, Cachola, Halford, Hiraki, Kawakami, McDermott, Morihara, Takai and Yonamine.

H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HIGH SCHOOL ATHLETICS ASSOCIATION TO CONSIDER GENDER AND GEOGRAPHICAL EQUITY ISSUES CONCERNING HIGH SCHOOL ATHLETIC TOURNAMENTS, AND FURTHER REQUESTING THE BOARD OF EDUCATION TO CONSIDER THE COMPOSITION OF THE BOARD OF THE HAWAII HIGH SCHOOL ATHLETICS ASSOCIATION," was jointly offered by Representatives Stegmaier, Chang, Cachola, Hiraki, Kawakami, Morihara, Morita and Takai.

H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RECOMMENDATIONS FOR SCREENING SCHOOL VOLUNTEERS," was jointly offered by Representatives Stegmaier, Cachola, Chang, Hiraki, Kawakami, Morihara, Morita and Takai.

H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION, PRIVATE SCHOOLS, INSTITUTIONS OF HIGHER EDUCATION, AND ADULT EDUCATION PROGRAMS TO REVIEW AND IMPROVE EXISTING MUSIC EDUCATION PROGRAMS IN HAWAII," was jointly offered by Representatives Stegmaier, Morita, Moses, Takamine, Arakaki, Cachola, Halford, Hiraki, Kawakami, McDermott, Morihara and Takai.

H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII AND CITY AND COUNTY OF HONOLULU TO COOPERATIVELY WORK TOGETHER TO ESTABLISH A JOINT WAIKIKI TASK FORCE TO EXPLORE THE REVITALIZATION AND RENOVATION OF WAIKIKI AND SURROUNDING AREAS INCLUDING THE HAWAII CONVENTION CENTER," was jointly offered by Representatives Cachola, Chang, Fox, Ahu Isa, Aiona, Herkes, Jones, Morita and White.

H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN OFFICE OF STUDENT SUPPORT SERVICES TO INCLUDE A SCHOOL HEALTH SERVICES SECTION," was jointly offered by Representatives Yonamine, Ahu Isa, Ito, Arakaki, Case, Goodenow, Hiraki, Jones, Kanoho, Morihara, Morita, Nakasone, Okamura, M. Oshiro, P. Oshiro, Santiago, Say, Stegmaier, Suzuki, Takumi and Yamane.

H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE BENEFITS OF A PEER EDUCATION PROGRAM AS A FORM OF ALTERNATE DISPUTE RESOLUTION AMONG TEENS IN HAWAII," was offered by Representative Yamane.

H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY TO DETERMINE THE DEMOGRAPHICS OF THE HOMELESS IN HAWAII," was offered by Representative Yamane.

H.C.R. No. 176, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO COLLABORATE WITH THE WOMEN'S COALITION AND SEX ASSAULT SERVICE PROVIDERS IN DEVELOPING RULES CHANGES TO EXTEND BENEFITS PROVIDED FOR DOMESTIC VIOLENCE VICTIMS TO VICTIMS OF SEXUAL ASSAULT," was jointly offered by Representatives Menor, Lee, Kawakami and Yamane.

H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING AND ADOPTING THE RECOMMENDATIONS CONTAINED IN THE DRAFT ALA WAI CANAL WATERSHED, WATER QUALITY IMPROVEMENT PROJECT, MANAGEMENT AND IMPLEMENTATION PLAN," was jointly offered by Representatives Saiki and Fox.

H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO INITIATE A WORLD TRADE CENTER IN HAWAII," was offered by Representative Ward.

H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP AN INTERNATIONAL TRADING PARTNERS PROGRAM AND AN INTERNATIONAL CONTACT DATABASE," was offered by Representative Ward.

H.C.R. No. 180, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION GRANTING AN EXEMPTION FROM MARITIME CABOTAGE TO THE OFFSHORE JURISDICTIONS OF HAWAII, ALASKA, GUAM, AND PUERTO RICO," was jointly offered by Representatives Ward, Ahu Isa, Arakaki, Case, Herkes, Meyer, Moses, Pendleton and Whalen.

H.C.R. No. 181, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EAST-WEST CENTER TO ESTABLISH AN INTERNATIONAL DISPUTE RESOLUTION CENTER," was jointly offered by Representatives Ward, Pendleton and Takumi.

H.C.R. No. 182, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO STUDY, EXAMINE, AND DETERMINE THE CAPABILITIES OF HAWAII'S FINANCIAL SERVICES INDUSTRY AND ASSESS THE STEPS NEEDED TO PROPEL THE INDUSTRY TO THE FOREFRONT IN HANDLING THE FAST-EMERGING ELECTRONIC COMMERCE THAT WILL DOMINATE IN THE FUTURE," was offered by Representative Ward.

H.C.R. No. 183, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ALL HAWAII



RESIDENTS TO SPEAK MORE THAN ONE LANGUAGE," was offered by Representative Ward.

H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE TO MARSHAL ITS RESOURCES TO BECOME AMERICA'S VANGUARD IN ASIA," was offered by Representative Ward.

H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL TRADE COMMISSION TO INVESTIGATE HIGH GASOLINE PRICES IN HAWAII," was offered by Representative Ward.

H.C.R. No. 186, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HOSPITALS AND FACILITIES THAT PROVIDE MATERNITY SERVICES TO ENCOURAGE RECOGNITION OF PATERNITY FOR TEEN AND UNWED MOTHERS BEFORE DISCHARGE," was jointly offered by Representatives Arakaki, Morita, Stegmaier, Cachola, Garcia, Kahikina, Meyer, Morihara, Santiago and Takai.

H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO IMPLEMENT THE RECOMMENDATIONS OF THE HUI IMI TASK FORCE FOR HAWAIIAN SERVICES ON EARLY CHILDHOOD EDUCATION FOR NATIVE HAWAIIAN AND HAWAIIAN CHILDREN," was jointly offered by Representatives Arakaki, Morita, Kawakami, Case, Cachola, Garcia, Herkes, Kahikina, Meyer, Morihara, Santiago, Stegmaier and Takai.

H.C.R. No. 188, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND OTHERS TO PROMOTE THE PURCHASE OF SERVICES AND PRODUCTS MADE IN HAWAII," was jointly offered by Representatives Arakaki and Herkes.

H.C.R. No. 189, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSESS STRATEGIES FOR ORGANIZING THE VARIOUS FORMS OF RESIDENTIAL CARE PROVIDERS," was jointly offered by Representatives Arakaki, Abinsay, Cachola, Garcia, Okamura, M. Oshiro, P. Oshiro, Santiago and Suzuki.

H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, WITH THE COOPERATION OF THE DEPARTMENTS OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, AND LABOR AND INDUSTRIAL RELATIONS, OTHER APPROPRIATE AGENCIES, AND THE GENERAL PUBLIC, TO DEVELOP A MASTER PLAN TO IDENTIFY THE IMPEDIMENTS TO WORK FOR WELFARE RECIPIENTS," was offered by Representative Arakaki.

H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INVESTIGATE THE POSSIBILITY OF IMPLEMENTING A FAMILY DEVELOPMENT ACCOUNT PROGRAM," was jointly offered by Representatives Arakaki, Abinsay, Herkes, Kawakami, Lee, Saiki, Santiago and Takai.

H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL IMPACTS OF REQUIRING COVERAGE FOR EARLY INTERVENTION SERVICES TO CHILDREN FROM BIRTH TO AGE THREE OR UNTIL SERVICES ARE NO LONGER DEEMED MEDICALLY NECESSARY,"

was jointly offered by Representatives Arakaki, Thielen, Kanoho, Morita, Case, Tarnas, Goodenow, Chang, Abinsay, Hiraki, Kahikina, Kawakami, Lee, Meyer, Morihara, Pendleton, Santiago, Takai and Takumi.

H.C.R. No. 193, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH SCHOOL TO DETERMINE ITS INDIVIDUAL POLICY REGARDING THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND THE SINGING OF THE STAR-SPANGLED BANNER AND HAWAII PONO," was jointly offered by Representatives Stegmaier, Chang, Cachola, Halford, Hamakawa, Hiraki, Morihara and Takai.

H.C.R. No. 194, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH SCHOOL TO DETERMINE A POLICY OF REQUIRING UNIFORMS FOR STUDENTS OR OTHER STANDARDS OF STUDENT ATTIRE," was jointly offered by Representatives Stegmaier, Cachola, Halford, Hamakawa, Hiraki, Kawakami, Morihara, Morita and Takai.

H.C.R. No. 195, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH SCHOOL TO DETERMINE POLICY WITH REGARD TO PRAYER," was jointly offered by Representatives Stegmaier and Cachola.

H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FISCAL AUDIT AND A FOLLOW-UP MANAGEMENT AUDIT OF THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF EDUCATION," was jointly offered by Representatives Stegmaier, Chang, Cachola, Halford, Hamakawa, Morihara, Morita and Takai.

H.C.R. No. 197, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF EDUCATION TO ADDRESS THE TEACHER SHORTAGE AND TEACHER TRAINING NEEDS," was jointly offered by Representatives Stegmaier, Chang, Cachola, Halford, Hamakawa, Kawakami, Morihara, Morita and Takai.

H.C.R. No. 198, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF AGRICULTURE TO ADOPT STRINGENT RULES TO PREVENT THE ABUSIVE AND EXPLOITIVE TREATMENT OF LIVE EXOTIC ANIMALS IN TRAVELING EXHIBITS," was jointly offered by Representatives Tarnas, Abinsay, Hamakawa, Jones and Takamine.

H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROVIDE INFRASTRUCTURE TO MAUNALAHUA VALLEY, MAKIKI HEIGHTS, ON OAHU, SO THAT THE RESIDENTS HOLDING LONG-TERM LEASES CAN LIVE PROPERLY," was offered by Representative Aiona.

H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE AND THE DEPARTMENT OF HEALTH TO EXPRESS THEIR COMMITMENT TO SEXUAL ASSAULT VICTIMS BY RESTORING PROPOSED BUDGET CUTS," was offered by Representative Arakaki.

H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE JUDICIARY AND THE DEPARTMENT OF HUMAN SERVICES TO MAKE USE OF THE FAMILY COURT'S JUDICIAL PRETRIAL ASSISTANT PROGRAM," was offered by Representative Arakaki.

H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ASSISTANCE FOR HAWAII'S FARMERS FROM LAND OWNERS AND FINANCIAL INSTITUTIONS," was jointly offered by Representatives Jones, Abinsay, Takai and White.

H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE GOOD FRIDAY STATE HOLIDAY," was jointly offered by Representatives Morita by request and Lee.

H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF GUIDELINES TO FACILITATE TRADITIONAL CULTURAL AND RELIGIOUS PRACTICES IN THE VICINITY OF THE SUMMIT OF MOUNT WAI'ALEALE," was jointly offered by Representatives Morita, Kawakami and Case.

H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REDUCTION ON THE USE OF HERBICIDES IN ROADSIDE MAINTENANCE," was offered by Representative Hiraki.

H.C.R. No. 206, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII VISITORS AND CONVENTION BUREAU TO ALLOCATE FUNDS IN THEIR BUDGET FOR OPERATING EXPENSES OF THE VISITOR ALOHA SOCIETY OF HAWAII," was jointly offered by Representatives Stegmaier, Cachola, Fox, Kanoho, Marumoto, Goodenow, Ward, Meyer, Abinsay, Aiona, Case, Garcia, Hamakawa, Herkes, Morihara, Moses, M. Oshiro, Pendleton, Saiki, Souki, Suzuki, Takai, Takumi, White and Yonamine.

H.C.R. No. 207, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE KIHAI HIGH SCHOOL COMMUNITY COMMITTEE TO CONTINUE ITS EFFORTS TO ESTABLISH A CHARTER SCHOOL IN KIHAI, MAUI, CENTERED ON SYSTEMS TECHNOLOGY AND BASED ON PUBLIC-PRIVATE PARTNERSHIPS," was offered by Representative Souki.

H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO NAME THE MAUI HIGH SCHOOL GYMNASIUM IN HONOR OF FORMER SENATOR MAMORU YAMASAKI," was jointly offered by Representatives Morihara, Morita, Arakaki, Kawakami, Abinsay, Ahu Isa, Case, Hamakawa, Herkes, Kanoho, Nakasone, Okamura, Souki, Suzuki, Takai, Takumi, Tom, White, Yamane and Yonamine.

H.C.R. No. 209, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO EXPEDITE THE COMPLETION OF THE KIKALAKEOKEA SUBDIVISION," was jointly offered by Representatives Okamura and Herkes.

H.C.R. No. 210, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PROPOSAL FOR A VOLUNTARY FURLOUGH PROGRAM FOR STATE EMPLOYEES," was jointly offered by Representatives Takumi, Morihara, Morita and Takai.

H.C.R. No. 211, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FOLLOW UP STUDY OF THE PROBLEMS AND NEEDS OF GAY AND LESBIAN YOUTH IN HAWAII BY THE HAWAII GAY AND LESBIAN TEEN TASK FORCE," was jointly offered by Representatives Takumi, Abinsay, Arakaki, Goodenow, Hamakawa, Marumoto, M. Oshiro, Suzuki, Takai, Takamine and Yonamine.

H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

EDUCATION AND THE UNIVERSITY OF HAWAII TO CONSIDER INPUT FROM THE PRIVATE SECTOR IN FORMULATING CURRICULUM," was offered by Representative P. Oshiro.

H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S SCHOOL OF TRAVEL INDUSTRY MANAGEMENT, IN COOPERATION WITH THE SCHOOL OF BUSINESS ADMINISTRATION, TO STUDY AND REPORT ON THE FEASIBILITY OF UTILIZING THE FORMER SHERATON MAKAHA INN AS AN EDUCATIONAL-TRAINING-CONFERENCE FACILITY," was jointly offered by Representatives Jones, Kawakami, Abinsay, Herkes, Morihara and White.

H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EAST-WEST CENTER TO ESTABLISH AN 'ASIA PACIFIC CENTER' TO SERVE AS A CLEARINGHOUSE FOR DOING BUSINESS IN ASIA AND THE UNITED STATES," was offered by Representative Ward.

H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES, HEALTH, TRANSPORTATION, THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION, THE INSTITUTE OF HUMAN SERVICES, THE AFFORDABLE HOUSING ALLIANCE, AND THE KALIHI-PALAMA HEALTH CLINIC TO FORM A WORKING COMMITTEE TO STUDY THE EFFECTS THE HOMELESS PEOPLE AT THE HONOLULU INTERNATIONAL AIRPORT HAVE ON BUSINESSES AT THE AIRPORT AND TO RECOMMEND SOLUTIONS," was jointly offered by Representatives Chang, Cachola, Fox, Moses, McDermott, Goodenow, Meyer, Yonamine, Abinsay, Ahu Isa, Aiona, Case, Halford, Hamakawa, Herkes, Jones, Morihara, Morita, P. Oshiro, Suzuki, Takai, Takamine and Takumi.

H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE SECTOR COOPERATION ON DEVELOPING AN OVERALL MASTER PLAN FOR TOURISM-RELATED INFRASTRUCTURE CONSTRUCTION AND BEAUTIFICATION PROJECTS," was jointly offered by Representatives Chang, Abinsay, Ahu Isa, Cachola, Case, Fox, Goodenow, Hamakawa, Herkes, Hiraki, Jones, Meyer, Morihara, Morita, Suzuki, Takai, Takumi and Yonamine.

H.C.R. No. 217, entitled: "HOUSE CONCURRENT RESOLUTION URGING SUPPORT OF BUDGET REQUESTS FOR THE COUNTY EXTENSION AGENT POSITIONS WITH FAMILY AND LEADERSHIP DEVELOPMENT EMPHASIS AT THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," was jointly offered by Representatives Chang, Abinsay, Ahu Isa, Cachola, Goodenow, Halford, Hamakawa, Herkes, Jones, Meyer, Morihara, Morita, P. Oshiro, Suzuki, Takai, Takamine, Takumi and Yonamine.

H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE LEGISLATURE'S SUPPORT FOR THE CONSTRUCTION OF A NEW CORRECTIONAL FACILITY ON THE BIG ISLAND," was jointly offered by Representatives Chang, McDermott, Abinsay, Ahu Isa, Aiona, Cachola, Case, Fox, Goodenow, Halford, Hamakawa, Herkes, Jones, Meyer, Morihara, Morita, Moses, P. Oshiro, Suzuki, Takai, Takamine, Takumi and Yonamine.

H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF



BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH AN INSTITUTE FOR INFRASTRUCTURE PROJECT FINANCE TRAINING," was jointly offered by Representatives Chang, Cachola, Goodenow, Abinsay, Ahu Isa, Fox, Hamakawa, Herkes, Hiraki, Jones, Kanoho, Kawakami, Meyer, Morita, Say, Suzuki, Takai, Takumi, White and Yonamine.

H.C.R. No. 220, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO COORDINATE WITH THE HAWAII VISITORS AND CONVENTION BUREAU, THE QUARTERBACK CLUB OF WASHINGTON, D.C., THE NFL PRO BOWL COMMITTEE, THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION, THE DEPARTMENT OF EDUCATION, THE UNIVERSITY OF HAWAII ATHLETIC STAFF AND BOOSTER CLUBS, AND THE QUARTERBACK CLUB OF HAWAII, TO WORK OUT ARRANGEMENTS TO HOST THE NEXT QUARTERBACK AWARDS DINNER IN HAWAII DURING THE PRO BOWL WEEK," was jointly offered by Representatives Chang, Cachola, Ahu Isa, Jones, Goodenow, Abinsay, Aiona, Arakaki, Case, Fox, Garcia, Hamakawa, Herkes, Hiraki, Kanoho, Kawakami, Meyer, Morihara, Morita, Okamura, M. Oshiro, P. Oshiro, Santiago, Souki, Stegmaier, Suzuki, Takai, Takumi, Tarnas, White and Yonamine.

H.C.R. No. 221, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SAFETY AND REGULATORY GUIDELINES FOR HIGH RISE VEHICLES," was jointly offered by Representatives Chang, Hiraki, Goodenow, Abinsay, Ahu Isa, Aiona, Cachola, Case, Fox, Hamakawa, Ito, Jones, Kanoho, Kawakami, Meyer, Morita, P. Oshiro, Say, Suzuki, Takai, Takumi and Yonamine.

H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RECOGNITION OF THE FORMATION OF NONPROFIT ORGANIZATIONS TO RAISE AND RECEIVE FUNDS FOR HIGH SCHOOL ATHLETIC PROGRAMS," was offered by Representative Herkes.

H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR MENTAL HEALTH," was jointly offered by Representatives Okamura, Arakaki and Santiago.

H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO STUDY WHAT SPECIFIC ADJUSTMENTS NEED TO BE MADE TO THE RETIREMENT SYSTEM'S RETIREE ELIGIBILITY REQUIREMENTS TO REDUCE OR ELIMINATE EMPLOYER CONTRIBUTIONS," was jointly offered by Representatives White, Kanoho, Case, Suzuki, Morita and Say.

H.C.R. No. 225, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO ASSESS THE FINANCIAL AND SOCIAL IMPACT WHEN EXPANDING THE RESIDENTIAL AND COMMUNITY BASED LONG TERM CARE SETTING OPTION TO NURSING FACILITY LEVEL ELDERLY AND THE DISABLED CLIENTS," was offered by Representative Say.

H.C.R. No. 226, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST THE PHILIPPINE CENTENNIAL COORDINATING COMMITTEE OF HAWAII," was

jointly offered by Representatives Abinsay, Pendleton, Menor, Arakaki, Garcia and Jones.

H.C.R. No. 227, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE COST IMPLICATIONS OF ENACTING A DIRECT PAYMENT LAW FOR DENTISTS," was jointly offered by Representatives Menor and Santiago.

H.C.R. No. 228, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PROBATE COURT OF THE STATE OF HAWAII TO ESTABLISH RENEWABLE TERMS AS PART OF THE CRITERIA AND STANDARDS FOR SELECTING TRUSTEES OF CHARITABLE TRUSTS IN HAWAII WHICH HAVE A STREAM OF INCOME OF \$100 MILLION OR MORE PER YEAR," was jointly offered by Representatives Marumoto, Abinsay, Arakaki, Case, Fox, Hamakawa, Lee, Meyer, Morita, Pendleton, Saiki, Takai, Takumi and Ward.

H.C.R. No. 229, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EDUCATE PARENTS THAT CHILDREN ARE SAFER IN THE BACK SEAT THAN THE FRONT SEAT OF A CAR," was jointly offered by Representatives Marumoto, Hiraki, Pendleton, Arakaki, Lee, Abinsay, Aiona, Case, Fox, Hamakawa, Menor, Meyer, Morita, M. Oshiro, P. Oshiro, Saiki, Suzuki, Takai, Takumi, Ward, Yonamine and Yoshinaga.

H.C.R. No. 230, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO CHILD PASSENGER RESTRAINT SYSTEMS," was jointly offered by Representatives Marumoto, Hiraki, Lee, Arakaki, Abinsay, Aiona, Case, Fox, Hamakawa, Menor, Meyer, Morita, M. Oshiro, P. Oshiro, Pendleton, Saiki, Suzuki, Takai, Takumi, Ward, Yonamine and Yoshinaga.

H.C.R. No. 231, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE FEASIBILITY OF, AND MAKE RECOMMENDATIONS FOR, THE REESTABLISHMENT OF THE HAWAIIAN MONARCHY," was offered by Representative Yoshinaga.

H.C.R. No. 232, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADVISORY COMMITTEE ON PESTICIDES TO DETERMINE THE FEASIBILITY OF REQUIRING STATE AGENCIES TO IMPLEMENT INTEGRATED PEST MANAGEMENT PROGRAMS," was jointly offered by Representatives Yoshinaga, Garcia, Goodenow and Hamakawa.

H.C.R. No. 233, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL STATE AND COUNTY CHIEF PROCUREMENT OFFICERS TO INCLUDE PROVISIONS FOR THE PREFERMENT AND PROCUREMENT OF CLEANERS AND SOLVENTS CONTAINING LOW LEVELS OF VOLATILE ORGANIC COMPOUNDS IN STATE AND COUNTY BID LISTS," was jointly offered by Representatives Yoshinaga, Garcia, Hamakawa and Morihara.

H.C.R. No. 234, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT TIRE DEALERS AND RETAILERS COMPLY WITH THE DISPOSAL REQUIREMENTS OF CHAPTER 342I, PART II, HAWAII REVISED STATUTES, AND THAT THE DEPARTMENT OF HEALTH ISSUE CITATIONS FOR VIOLATIONS OF THE REQUIREMENTS OF THAT LAW," was jointly offered by Representatives Yoshinaga and Garcia.

H.C.R. No. 235, entitled: "HOUSE CONCURRENT RESOLUTION TO ENCOURAGE ALL RETAILERS

AND SUPPLIERS OF LEAD ACID BATTERIES TO VOLUNTARILY ACCEPT USED LEAD BATTERIES FOR RECYCLING EVEN WHEN A NEW BATTERY IS NOT PURCHASED," was jointly offered by Representatives Yoshinaga, Goodenow, Garcia and Hamakawa.

H.C.R. No. 236, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE ENVIRONMENTAL HEALTH ADMINISTRATION OF THE DEPARTMENT OF HEALTH," was jointly offered by Representatives Yoshinaga and Garcia.

H.C.R. No. 237, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF AGRICULTURE AND HEALTH AND THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO DEVELOP AN ACTION PLAN TO RELOCATE DAIRIES AND UNISYN TO WAIALUA," was jointly offered by Representatives Jones, Herkes, Kawakami, Takai and Whalen.

H.C.R. No. 238, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STUDY OF THE FEASIBILITY OF THE RELOCATION OF MOORHEN AND COOT BIRDS FROM THE HANAIEI NATIONAL WILDLIFE REFUGE TO OTHER PROTECTED AND MANAGED WETLANDS ON STATE LANDS," was jointly offered by Representatives Jones, Kawakami, Herkes, Lee, Takai and Whalen.

H.C.R. No. 239, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ACTION PLAN TO ELIMINATE THE GORSE SHRUB," was jointly offered by Representatives Jones, Herkes, Kawakami, Lee, Takai and Whalen.

H.C.R. No. 240, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE ORGANIC INDUSTRY AS AN AGRICULTURAL COMMODITY GROUP," was jointly offered by Representatives Jones, Herkes, Kawakami, Lee, Takai and Whalen.

H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE THE PETROLEUM ADVISORY COUNCIL TO STUDY GASOLINE PRICES AND HAWAII'S GASOLINE MARKET," was jointly offered by Representatives Yoshinaga and Garcia.

H.C.R. No. 242, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVELOP A PROGRAM TO REVITALIZE THE AGRICULTURE INDUSTRY BY PROMOTING THE CONSUMPTION OF HAWAII GROWN PRODUCTS AND PROCESSED FOODS ON DESIGNATED DAYS," was offered by Representative Jones.

H.C.R. No. 243, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO ADJUST PROPERTY TAX ASSESSMENTS FOR AGRICULTURAL PROPERTIES," was offered by Representative Jones.

H.C.R. No. 244, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SEEK TO IDENTIFY THE STATEWIDE PREVALENCE OF HEPATITIS C IN VARIOUS SEGMENTS OF THE STATE'S POPULATION," was offered by Representative Case.

H.C.R. No. 245, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE WITHDRAWAL OF LAND FROM THE OPERATION OF GOVERNOR'S EXECUTIVE ORDER NO. 1529, DATED OCTOBER 1, 1952, TO THE CITY AND COUNTY OF HONOLULU, BOARD OF WATER SUPPLY AND THE TRANSFER OF CERTAIN PUBLIC LANDS AT KALAWAHINE, HONOLULU, OAHU, TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was offered by Representative Case, by request.

H.C.R. No. 246, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO REVIEW AND RECONSIDER ITS PREVIOUS APPROVAL OF DOCKET NO. 7040, DECISION AND ORDER NO. 11463, WITH REGARD TO THE INSTALLATION OF A FORTY-SIX KILOVOLT OVERHEAD CIRCUIT ON A SINGLE STEEL POLE LINE ALONG KUNIA ROAD AND REVIEW ITS APPROVAL PROCESS," was offered by Representative Moses.

H.C.R. No. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY OF THE CAMPAIGN FINANCE SYSTEM FOR STATE AND LOCAL ELECTIONS," was jointly offered by Representatives Okamura and M. Oshiro.

H.C.R. No. 248, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXPLORE THE FEASIBILITY OF CONVERTING MAKUA VALLEY, MAKUA BEACH, AND THE ADJOINING AREA INTO A FACILITY FOR RESEARCH AND DEVELOPMENT, A RECREATION AREA, AND A HISTORICAL PRESERVATION SITE," was offered by Representative Jones.

H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE STATE TO CONTINUE ITS INVESTIGATION INTO THE CONTAMINATION AT HONOLULU HARBOR," was offered by Representative Yoshinaga.

#### ADJOURNMENT

At 6:00 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon on Monday, March 23, 1998.

## THIRTY-FIFTH DAY

Monday, March 23, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 12:10 o'clock p.m., with the Vice Speaker presiding.

The invocation was delivered by Bishop Yoshiaki Fujitani from Honpa Hongwanji, after which the Roll was called showing all members present with the exception of Representatives Cachola, Goodenow, Menor, Say, Souki, Takamine, Takumi and Tom, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fourth Day was deferred.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative M. Oshiro introduced the following students who were participating in the Legislative "Shadow" program: Mr. Roberto Vilorio, Mr. Dominic Aina, Ms. Sandra Kim, Ms. Sylvia Zhuang, Ms. Leilani Keohuhu, Ms. Chandell Koreoff, Ms. Charmaine Mahoe, Ms. Jessica Smith, Ms. Wendy Scott, Ms. Fele Uparesa, Ms. Sarah Sakimae, Ms. Julia Wu, Ms. Nicole Kajiya, Ms. Morgan Lee, Ms. Kela Kitkowski, Ms. Aulii Estrella, Ms. Leila Diego, Mr. Scott Sato, Ms. Crystal Morris, Ms. Uilani Supnet, Ms. Kanoelehua Arakawa, Ms. Jackie Cadaos, Mr. Nicholas Masagatani, Ms. Lindsey Neal, Mr. Bryan Routan, Ms. Elizabeth Yi, Mr. John Keliwaiwai, Mr. Travis Agustin, Ms. Amanda Scheppos, Ms. Jun Zhing, Ms. Shana Won, Ms. Melissa Sato, and Mr. Brian Corpuz.

Representative Yoshinaga introduced her legislative "shadow", Ms. Nanette Ikeda from McKinley High School.

Representative Kahikina introduced his legislative "shadow", Mr. Kalani Brown from Alu Like Computer Classes.

Representative Chang introduced two educators from Keaau Intermediate School on the Big Island, Ms. Norine Okahara and Ms. Trudy Moniz.

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 47 through 60) and concurrent resolutions (H.C.R. Nos. 161 through 249) were referred to committee by the Speaker:

H.R.Nos. Referred to:

- 47 Committee on Health, then to the Committee on Consumer Protection and Commerce
- 48 Jointly to the Committee on Energy and Environmental Protection and the Committee on Water and Land Use, then to the Committee on Agriculture
- 49 Committee on Transportation, then to the Committee on Consumer Protection and Commerce

- 50 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
- 51 Committee on Labor and Public Employment, then to the Committee on Finance
- 52 Committee on Judiciary
- 53 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
- 54 Committee on Economic Development and Business Concerns
- 55 Committee on Water and Land Use, then to the Committee on Finance
- 56 Committee on Education
- 57 Committee on Agriculture, then to the Committee on Water and Land Use
- 58 Committee on Culture and the Arts
- 59 Committee on Human Services and Housing, then to the Committee on Finance
- 60 Committee on Health, then to the Committee on Finance

H.C.R.Nos. Referred to:

- 161 Committee on Water and Land Use, then to the Committee on Finance
- 162 Committee on Tourism
- 163 Committee on Education, then to the Committee on Finance
- 164 Committee on Water and Land Use, then to the Committee on Tourism, then to the Committee on Finance
- 165 Committee on Agriculture, then to the Committee on Finance
- 166 Committee on Agriculture, then to the Committee on Finance
- 167 Committee on Education, then to the Committee on Finance
- 168 Committee on Education, then to the Committee on Finance
- 169 Committee on Education, then to the Committee on Judiciary
- 170 Committee on Education, then to the Committee on Labor and Public Employment, then to the Committee on Judiciary
- 171 Jointly to the Committee on Education and the Committee on Higher Education and the Committee on Culture and the Arts, then to the Committee on Finance
- 172 Committee on Tourism, then to the Committee on Finance

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| 173 | Committee on Health, then to the Committee on Education, then to the Committee on Finance  | 195 | Committee on Education, then to the Committee on Judiciary   |
| 174 | Committee on Health, then to the Committee on Education, then to the Committee on Finance  | 196 | Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Legislative Management                 |
| 175 | Committee on Human Services and Housing, then to the Committee on Finance  | 197 | Jointly to the Committee on Higher Education and the Committee on Education  |
| 176 | Committee on Human Services and Housing, then to the Committee on Finance  | 198 | Committee on Agriculture, then to the Committee on Judiciary   |
| 177 | Jointly to the Committee on Water and Land Use and the Committee on Energy and Environmental Protection, then to the Committee on Finance          | 199 | Committee on Water and Land Use, then to the Committee on Finance  |
| 178 | Committee on Economic Development and Business Concerns, then to the Committee on Finance  | 200 | Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Finance                         |
| 179 | Committee on Economic Development and Business Concerns, then to the Committee on Finance  | 201 | Committee on Judiciary   |
| 180 | Committee on Transportation, then to the Committee on Consumer Protection and Commerce   | 202 | Committee on Agriculture, then to the Committee on Finance   |
| 181 | Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance  | 203 | Committee on Judiciary, then to the Committee on Legislative Management  |
| 182 | Committee on Economic Development and Business Concerns, then to the Committee on Finance  | 204 | Committee on Hawaiian Affairs, then to the Committee on Judiciary  |
| 183 | Committee on Education, then to the Committee on Finance   | 205 | Committee on Transportation, then to the Committee on Energy and Environmental Protection  |
| 184 | Committee on Economic Development and Business Concerns, then to the Committee on Finance  | 206 | Committee on Tourism, then to the Committee on Finance   |
| 185 | Committee on Energy and Environmental Protection, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary | 207 | Committee on Education   |
| 186 | Committee on Judiciary   | 208 | Committee on Education   |
| 187 | Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance  | 209 | Committee on Hawaiian Affairs, then to the Committee on Finance  |
| 188 | Committee on Economic Development and Business Concerns  | 210 | Committee on Labor and Public Employment, then to the Committee on Finance   |
| 189 | Committee on Human Services and Housing, then to the Committee on Finance  | 211 | Committee on Judiciary   |
| 190 | Committee on Human Services and Housing, then to the Committee on Finance  | 212 | Jointly to the Committee on Education and the Committee on Higher Education  |
| 191 | Committee on Human Services and Housing, then to the Committee on Finance  | 213 | Committee on Tourism, then to the Committee on Higher Education  |
| 192 | Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management                    | 214 | Committee on Economic Development and Business Concerns, then to the Committee on Higher Education, then to the Committee on Finance         |
| 193 | Committee on Education, then to the Committee on Judiciary   | 215 | Jointly to the Committee on Economic Development and Business Concerns and the Committee on Tourism, then to the Committee on Transportation |
| 194 | Committee on Education, then to the Committee on Judiciary   | 216 | Committee on Tourism, then to the Committee on Finance   |
|     |  | 217 | Committee on Higher Education, then to the Committee on Finance  |
|     |  | 218 | Committee on Public Safety and Military Affairs, then to the Committee on Finance  |

- 219 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 220 Committee on Tourism, then to the Committee on Finance
- 221 Committee on Transportation, then to the Committee on Judiciary
- 222 Committee on Education, then to the Committee on Judiciary
- 223 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 224 Committee on Labor and Public Employment, then to the Committee on Finance
- 225 Committee on Human Services and Housing, then to the Committee on Finance
- 226 Committee on Culture and the Arts
- 227 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 228 Committee on Judiciary
- 229 Committee on Transportation, then to the Committee on Finance
- 230 Committee on Transportation, then to the Committee on Finance
- 231 Committee on Hawaiian Affairs, then to the Committee on Judiciary
- 232 Committee on Agriculture, then to the Committee on Energy and Environmental Protection
- 233 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 234 Committee on Energy and Environmental Protection, then to the Committee on Judiciary
- 235 Committee on Energy and Environmental Protection
- 236 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 237 Committee on Agriculture, then to the Committee on Energy and Environmental Protection
- 238 Jointly to the Committee on Energy and Environmental Protection and the Committee on Water and Land Use, then to the Committee on Agriculture
- 239 Committee on Energy and Environmental Protection, then to the Committee on Agriculture
- 240 Committee on Agriculture
- 241 Committee on Energy and Environmental Protection, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
- 242 Committee on Agriculture

- 243 Committee on Agriculture, then to the Committee on Finance
- 244 Committee on Health, then to the Committee on Finance
- 245 Committee on Hawaiian Affairs, then to the Committee on Water and Land Use, then to the Committee on Finance
- 246 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 247 Committee on Judiciary, then to the Committee on Finance
- 248 Jointly to the Committee on Water and Land Use and the Committee on Ocean Recreation and Marine Resources
- 249 Committee on Energy and Environmental Protection, then to the Committee on Transportation

#### COMMITTEE REASSIGNMENTS

The following Senate Bill was re-referred to committee by the Speaker:

**S.B.**  
**No.    Re-referred to:**

- 3156 Committee on Energy and Environmental Protection, then to the Committee on Finance

The following concurrent resolutions were re-referred to committee by the Speaker:

**H.C.R.**  
**Nos.    Re-referred to:**

- 78 Jointly to the Committee on Energy and Environmental Protection and the Committee on Water and Land Use, then to the Committee on Consumer Protection and Commerce
- 83 Committee on Judiciary

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 61 and 62) were announced by the Clerk and the following actions taken:

H.R. No. 61, entitled: "HOUSE RESOLUTION RECOGNIZING AND HONORING THE ALOY FAMILY OF THE ISLAND OF MAUI, THE BULOSAN FAMILY OF THE ISLAND OF HAWAII, THE PALEKA FAMILY OF THE ISLAND OF KAUAI, AND THE WHITE FAMILY OF THE ISLAND OF OAHU AS THE STATE OF HAWAII'S FAMILIES OF THE YEAR," was jointly offered by Representatives Aiona, White, Kanoho, Herkes, Morita, Kawakami, Cachola, Case, Halford, Hiraki, Kawanakoa, Marumoto, Morihara, P. Oshiro, Say, Tarnas and Whalen.

On motion by Representative Aiona, seconded by Representative White and carried, H.R. No. 61 was adopted with Representatives Cachola, Chang, Goodenow, Menor, Souki, Takamine and Tom being excused.

Representative Arakaki introduced Ms. Marian Purney, coordinator of the Hawaii's Family of the Year Program, who was seated in the gallery.

Representative Aiona introduced the mother and father of the Oahu Family of the Year, Mr. Bob and Mrs. Karen White and their children, Terry and Mele, who were seated in the gallery, and their son, Representative Mike White, of the District of Maui.

Representative White introduced the matriarch of the Maui Family of the Year, Ms. Louise Aloy.

Representative Kanoho introduced the mother and father of the Kauai Family of the Year, Mr. Herman and Mrs. Joan Paleka.

H.R. No. 62, entitled: "HOUSE RESOLUTION CONGRATULATING AND COMMENDING THE BOY SCOUTS OF AMERICA, ALOHA COUNCIL 104, TROOP 10 ON THE 80TH ANNIVERSARY OF ITS FOUNDING," was offered by Representative Yamane.

On motion by Representative Yamane, seconded by Representative Say and carried, H.R. No. 62 was adopted with Representatives Cachola, Chang, Goodenow, Menor, Souki, Takamine and Tom being excused.

Representative Yamane introduced Scout Master Mr. Gordon Wong, Mr. Bob Watada, Mr. Warren Tanaka, Mr. Jason Hino, and members of Troop 10 and their parents.

At 12:43 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 863-98) recommending that S.B. No. 2800, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2800, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORITY OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ISSUE ECONOMIC DEVELOPMENT GRANTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 864-98) recommending that S.B. No. 2802, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2802, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUSINESS ACTION CENTER," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 865-98) recommending that S.B. No. 3142, SD 1, as amended in HD 1, pass Second

Reading and be referred jointly to the Committees on Consumer Protection and Commerce and Judiciary.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 3142, SD 1, HD 1, pass Second Reading and be referred jointly to the Committees on Consumer Protection and Commerce and Judiciary, seconded by Representative M. Oshiro.

Representative McDermott then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3142, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY WIRELESS TELEPHONE SERVICE," passed Second Reading and was referred jointly to the Committees on Consumer Protection and Commerce and Judiciary with Representative McDermott voting no, and Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 866-98) recommending that S.B. No. 3007, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3007, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT CORPORATIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 867-98) recommending that S.B. No. 2556, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2556, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 868-98) recommending that S.B. No. 2099, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2099, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 869-98) recommending that S.B. No. 2493, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.



On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2493, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 870-98) recommending that S.B. No. 2692, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2692, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING AFTER LICENSE SUSPENDED OR REVOKED," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 871-98) recommending that S.B. No. 3204, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRACKING DEVICES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 872-98) recommending that S.B. No. 3126, SD 2, pass Second Reading and be referred jointly to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3126, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred jointly to the Committees on Consumer Protection and Commerce and Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 873-98) recommending that S.B. No. 2180, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2180, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred jointly to the Committees on Consumer Protection and Commerce and Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 874-98)

recommending that S.B. No. 2025, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2025, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representatives Morihara and Stegmaier, for the Committees on Higher Education and Education, presented a joint report (Stand. Com. Rep. No. 875-98) recommending that S.B. No. 2308 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2308, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL, OR TECHNICAL SCHOOLS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 876-98) recommending that S.B. No. 3234 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3234, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representatives Santiago and Arakaki, for the Committees on Health and Human Services and Housing, presented a joint report (Stand. Com. Rep. No. 877-98) recommending that S.B. No. 2618, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2618, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representatives Santiago and Arakaki, for the Committees on Health and Human Services and Housing, presented a joint report (Stand. Com. Rep. No. 878-98) recommending that S.B. No. 2848, SD 2, as amended in HD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2848, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.



Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 879-98) recommending that S.B. No. 2078, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Ocean Recreation and Marine Resources.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2078, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," passed Second Reading and was referred to the Committee on Ocean Recreation and Marine Resources, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 880-98) recommending that S.B. No. 2608, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2608, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 881-98) recommending that S.B. No. 2825 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2825, entitled: "A BILL FOR AN ACT RELATING TO SENIOR PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 882-98) recommending that S.B. No. 2622, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2622, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARNED INCOME TAX CREDITS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 883-98) recommending that S.B. No. 2876, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2876, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Second Reading and was referred to the Committee on Judiciary, with

Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 884-98) recommending that S.B. No. 2878, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2878, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID OVERPAYMENT RECOVERY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 885-98) recommending that S.B. No. 3002, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3002, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 886-98) recommending that S.B. No. 2846, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2846, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 887-98) recommending that S.B. No. 2865, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2865, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 888-98) recommending that S.B. No. 2866, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2866, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

PERSONNEL FOR MENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 889-98) recommending that H.C.R. No. 72 be referred to the Committee on Labor and Public Employment.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PROVISION OF TOURISM TRAINING ON THE NEIGHBOR ISLANDS," was referred to the Committee on Labor and Public Employment, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

#### SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom were excused.)

#### THIRD READING

##### S.B. No. 2773, SD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2773, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Third Reading by a vote of 43 ayes, with Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom being excused.

The Chair directed the Clerk to note that S.B. No. 2773 had passed Third Reading at 1:01 o'clock p.m.

#### ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker. Contrary to some rumors circulating around the Capitol, I did not get this black eye or this arm injury from the Drug Enforcement Administration when I was in Washington D.C. We filed a petition with the DEA requesting them to declassify industrial hemp as a drug. We also filed a petition with the Department of Agriculture asking them to get to work on the regulatory framework so our farmers can be growing industrial hemp with certified seed and under Department of Agriculture regulations.

"I think everything is on the move, Mr. Speaker, and I think this will be economic development for Hawaii. In spite of my black eye, I'm really delighted to be a part in this effort to legalize non-hallucinogenic industrial hemp for our farmers and our State. Thank you."

Representative Arakaki: "Just a reminder, tomorrow all Representatives and Senators have been invited for lunch at the Ilikai as part of the conference entitled, 'For the Sake of Our Children.' Following lunch is a special session with Superior Court Judge Charles Gill from the State of Connecticut. If you haven't responded yet and would like to attend, please call my office."

#### ADJOURNMENT

At 1:03 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 24, 1998. (Representatives Cachola, Chang, Goodenow, Menor, Saiki, Souki, Takamine and Tom were excused.)

## THIRTY-SIXTH DAY

Tuesday, March 24, 1998

106 Committee on Tourism

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 12:10 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Alexander C. Santiago, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Cachola, Chang, Jones, Morihara and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fifth Day was deferred.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative M. Oshiro introduced the following students who are participating the Legislative "Shadow" Program: Mr. Roberto Viloria, Jr., Mr. Dominic Aina, Jr., Ms. Sylvia Zhuang, Mr. Sean Ibara, Mr. Nathan Nakasone, Mr. Blake Kurisu, Ms. Tawnya White, Mr. Jason Masters, Ms. Sharla Freitas, Ms. Kimberly Matsui, Ms. Julieta Ednalino, Ms. Denise Woolsey, Ms. Lisa Kitagawa, Ms. Jodee Crane, Mr. Michael Oshiro, Mr. Reid Chung, Mr. Lorrin Gacusan, Mr. Dalvin Meyer, Mr. Jason Pangilinan, Mr. Zane Lacaden, Ms. Jamie Morishige, Ms. Jian Qin Mai, Ms. Renee Underwood, Ms. Cara Fletcher, Ms. Kathleen Moy, Ms. Marysol Damo, Mr. Christopher Barnes, Ms. Diana Cadaos, Mr. Kent Takamoto, Ms. Pristeen Torres, Ms. Ashlie Yamamoto, Ms. Amanda Amby, Mr. Neil Riel, Ms. Nanette Ikeda, and Ms. Jun Zhng.

Representative Okamura introduced Mr. Nathan Tagiyama from Representative Souki's office who coordinated the assignments of all the legislative "shadows."

Representative P. Oshiro introduced, on behalf of Representatives Jones, Kahikina, and Moses, a group of Girl Scouts from Waianae, Maili, and Ewa.

Representative Kahikina introduced Mr. Mark Kepelino, Mr. Keola Brown, and Mr. Dwayne Manaco, interns from Alu Like.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following Senate Bill was re-referred to committee by the Speaker:

**S.B.**  
**No. Re-referred to:**

560 Committee on Labor and Public Employment, then to the Committee on Finance

The following concurrent resolution was re-referred to committee by the Speaker:

**H.C.R.**  
**No. Re-referred to:**

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 63 and 64) were announced by the Clerk and the following action taken:

H.R. No. 63, entitled: "HOUSE RESOLUTION COMMENDING GENE CASTAGNETTI AND THE PUNCHBOWL NATIONAL MEMORIAL CEMETERY STAFF," was offered by Representative Kawanakoa.

On motion by Representative Kawanakoa, seconded by Representative Pendleton and carried, H.R. No. 63 was adopted, with Representatives Cachola, Chang, Jones, Nakasone and Ward being excused.

Representative Kawanakoa introduced Mr. Gene Castagnetti and the members of the cemetery staff as follows: Mr. Jeffery Bernardino, Mr. Jonathan Bussey, Mr. Richard Cabatic, Mr. Don Castillo, Mr. Louis Dugatto, Mr. Anthony Fernandez, Mr. Joseph Flores, Mr. Philip Griep, Mr. Derek Higgins, Mr. Alfred Jeremiah, Mr. Lawrence Kiyabu, Mr. Ronald Komine, Mr. Pedro Lobitos, Mr. Johnnie McCoy, Mr. Alan Sumitomo, Mr. Larry Thornton, and Mr. Donnie Trantham.

H.R. No. 64, entitled: "HOUSE RESOLUTION RECOGNIZING THE MILILANI COMMUNITY ON THE OCCASION OF ITS THIRTIETH ANNIVERSARY," was jointly offered by Representatives Menor and Lee.

On motion by Representative Menor, seconded by Representative Lee and carried, H.R. No. 64 was adopted, with Representatives Arakaki, Cachola, Chang, Hiraki, Jones, Nakasone and Ward being excused.

Representative Menor introduced executive officers from Castle and Cook: Mr. Wally Miyahira, President and CEO of Castle and Cook; Mr. Lucien Wong, President of Castle and Cook Properties Inc.; and Mr. Harry Saunders, III, Senior Vice President and General Manager of Castle and Cook Homes of Hawaii.

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

The House of Representatives reconvened at 12:46 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 890-98) recommending that S.B. No. 2314 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2314, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 891-98)

recommending that S.B. No. 2739, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2739, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF FINES," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 892-98) recommending that S.B. No. 2782, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2782, 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, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 893-98) recommending that S.B. No. 2849, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2849, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE SALES TO MINORS," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 894-98) recommending that S.B. No. 2966, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2966, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative McDermott rose to speak in support of the measure, stating:

"Mr. Speaker, it's a fee and the members of this body know I vote against all fees, or try to at least, but this one is a fee on convicted criminals. So I'm going to support this. It wouldn't make sense not to. Thank you."

Representative Yamane then rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, my reservations on this bill is the practicality of who's doing the collecting, who's getting the money, and who's spending it. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2966, SD 2, HD 1, entitled: "A BILL FOR AN ACT

RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 895-98) recommending that S.B. No. 2983, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2983, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"This bill has to do with the Office of Information Practices, an agency that the Governor seems to want to get rid of. It's been suggested that it be transferred to the Attorney General's office and then to the Judiciary. The Attorney General didn't want it. The Judiciary didn't want it. Now this bill would transfer it to the Lieutenant Governor's office.

"The Office of Information Practices in my mind, Mr. Speaker, has played a very important role in making sure that the public has access to public information, as mandated by the Federal Uniform Information Practices Act.

"The public finds the OIP an invaluable resource in assisting them to get copies of this information. I, myself, have had the experience of being 'stonewalled' from a State agency when I wanted to see public information. Without the help of the Office of Information Practices, I'm very confident that I would never have been able to see the information that I wanted to look at, which was indeed public information.

"This bill will change the duties of the Office of Information Practices and limit it only to looking at whether boards throughout the State are operating in an open manner. I guess you'd call this a compromise. To me, we are taking a valuable organization and keeping them in name only and reducing them to being responsible for a very small amount of oversight compared to what they did before. And for that reason, I vote no. Thank you."

Representative Thielen then rose and stated:

"Thank you, Mr. Speaker. I also rise to vote no on this same bill. May the remarks of my colleague, Representative Meyer, be entered as if they were my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2983, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICE OF INFORMATION PRACTICES," passed Second Reading and was referred to the Committee on Finance with Representatives Meyer and Thielen voting no, and Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 896-98) recommending that S.B. No. 2236, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2236, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE PLANS, DESIGN, AND CONSTRUCTION OF A NEW SLAUGHTERHOUSE FACILITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 897-98) recommending that S.B. No. 3223, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3223, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 898-98) recommending that S.B. No. 1012, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1012, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative McDermott rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Aiona then rose to speak in opposition to the measure, stating:

"In the hearing, Mr. Speaker, the tax director said that this bill is unnecessary because this is already being done with his office and the industry as well. So for those reasons, I'll vote no. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1012, 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 with Representatives Aiona and McDermott voting no, and Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 899-98) recommending that S.B. No. 2385, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Health and Human Services and Housing.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2385, SD 2, HD 1 pass Second Reading and be referred jointly to the Committees on Health and Human Services and Housing, seconded by Representative M. Oshiro.

Representative McDermott rose to speak in opposition to the measure, stating:

"It's a well-intended measure, Mr. Speaker, but I just don't think it will make fiscal sense to do this. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2385, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred jointly to the Committees on Health and Human Services and Housing, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 900-98) recommending that S.B. No. 2858, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2858, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE MIDWIVES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 901-98) recommending that S.B. No. 2986, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2986, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A MEDICAID LONG-TERM CARE DEMONSTRATION PROJECT," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 902-98) recommending that S.B. No. 3191, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3191, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW INCOME HOUSING TAX CREDIT," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 903-98) recommending that S.B. No. 2635, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2635, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to

the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 904-98) recommending that S.B. No. 3076, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 3076, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 905-98) recommending that S.B. No. 3123, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 3123, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUEST," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 906-98) recommending that S.B. No. 2761, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2761, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 907-98) recommending that S.B. No. 3094, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 3094, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative M. Oshiro.

Representative Herkes rose to speak in support of the measure with reservations, stating:

"My reservations on this bill is that it doesn't go far enough. We ought to be getting rid of the requirement that this bill calls for, for shipment of vehicles inter-island. It's easier to ship a vehicle out-of-state than it is between the islands. Those of us that live in rural areas, a lot of people don't understand this requirement. Their ownership papers may be a hundred miles away from the

pier and it's a real hardship. Stolen vehicles are shipped in containers. It's a well known fact that that's what's going on. So we ought to get rid of the licensing requirement, and I will carry that message to my friend, Representative Menor, when it gets to his Committee. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3094, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 908-98) recommending that S.B. No. 2914, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2914, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," passed Second Reading and was referred jointly to the Committees on Consumer Protection and Commerce and Judiciary, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 909-98) recommending that S.B. No. 2875, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2875, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 910-98) recommending that S.B. No. 2777, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2777, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS TO NEW EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 911-98) recommending that S.B. No. 2885, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2885, HD 1, entitled: "A BILL FOR AN ACT RELATING TO



**EMPLOYMENT ON PUBLIC WORKS PROJECTS,"** passed Second Reading and was referred to the Committee on Judiciary, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 912-98) recommending that H.C.R. No. 8, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 8, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION IN SUPPORT OF THE HAWAII SCHOOL-TO-WORK OPPORTUNITIES SYSTEM,"** was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 913-98) recommending that H.C.R. No. 23, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 23, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE SCHOOL-TO-WORK OPPORTUNITIES SYSTEM,"** was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 914-98) recommending that H.C.R. No. 61, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 61, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON ITS EFFORTS TO IMPLEMENT THE BOARD OF EDUCATION'S CHARACTER EDUCATION POLICY THAT REQUIRES THE INCULCATION OF VALUES AND ETHICS INTO THE CURRICULUM OF PUBLIC SCHOOLS,"** was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 915-98) recommending that H.C.R. No. 62, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 62, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSESS THE NEED FOR A CENTER FOR AFTERSCHOOL ACTIVITIES AND EDUCATION FOR INTERMEDIATE SCHOOL STUDENTS IN THE HILO DISTRICT,"** was referred to the Committee on Legislative Management, with Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Morihara, Morita, Ward and Yonamine being excused.

## ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker. I neglected to mention yesterday that I got my black eye and my arm injury when I fell down a slippery marble stair in Washington D.C."

The Chair responded: "Very glad to hear that Representative, that it wasn't from some amorous person in Washington D.C. So ordered and let the record so show."

Representative Thielen responded: "Mr. Speaker, I didn't get into the White House."

The Chair responded: "Okay, Representative, very good."

## ADJOURNMENT

At 12:55 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 25, 1998. (Representatives Arakaki, Cachola, Case, Chang, Hiraki, Jones, Kahikina, Morihara, Morita, Ward and Yonamine were excused.)



## THIRTY-SEVENTH DAY

Wednesday, March 25, 1998

The House of Representatives of the Nineteenth Legislature, Regular Session of 1998, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was rendered in song by Representatives Ahu Isa, Kahikinia, Kanoho, Kawakami and Santiago, after which the Roll was called showing all members present with the exception of Representatives Tom and White, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Sixth Day was deferred.

## SENATE COMMUNICATION

Sen. Com. No. 390, transmitting S.C.R. No. 34, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAHIAWA CENTENNIAL CELEBRATION ADVISORY COMMISSION BY EXECUTIVE ORDER," which was adopted by the Senate on March 24, 1998, was received and announced by the Clerk and was placed on file.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Arakaki introduced Ms. Gwendolyn Costello, a registered nurse with the Chief Family Advocacy Division, USCINPAC Surgeon's Office.

Representative Okamura, on behalf of the House, introduced Ms. Brenda Erickson, Program Principal, Legislative Management of the National Conference of State Legislatures.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following Senate Bills were re-referred to committee by the Speaker:

**S.B.****No.****Re-referred to:**

- |      |  |
|------|--|
| 379  | Committee on Energy and Environmental Protection, then to the Committee on Finance |
| 2056 | Committee on Energy and Environmental Protection                                   |
| 2557 | Committee on Judiciary   |
| 2559 | Committee on Labor and Public Employment, then to the Committee on Finance         |
| 2589 | Committee on Finance   |
| 2621 | Committee on Human Services and Housing, then to the Committee on Finance          |

The following concurrent resolution (H.C.R. No. 215) was referred to committee by the Speaker:

**H.C.R.****No.****Re-referred to:**

- 215 Jointly to the Committee on Economic Development and Business Concerns, to the Committee on Tourism, and to the Committee on Human Services and Housing, then to the Committee on Transportation

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 65 and 66) were announced by the Clerk and the following actions taken:

H.R. No. 65, entitled: "HOUSE RESOLUTION HONORING AND COMMENDING NEAL WAGATSUMA FOR HIS INNOVATION AND DEDICATION TO PUBLIC SERVICE," was jointly offered by Representatives Kawakami, Kanoho and Morita.

On motion by Representative Kawakami, seconded by Representative Kanoho and carried, H.R. No. 65 was adopted, with Representatives Aiona, Halford, Hamakawa, Kawanakao, Nakasone, Saiki, Tom and White being excused.

Representative Kawakami rose and introduced the honoree, Mr. Neal Wagatsuma, and Mr. Keith Kaneshiro, Director of the Department of Public Safety, who accompanied Mr. Wagatsuma.

H.R. No. 66, entitled: "HOUSE RESOLUTION CONGRATULATING COLLEEN CARSON, VICKIE SHIROMA, WENDY TOKUMINE, AND ANNE ZELLINGER, RECIPIENTS OF THE 1997 PRESIDENTIAL AWARD FOR EXCELLENCE BY THE NATIONAL SCIENCE FOUNDATION," was jointly offered by Representatives Ito, Santiago, Arakaki, Stegmaier, Menor, Abinsay and Meyer.

On motion by Representative Stegmaier, seconded by Representative Ito and carried, H.R. No. 66 was adopted, with Representatives Aiona, Chang, Halford, Hamakawa, Kawanakao, Moses, Nakasone, Saiki, Tom, White and Yamane being excused.

Representative Stegmaier rose and introduced the recipients of the 1997 Presidential Award for Excellence by the National Science Foundation, as follows: Ms. Colleen Carson, Ms. Vickie Shiroma, Ms. Wendy Tokumine and Ms. Anne Zellinger.

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

The House of Representatives reconvened at 1:00 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 916-98) recommending that S.B. No. 3258, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3258, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance,

with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 917-98) recommending that S.B. No. 2730, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE PROVIDER EXCHANGE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 918-98) recommending that S.B. No. 2600, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2600, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 919-98) recommending that S.B. No. 2228, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 920-98) recommending that S.B. No. 2338, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2338, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF HOISTING MACHINE OPERATORS," passed Second Reading and was referred to the Committee on Finance, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 921-98) recommending that S.B. No. 2808, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2808, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

UNIVERSAL SERVICE FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 922-98) recommending that S.B. No. 2655, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2655, SD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative M. Oshiro.

Representative McDermott rose to speak against the bill, stating:

"The bill has some good points to it. It reduces or eliminates one fee but it adds two new fees -- the transfer fee and a duplicate fee.

"What I also find troubling is the fact that if I sell a bicycle to somebody and it's not transferred and I don't make sure it's done, then I'm liable for a \$500 fine. I don't feel comfortable with that so I'm going to cast a no vote.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2655, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE AND MOPED REGISTRATION," passed Second Reading and was referred to the Committee on Judiciary with Representative McDermott voting no, and Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 923-98) recommending that S.B. No. 2339, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 924-98) recommending that S.B. No. 3137, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3137, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred jointly to the Committees on Consumer Protection and Commerce and Judiciary, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 925-98)

recommending that S.B. No. 2333, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2333, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 926-98) recommending that S.B. No. 2388, SD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2388, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Education, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 927-98) recommending that S.B. No. 2804, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2804, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 928-98) recommending that S.B. No. 2812, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2812, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 929-98) recommending that S.B. No. 2884, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2884, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative M. Oshiro.

Representative Marumoto rose and stated:

"Mr. Speaker, I voted in the negative on this measure in Committee and I just wanted to explain my reservations.

"I agree with the intent of the measure, but the penalties kick in if you delay an investigation. I was just concerned that a delay sometimes is justified. The previous language in the bill said that if you 'wilfully evade or interfere with an investigation', then you will incur a penalty. I think we could keep that language in there, and I would prefer the bill much more.

"Thank you very much."

Representative Thielen rose in support of the bill with reservations, stating:

"I am concerned about allowing the Department to interview employees during working hours on the job and then making the failure to allow that to happen to be subject to penalties. There are instances where this could cause a great problem for the progress of a particular job, where it could maybe even be somewhat dangerous, where it is not in the best interest of moving that project forward. And I'm just not comfortable with that language in the bill.

"Thank you."

Representative Moses then rose and stated:

"Mr. Speaker, I also voted with reservations in Committee. It's the same thing that Representative Marumoto said, basically that if you fail to provide payroll records within ten days, you're basically a criminal according to this bill, even if the person who keeps those records had a massive heart attack. So I'm all for substituting some kind of wording that says 'knowingly' or 'willingly' withhold those records.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2884, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT ON PUBLIC WORKS PROJECTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 930-98) recommending that S.B. No. 2999, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2999, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 931-98) recommending that S.B. No. 2916 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2916, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," passed Second Reading and was placed on the calendar for Third

Reading, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 932-98) recommending that S.B. No. 3215, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3215, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL IMPORTATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Ito, Kanoho, Meyer, Tom, White and Yonamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 933-98) recommending that H.C.R. No. 53 be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF PROPOSED REGULATION OF PROFESSIONAL MENTAL HEALTH COUNSELORS AND PROFESSIONAL REHABILITATION COUNSELORS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY," was referred to the Committee on Legislative Management, with Representatives Hiraki, Kanoho, Tom, White and Yonamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 934-98) recommending that H.C.R. No. 14, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 14, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY," was referred to the Committee on Legislative Management, with Representatives Hiraki, Kanoho, Tom, White and Yonamine being excused.

Representative Takai, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 935-98) recommending that H.C.R. No. 129, as amended in HD 1, be referred to the Committee on Tourism.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 129, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM'S STATE OFFICE OF TOURISM AND THE HAWAII VISITORS AND CONVENTION BUREAU TO SUPPORT CULTURE AND THE ARTS AND ITS POSITIVE IMPACT ON HAWAII'S ECONOMY," was referred to the Committee on Tourism, with Representatives Hiraki, Kanoho, Tom, White and Yonamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep.

No. 936-98) recommending that H.C.R. No. 27, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 27, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING BUSINESSES THAT SERVE ALCOHOLIC BEVERAGES TO ADOPT A DESIGNATED DRIVER PROGRAM," was referred to the Committee on Judiciary, with Representatives Hiraki, Kanoho, Tom, White and Yonamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 937-98) recommending that H.C.R. No. 75 be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY EVALUATING THE FEASIBILITY AND ECONOMIC IMPACT OF INCLUDING ACUPUNCTURE COVERAGE IN THE PERSONAL INJURY PROTECTION BENEFITS OF THE MOTOR VEHICLE INSURANCE LAW," was referred to the Committee on Consumer Protection and Commerce, with Representatives Hiraki, Kanoho, Tom, White and Yonamine being excused.

Representatives Stegmaier and Morihara, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 938-98) recommending that H.C.R. No. 70, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 70, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A RESOURCE CENTER FOR SCIENCE TEACHING," was referred to the Committee on Finance, with Representatives Hiraki, Kanoho, Tom, White and Yonamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 939-98) recommending that H.R. No. 7, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 7, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE BOARD OF EDUCATION THROUGH THE DEPARTMENT OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT OF HEALTH, ESTABLISH A SUN PROTECTION POLICY FOR ELEMENTARY SCHOOL CHILDREN AND A SUN PROTECTION PROGRAM TO EDUCATE ELEMENTARY SCHOOL CHILDREN AND THEIR PARENTS," was referred to the Committee on Finance, with Representatives Hiraki, Kanoho, Tom, White and Yonamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 940-98) recommending that H.C.R. No. 30, HD 1, be adopted.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 30, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Ward rose to speak in support of the concurrent resolution, stating:

"I want to commend the authors and the Committees that passed this 'common sense' measure that allows foreign air carriers to conduct certain expanded cargo transfer activities at our various international airports. We need these kinds of measures to allow us to facilitate commerce in Hawaii, especially as our economy is hurting, and to lower the cost of handling and transportation. But if we could do for shipping to Hawaii what the flexibility in this concurrent resolution allows, we could lower the cost of living also if we could just look at shipping the way we are looking at air freight.

"Shipping rates to Hawaii are double what they should be because of the Jones Act. Shipping costs between Hawaii and the mainland are double. They should be decreased because it forces us to eat all Canadian meat and to ship our cattle on 747s, and lest it be said that I am meandering from the resolution, Mr. Speaker, the point is that this resolution has the spirit and the intent of the airline industry what we need to do for the shipping industry. Therefore, it's a good resolution and I encourage all the authors and those who brought it this far so far.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 30, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUBMIT A STATE OF HAWAII APPLICATION TO THE UNITED STATES SECRETARY OF TRANSPORTATION TO AUTHORIZE FOREIGN AIR CARRIERS TO CONDUCT CERTAIN EXPANDED CARGO TRANSFER ACTIVITIES AT INTERNATIONAL AIRPORTS IN THE STATE OF HAWAII," was adopted, with Representatives Hiraki, Tom, White and Yonamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 941-98) recommending that S.B. No. 2934, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2934, SD 1, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative M. Oshiro.

Representative Marumoto rose to speak against the bill, stating:

"I think the title is too restrictive. It includes the term 'just cause' and there's much testimony against this phrase. But I do agree with the contents of the measure of which was previously a House bill, so we're all familiar with it and I think we all voted for it. But strangely enough, my staff informs me that at 11:00 a.m. the computer showed that all Labor Committee members voted for this measure even though, as you can see, I plainly voted no. Then at 11:48 a.m. the computer subsequently showed no one voting either for or against this measure.

"Anyway, with this title it could become a very extremely expensive measure which will cause our workers' compensation claims to skyrocket and our businesses and government to suffer. Therefore, I am voting no.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2934, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION CLAIMS ARISING FROM DISCIPLINARY ACTIONS FOR JUST CAUSE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representative Marumoto voting no, and Representatives Hiraki, Tom, White and Yonamine being excused.

## ANNOUNCEMENTS

Representative Garcia rose and requested waiver of the 48-hour hearing notice requirement for the purpose of decision making on Senate Bill 2249, SD 1, tomorrow morning at 9:00 a.m., and the Chair "so ordered."

Representative Menor rose and requested waiver of the 48-hour hearing notice requirement to hear Senate Bill Nos. 2633, SD 1 and 2589, SD 1, tomorrow morning at 10:00 a.m. in Conference Room 325, and the Chair "so ordered."

Representative Kawanakoa rose and stated:

"I just want to wish my colleagues a very Happy Prince Kuhio Day. Tomorrow is recess and I'm sure it will be well enjoyed by many of us. In keeping with his namesake -- Aloha, Aloha Kama'aina."

## ADJOURNMENT

At 1:11 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 8:00 o'clock p.m. on Friday, March 27, 1998. (Representatives Hiraki, Tom, White and Yonamine were excused.)

## THIRTY-EIGHTH DAY

Friday, March 27, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 8:12 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Randy Roche, Director of the Newman Center, after which the Roll was called showing all members present with the exception of Representatives Aiona, Pendleton and Takamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Seventh Day was deferred.

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 187 through 189) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 187, informing the House that on March 25, 1998, he signed the following bill into law:

House Bill No. 967 as Act 4, entitled: "RELATING TO OCEAN RECREATION MANAGEMENT."

Gov. Msg. No. 188, transmitting copies of the 1997 Annual Report and financial statements prepared by the Housing Finance and Development Corporation, pursuant to Chapter 301E, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 189, transmitting copies of the Department of Public Safety's report on the transportation and necessary operating costs of housing 300 inmates in mainland-based correctional facilities, pursuant to Act 328, Section 120, Session Laws of Hawaii 1997.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 391 through 396) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 391, returning H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO MINIMIZE TRAUMA, BE SENSITIVE TO THE EMOTIONAL NEEDS OF THE CHILD, AND CONSIDER UTILIZING PEOPLE SIGNIFICANT TO THE CHILD WHEN PICKING UP THE CHILD FOR CUSTODY, which was adopted by the Senate on March 25, 1998.

Sen. Com. No. 392, returning H.B. No. 2447, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OR REPEALING OBSOLETE OR UNNECESSARY PROVISIONS," which passed Third Reading in the Senate on March 25, 1998.

Sen. Com. No. 393, returning H.B. No. 2695, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," which passed Third Reading in the Senate on March 27, 1998.

Sen. Com. No. 394, returning H.B. No. 2787, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT," which passed Third Reading in the Senate on March 27, 1998.

Sen. Com. No. 395, returning H.B. No. 2613, HD 1, (SD 1) entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SUPERVISORS," which passed Third Reading in the Senate on March 27, 1998, in an amended form.

Sen. Com. No. 396, returning H.B. No. 2967, HD 1, (SD 1) entitled: "A BILL FOR AN ACT RELATING TO SURFING," which passed Third Reading in the Senate on March 27, 1998, in an amended form.

On motion by Representative Okamura, seconded by M. Oshiro and carried, the House disagreed to the amendments proposed by the Senate to H.B. Nos. 2613, HD 1 (SD 1); and 2967, HD 1 (SD 1), and requested a conference on the subject matter of said amendments. By unanimous consent, naming of the conferees was deferred. (Representatives Aiona, Pendleton and Takamine were excused.)

By unanimous consent, H.B. Nos. 2613, HD 1 and 2967, HD 1, as amended by the Senate, were placed on the Clerk's desk.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following Senate Bill was re-referred to committee by the Speaker:

S.B.  
No.     Re-referred to:

2625     Committee on Education, then to the Committee on Finance

## STANDING COMMITTEE REPORTS

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 942-98) recommending that S.B. No. 2820 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2820, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 943-98) recommending that S.B. No. 2841 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.



Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 944-98) recommending that S.B. No. 2482, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2482, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 945-98) recommending that S.B. No. 2581, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2581, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 946-98) recommending that S.B. No. 2582, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2582, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 947-98) recommending that S.B. No. 2835, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2835, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 948-98) recommending that S.B. No. 2204, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2204, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Tarnas rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. These are comments that I've mentioned before. I agree we need to expedite permit review and approval processes. I just want to make sure we don't cause one agency having to do this to be in non-compliance with the statutes which require certain public notice and public hearing requirements. And in the case of contested case hearings, they, in fact, require more time than just the 90 days as is indicated in this measure. So I wanted to state those reservations in hopes that the next committee might be able to address them. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2204, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATORY PROCESSES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 949-98) recommending that S.B. No. 2396, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2396, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUS SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 950-98) recommending that S.B. No. 3114, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3114, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING HOUSING TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 951-98) recommending that S.B. No. 3035, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3035, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 952-98) recommending that S.B. No. 2201, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2201, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative McDermott rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."



The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2201, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance with Representative McDermott voting no, and Representatives Aiona and Takamine being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 953-98) recommending that S.B. No. 2128, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2128, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aiona and Takamine being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 954-98) recommending that S.B. No. 2922, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2922, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 955-98) recommending that S.B. No. 2895, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2895, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 956-98) recommending that S.B. No. 2559, SD 2 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2559, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EXPLOSIVES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 957-98) recommending that S.B. No. 1465 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1465, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred

to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 958-98) recommending that S.B. No. 2776, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2776, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY PERIODS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 959-98) recommending that S.B. No. 2814, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2814, SD 2, 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, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 960-98) recommending that S.B. No. 2817, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2817, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 961-98) recommending that S.B. No. 2346, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2346, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 962-98) recommending that S.B. No. 3213, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3213, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 963-98) recommending that S.B. No. 3000, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3000, SD 2, 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, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 964-98) recommending that S.B. No. 2454, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2454, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 965-98) recommending that S.B. No. 3088, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3088, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 966-98) recommending that S.B. No. 2744, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2744, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 967-98) recommending that S.B. No. 2874, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2874, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 968-98) recommending that S.B. No. 2879, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2879, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 969-98) recommending that S.B. No. 1122, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1122, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 970-98) recommending that S.B. No. 2852, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2852, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE VOLUNTARY RESPONSE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 971-98) recommending that S.B. No. 2460, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce and Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2460, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACQUISITION OF HOSPITALS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce and Judiciary, with Representatives Aiona and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 972-98) recommending that S.B. No. 2640, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2640, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPY PRACTICE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Aiona and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 973-98) recommending that S.B. No. 3248, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3248, SD 2, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 974-98) recommending that S.B. No. 379, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 379, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 975-98) recommending that S.B. No. 2349, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2349, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 976-98) recommending that S.B. No. 2222, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2222, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Moses rose to speak in support of the measure with reservations, stating:

"This is a voluntary furlough for State employees or public employees. I just have some difficulty figuring out how we're going to make sure it's truly voluntary. I'm concerned that there may be some coercion from their bosses or possibly they may even close an entire office and say, well it's a voluntary furlough, but the office won't be open tomorrow so don't come in. Thank you, Mr. Speaker."

Representative Halford then rose to speak in support of the measure with reservations, stating:

"Just briefly, in general there seems to be a tendency to look to public employees to resolve many of the fiscal problems. And I believe that if we look at the management side, we'll find plenty of solutions. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2222, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 977-98) recommending that S.B. No. 1196, SD 1, as

amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1196, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aiona and Takamine being excused.

Representative Garcia, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 978-98) recommending that S.B. No. 3230, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3230, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 979-98) recommending that S.B. No. 2025, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2025, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 980-98) recommending that S.B. No. 632, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 632, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 981-98) recommending that S.B. No. 1559, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1559, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL HEALTH," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 982-98) recommending that S.B. No. 2987, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2987, SD 2, HD 2,

entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 983-98) recommending that S.B. No. 3002, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3002, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 984-98) recommending that S.B. No. 2123, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2123, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS OF REGISTRATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 985-98) recommending that S.B. No. 720, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 720, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative McDermott rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 720, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEES AND COSTS FOR THE ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Finance with Representative McDermott voting no and Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 986-98) recommending that S.B. No. 719, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 719, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representatives Tom and Garcia, for the Committees on Judiciary and Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 987-98) recommending that S.B. No. 3206, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 3206, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENDERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 988-98) recommending that S.B. No. 2667, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2667, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY CHECKS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aiona and Takamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 989-98) recommending that S.B. No. 2210, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2210, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 990-98) recommending that S.B. No. 2877, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2877, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 991-98) recommending that S.B. No. 2624, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2624, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 992-98) recommending that S.B. No. 3220, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3220, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 993-98) recommending that S.B. No. 2746, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2746, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 994-98) recommending that S.B. No. 2816, SD 2 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2816, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPOSITION OF THE BOARD OF THE HAWAII PUBLIC EMPLOYEES' HEALTH FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 995-98) recommending that S.B. No. 2991, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2991, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMUNITY-BASED INTEGRATED SOCIAL SERVICE PILOT PROJECT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 996-98) recommending that S.B. No. 2509, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2509, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 997-98) recommending that S.B. No. 3177, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3177, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL REPORTING OF THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred

to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 998-98) recommending that S.B. No. 2211, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2211, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Moses rose to speak in opposition to the measure, stating:

"This bill has been gutted and replaced with wording from an earlier House bill which talks about an appointed school board, and I remain opposed to appointed school boards. I think school boards should be elected. I say boards because I'm all for several boards at least one at each county level, maybe three of them on Oahu, but I'm totally opposed to an appointed school board. Thank you, Mr. Speaker."

Representative Halford then rose to speak in opposition to the measure, stating:

"I certainly believe that a government is best that's closest to the people and the most intimate with the people. Elected school boards are far superior and I do agree with making school boards, to breaking up the system and making them more local. Thank you."

Representative Pendleton then rose to declare a potential conflict stating that his wife is an elected member of the school board, and the Chair declared "no conflict," and then asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Tarnas then rose to speak in opposition to the measure, stating:

"This bill just made it out of the Education Committee, and I must say, I'm the reason why it just made it out. I decided to vote with reservations so that the measure would move forward. But I have tried and tried to understand and remain open to be convinced that an appointed school board at the state-wide level was the thing to do. But I have not been convinced of that. And as we're getting further and further along in this session, I really do have to make my decision that elected school boards make sense when they're closer to the people. And speaking for my own district, which is there on the Neighbor Island, that they would like to have county school boards. So I would like to vote no on this measure. Thank you very much."

Representative Stegmaier then rose to speak in support of the measure, stating:

"Just to mention that I'm in favor of state-wide appointed boards because the county boards would be prohibitively expensive. Thank you, Mr. Speaker."

Representative Thielen then rose and asked the Clerk to register a "no" vote for her, and the Chair "so ordered."

Representative Fox then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Ward then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."



Representative McDermott then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Meyer then rose and asked the Clerk to register a "no" vote for her, and the Chair "so ordered."

Representative Kawanakoa then rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Halford then rose and stated:

"For the last time on this issue, I want to say that in American democracy we have chosen the form of government that we have legislatively and judicially. The three branches of government are very expensive and very time consuming. And we choose them and we live with them because they're the best form of government. And they're worth every penny and more. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2211, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Fox, Halford, Kawanakoa, McDermott, Meyer, Moses, Pendleton, Tarnas, Thielen and Ward voting no and Representatives Aiona and Takamine being excused.

Representatives Tom and Garcia, for the Committees on Public Safety and Military Affairs and Judiciary, presented a joint report (Stand. Com. Rep. No. 999-98) recommending that S.B. No. 2249, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the joint report of the Committees be adopted and S.B. No. 2249, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative McDermott rose to speak in support of the measure, stating:

"This is another fee that I find myself in support of, Mr. Speaker. It's a fee that we charge criminals to get medical services. I'm willing to risk losing the convict vote, so I support this. Thank you."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and S.B. No. 2249, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Takamine, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1000-98) recommending that S.B. No. 2652, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2652, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY AND SECURITY DISTRICT ASSESSMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Takamine, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1001-98) recommending that S.B. No. 2148, SD 1, as

amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2148, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representatives Yonamine and Menor, for the Committees on Labor and Public Employment and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1002-98) recommending that S.B. No. 2326, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2326, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER'S MUTUAL INSURANCE COMPANY," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representatives Yonamine and Menor, for the Committees on Labor and Public Employment and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1003-98) recommending that S.B. No. 2768, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2768, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENTS TO HEALTH CARE PROVIDERS FOR WORKERS' COMPENSATION CLAIMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1004-98) recommending that S.B. No. 2970, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2970, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1005-98) recommending that S.B. No. 2607, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2607, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1006-98) recommending that S.B. No.



2633, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2633, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1007-98) recommending that S.B. No. 3143, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3143, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITY TRANSMISSION LINES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1008-98) recommending that S.B. No. 2037, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2037, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1009-98) recommending that S.B. No. 3239, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3239, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Labor and Public Employment, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1010-98) recommending that S.B. No. 2213, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2213, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1011-98) recommending that S.B. No. 560, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the

Committee was adopted and S.B. No. 560, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1012-98) recommending that S.B. No. 2934, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2934, SD 1, HD 2, be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Marumoto then rose and asked the Clerk to register a "no" vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2934, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION CLAIMS ARISING FROM DISCIPLINARY ACTIONS FOR JUST CAUSE," was referred to the Committee on Finance with Representative Marumoto voting no and Representatives Aiona and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1013-98) recommending that S.B. No. 2092, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2092, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX LAW," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1014-98) recommending that S.B. No. 2850, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2850, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aiona and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1015-98) recommending that S.B. No. 2347, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2347, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative M. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. My concern is about the environmental self-audits. I am not comfortable with that. I don't feel that those are in the best interests of protecting our environment. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2347, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Judiciary with Representative Thielen voting no and Representatives Aiona and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1016-98) recommending that S.B. No. 2350, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2350, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1017-98) recommending that S.B. No. 2413, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2413, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1018-98) recommending that S.B. No. 2727, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2727, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Tarnas rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I don't think we should delay the implementation of the tax increase on cigarettes."

Representative Thielen then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. There was testimony before us in the Committee today by the Health Department and the testimony showed that, from a public health perspective, any effort to defer Hawaii's nationally recognized progressive cigarette tax would result in more children smoking. I wish people would really take a serious look at this bill and I hope it will not move forward."

"Thank you, Mr. Speaker."

Representative Moses then rose and stated:

"On the same measure, Mr. Speaker, I'd like to cast a no vote. I did the same on the House version which appears to be the same. I don't believe we should be singling out the military. If we're really truly committed to stopping smoking, ban it, but don't just try to tax it

and use it to gain revenue. And I think this is singling out our military, and there's some of these facilities that are going to be required to do certain stamping that are federal property, they're not subject to State law. It may be in the harbor or at sea and when they pull in, what do they do then when they can go through all of this hassle and then go back to the State and say, well, we're exempt, and get their money back? I just don't think it's the way to do business."

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2727, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Moses, Tarnas and Thielen voting no and Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1019-98) recommending that S.B. No. 2399, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2399, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Tom rose to speak in support of the measure, stating:

"Mr. Speaker, this bill, as amended today by the House Judiciary Committee, establishes a pilot Clean Elections Project for the House and Senate races for the year 2000. Any person who wants to become a 'clean money' candidate has to first file a declaration with the Campaign Spending Commission, at least 120 days before the Primary Election, stating that the person will comply with the 'clean money' requirements of this act."

"Second, collect from voters in the district 30 qualifying \$5 contributions for the House, or 60 for the Senate, and once certified, Clean Elections candidates receive a debit card that must be used to pay all expenses. The line of credit is basically \$20,000 for Senate races and \$10,000 for House races for both the Primary and General Elections amounting to \$40,000 for Senators and \$20,000 for House members."

"Because we do not want to bankrupt the Hawaii Election Campaign Fund where this money will be coming from, the Campaign Spending Commission can reduce these amounts if there is not enough money. The Commission shall also maintain a reserve of \$250,000, but once these amounts have been lowered, Mr. Speaker, candidates have 10 days to withdraw as Clean Election candidates without penalty."

"Also this bill does not allow Clean Election candidates to receive additional funds to match the excess spending of non-participating candidates. That was done because of the fear we didn't want to bankrupt the Elections Fund. But it will certainly give people the opportunity who would otherwise not have the opportunity to run as 'clean money' candidates under this law."

"Clean Election candidates cannot accept private contributions or any loans. The only private money a candidate is allowed to receive is 'seed money' to test the waters. This 'seed money' cannot exceed \$100 per contributor and the aggregate cannot exceed \$1000 for Senate races or \$500 for House races. 'Seed money'

cannot be spent during the Primary, General, or Special Elections.

"The reason this bill has been changed to apply to the legislative races rather than the races for governor and lieutenant governor is to allow us to gather more information about the effectiveness of this Clean Elections Program as it applies to several different races and in several different districts. Also enacting this project in the year 2000 rather than 2002 ensures that any necessary changes to our campaign financing laws can be adopted sooner.

"The effective date of this bill, Mr. Speaker, is July 1, 1999 -- not 1998, but 1999. In the meantime, the Campaign Spending Commission has to conduct a study in conjunction with the League of Women Voters, Common Cause Hawaii, and others to determine the feasibility of this pilot program. If the report comes back in the negative, we still have time to amend this law which we will pass now to make it work with the financial resources available.

"Members, we have a long history, and I think we can say that under the leadership of Speaker Souki, we have had a long history during these past six years of being committed to reducing the influence of special interest money in our campaign system, and of supporting public financing for political campaigns.

"The bill before us this evening is another step in that direction. If we can make this program work, in the year 2000, for legislative races, we can then apply it to all races thereafter. I urge my colleagues to vote in support of this bill for Second Reading. Thank you."

Representative Halford then rose to speak in support of the measure, stating:

"I want to speak in favor of this bill because I think it's important that we have good campaign reform ideas that are being discussed in the Legislature. I want to be in favor of this bill moving on for further consideration and to say that I'm in favor of discussing constructive reform for campaigns for the future.

"The one aspect of this bill that I think is very responsible is its effective date July 1, 1999. I think that that reflects the sincerity of wanting to have a dialogue and come up with meaningful solutions as opposed to just 'railroading' something through to affect this current election in some particular preferential manner.

"Thank you, Mr. Speaker."

Representative McDermott then rose to speak in support of the measure with reservations, stating:

"I haven't had a chance to read this thoroughly, Mr. Speaker, but a couple of things jump out at me. Number one, we're awfully free to spend the taxpayers' money which I really don't think we should do. Number two, I don't think this will actually solve the problem. I think it will increase it because there are candidates out there who are not totally serious and I don't see what would stop them from jumping in and spending \$10,000. And then what it causes the serious candidates to do is actually go out and instead of raising \$10,000 or \$15,000, they have to go out and raise \$30,000 or \$40,000. So I have some little concerns, but I'll wait until Final Reading. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2399, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading

and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1020-98) recommending that S.B. No. 2625, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2625, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Moses rose and stated:

"Thank you, Mr. Speaker. I'd just like to say that I have some reservations on Standing Committee Report No. 1020-98 which in the Education Committee we affectionately refer to as the Omnibus Education Package.

"There's many good ideas in there. There's one I have some problems with and I've discussed those earlier in Committee. I'll be waiting for the Third and Final Reading, but I just want to express that I do have reservations about the bill as it is in today's form."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2625, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Stegmaier, for the Committee on Labor and Public Employment and Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1021-98) recommending that S.B. No. 2386, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2386, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COORDINATED CARE ORGANIZATIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1022-98) recommending that S.B. No. 2641, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2641, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MENTAL HEALTH AND SUBSTANCE ABUSE SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1023-98) recommending that S.B. No. 2258, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2258, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to

the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representatives Santiago and Arakaki, for the Committees on Health and Human Services and Housing, presented a joint report (Stand. Com. Rep. No. 1024-98) recommending that S.B. No. 2385, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Okamura moved that the joint report of the Committees be adopted and S.B. No. 2385, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative McDermott rose to speak in opposition to the measure, stating:

"It's a well-intended measure, but I question the feasibility. Thank you."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and S.B. No. 2385, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," was referred to the Committee on Finance with Representative McDermott voting no, and Representatives Aiona and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1025-98) recommending that S.B. No. 3232, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3232, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING BOARDS AND COMMISSIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1026-98) recommending that S.B. No. 2207, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2207, SD 2, 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, with Representatives Aiona and Takamine being excused.

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1027-98) recommending that S.B. No. 2078, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2078, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1028-98) recommending that S.B. No. 2171, SD 2, as

amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2171, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1029-98) recommending that S.B. No. 3043, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3043, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT COMPUTER SYSTEMS WHICH ARE NOT YEAR 2000 COMPLIANT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1030-98) recommending that S.B. No. 1480, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1480, SD 1, 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, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1031-98) recommending that S.B. No. 2689, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2689, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

At this time, Representative Herkes rose on a point of inquiry, asking:

"On the Edutourism Marketing Program, why do we have an H.R. and an H.C.R.?"

At 8:39 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:41 o'clock p.m.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1032-98) recommending that H.R. No. 26 be referred to the Committee on Higher Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 26, entitled: "HOUSE RESOLUTION REQUESTING A MARKETING PROGRAM FOR EDUTOURISM," was referred to the

Committee on Higher Education, with Representatives Aiona and Takamine being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1033-98) recommending that H.C.R. No. 91 be referred to the Committee on Higher Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MARKETING PROGRAM FOR EDUTOURISM," was referred to the Committee on Higher Education, with Representatives Aiona and Takamine being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1034-98) recommending that H.C.R. No. 9, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A MAJOR LEAGUE SPORTS FRANCHISE," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Santiago, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1035-98) recommending that H.C.R. No. 84, be referred to the Committee on Labor and Public Employment.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL STATE EMPLOYEES TO USE THE WORD 'ALOHA' AS AN OFFICIAL GREETING WHEN MEETING THE PUBLIC OR ANSWERING PHONE CALLS FROM THE PUBLIC," was referred to the Committee on Labor and Public Employment, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1036-98) recommending that H.C.R. No. 36, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS AND THE COSTS THEREOF," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1037-98) recommending that H.C.R. No. 88, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 88, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN ACTUARIAL STUDY AND A PROGRAMMATIC AUDIT OF THE PUBLIC EMPLOYEES HEALTH FUND OPERATIONS, AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO ASSESS THE POLICY ISSUES RELATING TO THE CHANGE IN THE STRUCTURE OF GOVERNANCE OF THE

HEALTH FUND TO AN EMPLOYER-UNION TRUST CONCEPT," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1038-98) recommending that H.R. No. 22, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 22, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN ACTUARIAL STUDY AND A PROGRAMMATIC AUDIT OF THE PUBLIC EMPLOYEES HEALTH FUND OPERATIONS, AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO ASSESS THE POLICY ISSUES RELATING TO THE CHANGE IN THE STRUCTURE OF GOVERNANCE OF THE HEALTH FUND TO AN EMPLOYER-UNION TRUST CONCEPT," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 1039-98) recommending that H.C.R. No. 120, be referred to the Committee on Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON EARLY CHILDHOOD EDUCATION AND CARE," was referred to the Committee on Education with Representatives Aiona and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1040-98) recommending that H.C.R. No. 82, be referred to the Committee on Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF STUDENT-CENTERED MENTAL HEALTH INTERVENTION SERVICES," was referred to the Committee on Education, with Representatives Aiona and Takamine being excused.

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1041-98) recommending that H.C.R. No. 21, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 21, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING LEASE REISSUANCE FOR SUBMERGED LANDS FOR BOAT MOORING FACILITIES AT THE WAIKIKI YACHT CLUB AND HAWAII YACHT CLUB, AND THE MARINE FUEL FACILITY SITUATED AT THE ALA WAI SMALL BOAT HARBOR PURSUANT TO SECTION 171-53, HAWAII REVISED STATUTES," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No.



1042-98) recommending that H.C.R. No. 42, HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 42, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SCHOOL FOOD SERVICES PROGRAM OF THE DEPARTMENT OF EDUCATION TO ADOPT AN OFFICIAL POLICY TO PURCHASE LOCALLY PRODUCED FOOD WHENEVER POSSIBLE," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1043-98) recommending that H.C.R. No. 93, as amended in HD 1, be referred to the Committee on Transportation.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 93, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC TRANSPORTATION DIVISION OF THE HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES TO ADOPT POLICIES AND PROCEDURES ALLOWING BUS DRIVERS TO DENY SERVICE TO STUDENTS WHO DO NOT HAVE A VALID OFF-CAMPUS PASS DURING SCHOOL HOURS," was referred to the Committee on Transportation, with Representatives Aiona and Takamine being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1044-98) recommending that H.C.R. No. 92, as amended in HD 1, be referred to the Committee on Higher Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 92, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF STRATEGIES AND THE COORDINATION OF INITIATIVES TO FACILITATE THE GROWTH OF HAWAII'S BIOTECHNOLOGY INDUSTRY," was referred to the Committee on Higher Education, with Representatives Aiona and Takamine being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1045-98) recommending that H.C.R. No. 100, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 100, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A WORLD TRADE CENTER ASSOCIATION IN HAWAII," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1046-98) recommending that H.C.R. No. 112 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE BUSINESS ALOHA TEAM PROGRAM TO ASSIST INDIVIDUAL

BUSINESSES IN CREATING AND RETAINING JOBS WITHIN THE STATE," was referred to the Committee on Finance, with Representatives Aiona and Takamine being excused.

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1047-98) recommending that H.C.R. No. 115 be referred to the Committee on Higher Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PROPOSAL TO ESTABLISH THE MARINE BIOPRODUCTS ENGINEERING CENTER, WITH FACILITIES AT THE UNIVERSITY OF HAWAII, AS A KEY COMPONENT FOR THE FUTURE SUCCESS OF MARINE BIOTECHNOLOGY IN HAWAII," was referred to the Committee on Higher Education, with Representatives Aiona and Takamine being excused.

### THIRD READING

#### S.B. No. 2916:

By unanimous consent, action was deferred until Monday, March 30, 1998.

#### S.B. No. 3215, SD 1, HD 1:

By unanimous consent, action was deferred until Monday, March 30, 1998.

### ANNOUNCEMENTS

Representative Thielen: "Mr. Speaker, I would just like to note that you look very fine in your industrial hemp Aloha shirt."

The Chair responded: "Thank you very much. I tried to take a good smell of it and it did me a lot of good."

Representative Kawanakoa: "Thank you, Mr. Speaker. I have two announcements. The first one, I just wanted to note for my colleagues and to yourself that tomorrow we'll be having a forum on small schools. It will be in Room 423 starting at 11:00 a.m. and it will run to about 1:00 p.m. I note that we have national experts on small schools and their successes. Dr. Mary Ann Raywood will be with us. The Principal of Kapaa Elementary School from Kauai is going to be with us. And also teachers and parents and administrators from other schools in Hawaii, like Mountain View on the Big Island and Wailupe here on Oahu will also join us.

"The public is invited to also attend. And I should note that it is co-sponsored by the League of Women Voters Education Committee and also, Mr. Speaker, your Republican Caucus. This is a first forum in a series of forums we hope to have here in Hawaii utilizing national experts on educational reform. I invite all our colleagues to please join us. It will be an educational experience, pardon the pun, for all of us.

"The other thing I wanted to note, Mr. Speaker, is that yesterday we celebrated the 127th birthday of Prince Jonah Kuhio Kalaniana'ole Piikoi. He was a great American, a great Hawaiian, and also Hawaii's delegate to Congress for over 20 years. Mr. Speaker, I had the great honor to offer a few words at the Federal Building on behalf of my Tutu Kane Kuhio, and it was a very



moving day for me. Actually a pleasant day as the rain parted for a moment or two as the sun shone through.

"Mr. Speaker, I hope I might be able to have my remarks entered into the Journal so that my colleagues at their leisure might have a chance to reflect upon the many accomplishments of our delegate to Congress, one of Hawaii's most favorite sons," and the Chair "so ordered."

"Thank you, Mr. Speaker. I think I'd just like to close by mentioning or stating Hau'oli La Hanau e Ke Ali'i Maka'ainana -- Happy Birthday, Hawaii's Citizen Prince. Mahalo."

Representative Kawanakoa's remarks are as follows:

"Aloha, Aloha Kama'aina.

"Hawaii pauses today to remember one of her most distinguished sons.

"Jonah Kuhio Kalaniana'ole Piikoi is remembered by some for the positions he held: Hawaiian Ali'i, Royal Prince, Delegate to the United States Congress.

"Others recall him for his accomplishments: Hawaii's National Parks, self-rule by the counties, securing suffrage for women in Hawaii, the Hawaiian Homes Commission Act.

"But the true measure of a man -- what distinguishes him, what marks a man for greatness -- is how he responds to the call, that each one of us has, to serve our fellow man.

"Prince Kuhio was a servant.

"Jonah Kuhio Kalaniana'ole was a great man, not because of his position, not because of what he accomplished; but because of his character, because of how he answered the call to serve.

"It would be too easy for us today, three-quarters of a century after his passing, to dismiss the life of this man who, seemingly, had it all. But the student of human nature recognizes that, all too often, it is the trials and testings that mold a man; it is in adversity and setbacks that the human spirit is refined and forged; it is through overcoming the private afflictions and tribulations of the heart that the greatest victories are won.

"Jonah Kuhio Kalaniana'ole was a great man because he met his challenges with dignity and courage; he was a great man because he faced adversity with optimism and strength; he was great because, in the face of personal loss, he never lost sight of his responsibility and his duty and his call to serve the people of Hawaii.

"In the same measure that he was a servant, Prince Kuhio was also a rebel.

"In our well-ordered and sanitized society of 1998, we tend to think of rebels as wild-eyed, raving madmen. But many of the great servant leaders in history were rebels. They refused to accept the status quo; they often gave up their positions of power, privilege and comfort in order to champion the greater good for society, to advocate for those less fortunate, to speak for those without power or position. George Washington, Thomas Jefferson, Mahatma Gandhi, Martin Luther King, Jr., Prince Kuhio.

"Personal struggle may temper a man to fight for others. Maybe the taste of injustice in one's own life arouses a passion for equity; the sting of intolerance produces the balm of fairness.

"As a young man, Prince Kuhio was not only schooled in the ways of the modern-Western world, but as a prince of the court and possibly future King of the Hawaiian people, he was also taught the ways of his ancestors. He excelled in the ancient Hawaiian warrior style of wrestling called 'hakoko.' Perhaps it was his training in this art form that enabled him to take a hit, roll with it, and to use the energy of his opponent to come out on top, victorious.

"After ten years of intensive training for royal service to the Hawaiian people, training that began when he was 12 years old, Prince Kuhio witnessed the overthrow of the Hawaiian Monarchy. Two years later, the young prince was doing hard labor behind the bars of Oahu Prison, having been tried and convicted by the new government of treason. His crime? Taking up arms to restore his beloved aunt, Queen Lili'uokalani, to her rightful throne.

"Upon his release from prison and after a season of traveling abroad, Prince Kuhio returned to once again serve his people, becoming involved with the Home Rule Party, a party largely consisting of royalist Hawaiians.

"However, when the Home Rule Party took control of both Houses of the Territorial Legislature, party leaders decided that no other members of the legislature would have a voice in governing and they made every effort to keep other legislators in the dark about their decision-making.

"Prince Kuhio, who only a few years before had been imprisoned for fighting for Hawaiian sovereignty, attempted to convince his colleagues to open the process to all -- to allow everyone the chance to be heard.

"When the party leaders turned a deaf ear to Kuhio's plea for fairness, he led his second rebellion. His impassioned and eloquent arguments for openness and fairness caused so many Hawaiians to abandon the Home Rule Party that it was soon powerless and defunct.

"Some find it ironic that Prince Kuhio agreed to run as a candidate to be Hawaii's Delegate to Congress at the urging of some of the same men whom he had taken up arms only a short while before.

"I don't find it ironic at all. I find it astute and totally in keeping with Kuhio's overriding purpose to which he had dedicated his life: to help the people of Hawaii. He had done everything in his power to restore the monarchy. Now he realized that the best way he could serve his people would be to provide a strong voice for them in the halls of the United States Congress.

"He had taken a hit, rolled with it, and used the energy of his opponents to propel himself into an advantageous position. A position where he could effectively fight for his people and for all the citizens of Hawaii.

"For the remaining twenty years of his life, Prince Kuhio served as Hawaii's Delegate to Congress. But lest anyone think he went to Washington with a special-interest agenda, please consider some of the highlights of his career on Capitol Hill.

"He was the first Congressional Delegate to advocate statehood for Hawaii.

"He secured federal funding for the development of Pearl Harbor as an important defense center for the United States.

"He brought the National Parks system to Hawaii.

"He successfully argued for the creation of the several county governments in Hawaii, in order to bring true home rule to the people at the grassroots level.

"He ensured that the 19th Amendment to the United States Constitution, which granted women the right to vote in the states, would apply to Hawaii as well.

"And of course, perhaps his greatest accomplishment and one which many today consider the culmination of his Congressional career, was the enactment of the Hawaiian Homes Commission Act.

"A servant to his people and to all the people of Hawaii...a rebel willing to fight for his principles, yet principled in his fighting, Jonah Kuhio Kalanianaʻole will always stand tall in the anthology of Hawaii's heroes.

"A Prince of Hawaii...a Counter-Revolutionary...a Delegate to the United States Congress...but above all, a great man who dedicated his life to serving his fellow man.

"Thank you for answering the call, Tutu Kane Kuhio. Hawaii is a far better place for your having passed this way.

"Hau'oli La Hanau e Ke Ali'i Maka'ainana!

"Happy Birthday, Hawaii's Citizen Prince.

"Aloha, Aloha na Kama'aina."

#### **ADJOURNMENT**

At 8:45 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 11:30 o'clock a.m. Monday, March 30, 1998. (Representatives Aiona and Takamine were excused.)

## THIRTY-NINTH DAY

Monday, March 30, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative David D. Stegmaier, after which the Roll was called showing all members present with the exception of Representatives Halford, Saiki, Takamine and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Eighth Day was deferred.

## ORDER OF THE DAY

## DEFERRED RESOLUTION

S.C.R. No. 34 was referred to the Committee on Culture and the Arts, then to the Committee on Judiciary.

## COMMITTEE REASSIGNMENTS

The following concurrent resolutions (H.C.R. Nos. 117 and 124) were re-referred to committee by the Speaker:

H.C.R.  
No.

## Re-referred to:

- |     |  |
|-----|--|
| 117 | Committee on Consumer Protection and Commerce  |
| 124 | Committee on Human Services and Housing, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance |

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 67 and 68) were announced by the Clerk and the following actions taken:

H.R. No. 67, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING KSSK's MICHAEL W. PERRY AND LARRY PRICE FOR THEIR SUCCESSFUL 'CELLULAR POSSE' PROGRAM," was jointly offered by Representatives Tom, Yamane, White and Ito.

On motion by Representative Tom, seconded by Representative Yamane and carried, H.R. No. 67 was adopted, with Representatives Halford, Saiki, Takamine, Ward and Whalen being excused.

Representative Tom rose and introduced Ms. Linda Coble of Radio Station KSSK who represented Michael W. Perry and Larry Price who were unable to be present.

At this time, the Vice Speaker assumed the rostrum.

H.R. No. 68, entitled: "HOUSE RESOLUTION COMMENDING MOTHERS OF THE YEAR PATRICIA LEI ANDERSON MURRAY, LEILANI DUMAGUIN AUNA, AND SHARON ESPIRITU FOR BEING SELECTED AS THE NOMINEES BY THE AMERICAN MOTHERS INCORPORATED ORGANIZATION FOR HAWAII MOTHER OF THE YEAR, HAWAII MOTHER OF YOUNG CHILDREN, AND HAWAII MERIT

MOTHER OF THE YEAR," was jointly offered by Representatives Meyer, Lee, Marumoto, Menor, Santiago and Thielen.

On motion by Representative Meyer, seconded by Representative Marumoto and carried, H.R. No. 68 was adopted, with Representatives Halford, Ito, Jones, Nakasone, Saiki, Souki, Takamine and Whalen being excused.

Representative Meyer rose and introduced Mrs. Patricia Lei Anderson Murray and her husband, Mr. Harry Murray; Mrs. Leilani Dumaguin Auna and her husband, Mr. Vanley Auna; and Mrs. Sharon Espiritu.

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

Upon reconvening at 12:27 o'clock p.m., the Speaker resumed the rostrum.

## SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Fox, Kahikina, Meyer, Takamine and Whalen were excused.)

## UNFINISHED BUSINESS

## S.B. No. 2916:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2916, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," passed Third Reading by a vote of 49 ayes, with Representatives Kahikina and Takamine being excused.

## S.B. No. 3215, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 3215, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL IMPORTATION," passed Third Reading by a vote of 49 ayes, with Representatives Kahikina and Takamine being excused.

The Chair directed the Clerk to note that S.B. Nos. 2916 and 3215 had passed Third Reading at 12:28 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1048-98) recommending that S.B. No. 2889, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2889, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1049-98) recommending that S.B. No. 2680, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2680, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERFORMANCE RATINGS OF EMPLOYEES IN THE CIVIL SERVICE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1050-98) recommending that S.B. No. 2913, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2913, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1051-98) recommending that S.B. No. 1065, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1065, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1052-98) recommending that S.B. No. 2253, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2253, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1053-98) recommending that S.B. No. 2740, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2740, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1054-98) recommending that S.B. No. 2957, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2957, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1055-98) recommending that S.B. No. 2697, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2697, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE COURTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1056-98) recommending that S.B. No. 1638, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1638, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Ward rose in opposition to the bill, stating:

"Mr. Speaker, the beauty of Second Reading is that you can catch an oversight, a mistake, or something that comes out verbally in Committee of which when you see it in print, you can say: oh, wait a minute.

"Mr. Speaker, my opposition is based upon line 14, page 1, which says the OHA budget will be decreased by a certain percentage. It happens to be that the percentage is zero. But Mr. Speaker, I contend, until we have the guts, the nerve, the wherewithal to put that in our budget, I don't believe we should be putting that in anyone else's budget until we clean our own house.

"Because of that and because it's Second Reading, even though in the Committee it indicated I did vote aye, it was a verbal, it was an oversight, and the OHA budget should not be hit any different than our own.

"Thank you very much."

Representative McDermott rose and asked the Clerk to cast a no vote for him, and the Chair "so ordered."

Representative Kawanakoa rose in support of the bill with reservations, stating:

"On the same measure, Mr. Speaker, I have some reservations. If, in fact, the language, as my good colleague has pointed out, indicates a positioning for this bill to otherwise have some of its funds reduced, I certainly on Third Reading would be voting no. I believe the Office of Hawaiian Affairs has been shortchanged for many a year and one-tenth of one percent, I believe, is what they are allocated out of our State budget. I think they are doing quite a lot with quite a little.

"Thank you, Mr. Speaker."

Representative Pendleton rose and asked the Clerk to record an aye with reservations for him, and the Chair "so ordered."

Representative Moses rose and asked the Clerk to record an aye with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1638, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," passed Second Reading and was placed on the calendar for Third Reading with Representatives McDermott and Ward voting no, and Representatives Kahikina and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1057-98) recommending that S.B. No. 3015, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3015, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX EXEMPTION FOR AIRCRAFT SERVICE AND MAINTENANCE FACILITIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1058-98) recommending that S.B. No. 3141, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3141, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1059-98) recommending that S.B. No. 3004, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 3004, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Fox rose to speak in favor of the bill with reservations, stating:

"This bill came over from the Senate with a federal Hope Scholarship tax credit and with long-term care credit. Particularly on the second item, I find it disturbing that we removed, in the Finance Committee, the provision on long-term care credit. This is supported by the Senate as we know from the bill coming over from the Senate. It is also supported by the Administration. And it's a very sensible thing to do -- to offer people a credit on long-term care. It's sensible because money spent by individuals on long-term care is money saved the State.

"And this is particularly so in the case of money spent on long-term care insurance which will be deductible under the provision that the Senate had in the bill and it

was taken out by the House Finance Committee. Because any money that is spent on insurance is money saved the taxpayer at the time it comes from Medicaid to pay for people who no longer can cover their long-term care expenses. So sound fiscal policy dictates that we support this tax credit. It is 'penny-wise and pound foolish' to take this credit out.

"Thank you, Mr. Speaker."

Representative Meyer rose and asked the Clerk to register an aye with reservations for her and requested that the remarks made by the Representative from Waikiki be entered into the Journal as her own, and the Chair "so ordered." (By reference only)

Representative Ward then rose and stated:

"Mr. Speaker, following the logic and passion of the Representative from Waikiki, I have a similar request that his same vehemence of which is so logical and a 'no-brainer', Mr. Speaker, be entered into the Journal as my own," and the Chair "so ordered." (By reference only)

Representative Marumoto rose and requested that the remarks of the Representative from Waikiki be entered into the Journal as her own, and the Chair "so ordered." (By reference only)

Representative Kawanakoa rose and stated:

"Mr. Speaker, the Representative from Waikiki is very popular today and I want to have his words entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only)

"I also would like to note that this is an IRC conformity measure. I believe when we came out with our original tax plan, we had suggested true conformity by a tax simplification and reduction policy that could end up with your tax form looking like a postcard.

"What we wanted to do was incorporate all of the wonderful credits and ideas that were offered by our federal government here at the State level -- the widening of the brackets, the larger standard deductions, the greater exemptions for children and family members and dependents. Our particular plan that we had raised in September of last year. . .

Representative M. Oshiro, at this point, rose on a point of order.

The Chair said: "You're obviously out of order. You're going back to another bill. Will you please confine yourself to the IRC conformity."

Representative Kawanakoa continued, saying:

"I'm afraid we didn't have a chance to hear the bill so you're correct, I am out of order in that respect.

"But I wanted to note that there are a lot of good things that the Federal Code incorporates into our tax laws, and I think we could learn quite a bit from the Federal Code if we were to truly adopt more of it and move away from our State Code which happens to have such a high measure of burden upon the most needy in our society. So with that, Mr. Speaker, I will vote with reservations."

Representative Moses rose and asked that the words of the Representative from Waikiki be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Pendleton rose and asked the Clerk to note an aye with reservations for him, and the Chair "so ordered."

Representative Thielen rose and stated:

"I also would like to express reservations and ask that the Representative from Waikiki's remarks be inserted into the Journal as my own," and the Chair "so ordered." (By reference only)

Representative Halford then rose and asked the Clerk to record an aye with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3004, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kahikina and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1060-98) recommending that S.B. No. 1310, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1060-98 and S.B. No. 1310, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1310, SD 1, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1061-98) recommending that S.B. No. 1597, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1061-98 and S.B. No. 1597, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1597, SD 1, HD 2, were made available to the members of the House.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1062-98) recommending that H.R. No. 16, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 16, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY WAYS TO ENCOURAGE AND FACILITATE ORGAN DONATION IN HAWAII," was adopted, with Representative Takamine being excused.

Representatives Garcia and Santiago, for the Committees on Public Safety and Military Affairs and Health, presented a joint report (Stand. Com. Rep. No. 1063-98) recommending that H.R. No. 30, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.R. No. 30, HD 1, entitled: "HOUSE RESOLUTION CONCERNING THE DISPENSATION OF FORENSIC PSYCHIATRIC PATIENTS," was adopted, with Representative Takamine being excused.

Representative Garcia, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1064-98) recommending that H.C.R. No. 69, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 69, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE COASTAL ZONE MANAGEMENT PROGRAM, THE DEPARTMENT OF THE NAVY, THE DEPARTMENT OF THE ARMY, THE DEPARTMENT OF THE AIR FORCE, THE DEPARTMENT OF THE INTERIOR MINERALS MANAGEMENT SERVICE, AND THE UNITED STATES ARMY CORPS OF ENGINEERS TO PLAN AND IMPLEMENT BEACH RESTORATION AND NOURISHMENT PROJECTS IN HAWAII," was adopted, with Representative Takamine being excused.

Representative Garcia, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1065-98) recommending that H.C.R. No. 37, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 37, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO MAINTAIN A MODERN, STATE-OF-THE-ART HELICOPTER AVIATION BRIGADE AT SCHOFIELD BARRACKS," was adopted, with Representative Takamine being excused.

#### ADJOURNMENT

At 12:36 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, March 31, 1998. (Representative Takamine was excused.)



## FORTIETH DAY

Tuesday, March 31, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Mrs. Pat Fujikawa, a member of the Moanalua Gardens Missionary Church, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Cachola, Case, Halford, Menor, Saiki, Ward, White and Yoshinaga, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Ninth Day was deferred.

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 190 and 191) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 190, transmitting copies of the 1997 Report to the Legislature on the Status of the Aloha Tower Special Fund, pursuant to Act 137, SLH 1994.

Gov. Msg. No. 191, transmitting copies of the 1997 Report for the Aloha Tower Development Corporation, pursuant to Section 206J-19, Hawaii Revised Statutes.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 397 through 406) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 397, returning H.B. No. 2788, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CLEAN HAWAII CENTER," which passed Third Reading in the Senate on March 30, 1998.

Sen. Com. No. 398, returning H.B. No. 2854, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," which passed Third Reading in the Senate on March 30, 1998.

Sen. Com. No. 399, returning H.B. No. 2859, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH ADULT MENTAL HEALTH DIVISION," which passed Third Reading in the Senate on March 30, 1998.

Sen. Com. No. 400, returning H.B. No. 2901, HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 30, 1998.

Sen. Com. No. 401, returning H.B. No. 2997, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM MARKETING," which passed Third Reading in the Senate on March 30, 1998.

Sen. Com. No. 402, returning H.B. No. 3032, HD 2, entitled: "A BILL FOR AN ACT MAKING AN

EMERGENCY APPROPRIATION FOR PUBLIC SAFETY," which passed Third Reading in the Senate on March 30, 1998.

Sen. Com. No. 403, returning H.B. No. 2596, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO BARBERS POINT HARBOR," which passed Third Reading in the Senate on March 30, 1998, in an amended form.

Sen. Com. No. 404, returning H.B. No. 2734, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," which passed Third Reading in the Senate on March 30, 1998, in an amended form.

Sen. Com. No. 405, returning H.B. No. 2872, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION INSPECTIONS," which passed Third Reading in the Senate on March 30, 1998, in an amended form.

Sen. Com. No. 406, returning H.B. No. 3021, HD 1 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on March 30, 1998, in an amended form.

On motion by Representative Okamura, seconded by M. Oshiro and carried, the House disagreed to the amendments proposed by the Senate to H.B. Nos. 2596 (SD 1); 2734 (SD 1); 2872, HD 1 (SD 1); and 3021, HD 1 (SD 1), and requested a conference on the subject matter of said amendments. (Representatives Cachola, Case, Goodenow, Halford, Kawanakoa, Menor, Nakasone, Saiki, Ward, White and Yoshinaga were excused.)

By unanimous consent, H.B. Nos. 2596; 2734; 2872, HD 1; and 3021, HD 1, as amended by the Senate, were placed on the Clerk's desk.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Kahikina introduced students from Nanaikapono Elementary School with their chaperone, Mrs. Dorothy Alapai.

Representative Suzuki introduced Mr. and Mrs. Sam and Pat Fujikawa and their children Robert, Michael and Trisha.

Representative Ahu Isa introduced Commander Jimmy C.F. Chong, member of the Mayor's Advisory Commission on Civil Defense.

Representative Herkes introduced members from the Rural Healthcare Coalition: Mr. Dick Boyd, Mr. Kevin McGough, Ms. Virginia Isbell, Dr. J.T. Power, Dr. Ray Rosenthal from Kohala; Dr. George Dempsey, Mr. Matt Taeza, Ms. Linda Faye-Collins, Mr. Bob Valencia from Kauai; and Mr. Jessie Marques from Ka'u.

Representative M. Oshiro introduced Mr. John Berger.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 69 and 70) were announced by the Clerk and the following actions taken:

H.R. No. 69, entitled: "HOUSE RESOLUTION CONGRATULATING QUEEN JODIE MEI LYNN CHING AND HER COURT, FIRST PRINCESS KATHERINE MEI LYNN MOW AND SECOND PRINCESS LINDA YUK ANG AU OF THE 1998 MISS CHINATOWN HAWAII SCHOLARSHIP PAGEANT," was offered by Representative Ahu Isa.

On motion by Representative Ahu Isa, seconded by Representative Marumoto and carried, H.R. No. 69 was adopted, with Representatives Cachola, Halford, Herkes, Kawanakoa, Menor, Nakasone, Saiki, Say, White and Yoshinaga being excused.

Representative Ahu Isa introduced Ms. Jodie Mei Lynn Ching, 1998 Miss Chinatown Hawaii Queen; Ms. Linda Yuk Ang Au, 2nd Princess; Mr. Hin Chiu Lau, Chairman, Chinatown Merchants Association; Mr. Sun Hung Wong, Honorary Mayor of Chinatown; and Mr. Charles T.C. Lum, Board Member, Chinatown Merchants Association.

H.R. No. 70, entitled: "HOUSE RESOLUTION RECOGNIZING THE CONTRIBUTIONS AND NOTEWORTHY ACHIEVEMENTS OF THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," was jointly offered by Representatives Morihara, Jones, Takai, Goodenow, Morita and Stegmaier.

On motion by Representative Morihara, seconded by Representative Jones and carried, H.R. No. 70 was adopted, with Representatives Aiona, Cachola, Halford, Herkes, Ito, Kanoho, Kawanakoa, Menor, Nakasone, Saiki, Say, Tom, White and Yoshinaga being excused.

Representative M. Oshiro introduced Ms. Rose W. Saito, recipient of the 4-H Agents Distinguished Award for 25 years of Service.

Representative Abinsay introduced Ms. Claire M. Nakatsuka, recipient of the 1998 Hawaii Association of Extension 4-H Agents Distinguished Service Award.

Representative Stegmaier introduced Mr. Richard M. Manshardt from the Department of Horticulture, College of Tropical Agriculture and Human Resources, University of Hawaii.

Representative Hamakawa introduced Mr. Kelvin T. Sewake, recipient of the 1998 National Association of County Agricultural Agents Distinguished Service Award.

Representative Fox introduced Mr. Michael R. Williamson from the Department of Biosystems Engineering, College of Tropical Agriculture and Human Resources, University of Hawaii.

Representative Marumoto introduced Mr. Stephen J. Ferreira from the Department of Plant Pathology, College of Tropical Agriculture and Human Resources, University of Hawaii.

Representative Jones introduced Dr. Charles W. Laughlin, Dean of the College of Tropical Agriculture and Human Resources, University of Hawaii; and the parents of Mr. Kelvin T. Sewake.

The Chair introduced Ms. Charlotte Nakamura from Maui who was seated in the gallery.

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

The House of Representatives reconvened at 12:26 o'clock p.m.

### STANDING COMMITTEE REPORTS

Representative Case, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1066-98) recommending that H.C.R. No. 143, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 143, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ADDRESSING CONCERNS RELATING TO PAYMENTS MADE TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was referred to the Committee on Judiciary, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Case, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1067-98) recommending that H.C.R. No. 204, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 204, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING COMMUNITY MEETINGS BE HELD TO DEVELOP GUIDELINES REGARDING ACCESS TO THE SUMMIT OF MOUNT WAI'ALEALE," was referred to the Committee on Judiciary, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Case, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1068-98) recommending that H.C.R. No. 245, as amended in HD 1, be referred to the Committee on Water and Land Use.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 245, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE WITHDRAWAL OF LAND FROM THE OPERATION OF GOVERNOR'S EXECUTIVE ORDER NO. 1529, DATED OCTOBER 1, 1952, TO THE CITY AND COUNTY OF HONOLULU, BOARD OF WATER SUPPLY AND THE TRANSFER OF CERTAIN PUBLIC LANDS AT KALAWAHINE, HONOLULU, OAHU, TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was referred to the Committee on Water and Land Use, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1069-98) recommending that H.C.R. No. 190, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 190, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO IDENTIFY IMPEDIMENTS TO WORK FOR WELFARE RECIPIENTS," was referred to the Committee on Finance, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1070-98) recommending that H.R. No. 59, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 59, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR AND THE DEPARTMENT OF HUMAN SERVICES TO ALLOCATE RESOURCES FOR A COMMUNICATION SKILLS INSTRUCTOR IN THE VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND DIVISION," was referred to the Committee on Finance, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1071-98) recommending that H.C.R. No. 63, as amended in HD 1, be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 63, HD 1, be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, Hawaii prides itself on its diversity, its racial, ethnic, and particularly cultural diversity. We teach that no one should be considered inferior, in fact, they should be proud of their language, traditions, and cultural practices.

"This resolution, however, objects on the borderline of a cultural practice and a tradition that's practiced by one of the new and growing religious groups in Hawaii, the Muslim order, or of the Islamic faith. The resolution notes that genital mutilation, in the context, is a little bit other than the removal of the clitoris. It doesn't say that, but that's what it is. It's not somebody smashing, but it's something that's slightly different than that. In effect, the Western equivalent of a chastity belt.

"My reservations are because of its cultural tradition and we should hear from the cultural purveyors before we act on this. I know it's the Finance Committee that it gets to next. I am saying, let us stop this chauvinistic practice, but let us do it in a very culturally sensitive way. Let us hear from the Muslim community of Hawaii before we proceed and do a slam dunk on this. I have contacted various members who will be getting feedback to say, yea or nay, or some modification.

"So while this reso is very called for and very necessary, because it is not a present procedure, it is something that because we are Hawaii, we are different, we are the diversity of diverse cultures that we should be sensitive as we proceed on this. And I beg the indulgence of the Chair of the Finance Committee and all the members until we see and hear very loud and clear what the Muslim community has to say. And that if there's any woman who walks around it in the State of Hawaii with this, she's not going to feel like she's inferior because it's against the law for her body to be as it is.

"Thank you, Mr. Speaker."

Representative Marumoto then rose to speak in support of the measure, stating:

"The previous speaker said he would like to handle this subject with sensitivity, but on the other hand I notice in

the WHEREAS that it is not a very sensitive procedure. It points out 'the medical community has deemed this practice to have devastating health risks including pain, trauma, bleeding, infection, injury to adjacent organs, shock, chronic infection, painful menstruation, scarring, infertility, pain during intercourse, numerous childbirth complications, and even death.'

"For that reason, I think this practice should be outlawed worldwide. So I hope that this resolution is passed. Thank you."

Representative Kawanakoa then rose to speak in support of the measure, stating:

"I think it's clear that we need to have discussion, and perhaps, study this particular conduct of perhaps some people in our community. I understand the concerns for religious and/or cultural sensitivities. However, I think this is calling for a study. It is absolutely appropriate that we do consult with the Muslim community, but at the same time to turn our heads on this particular issue, I think would be ill-advised. Thank you, Mr. Speaker."

Representative Thielen then rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. We don't need a study. We need to stop, outlaw, ban female mutilation of our young women. And I would think that every single member of this body would stand up in wholehearted support of that. It's a barbaric, terrible procedure; no excuse for it in our nation.

"Thank you, Mr. Speaker."

Representative Lee then rose to speak in support of the measure, stating:

"Mr. Speaker, I first learned of this FGM, as they refer to it, at the NOWL Conference which we women legislators attended this summer. And since, have read about it in the Journal of the Seventh Day Adventist's Church and in Time Magazine. Several states have already passed legislation banning this procedure. I wouldn't actually even call it a procedure, it's a practice.

"I think this resolution is basically a gesture of the court to women around the world. And I hope that we'll support it not only as a woman's issue, but also as a human issue. I think Representative Ward has a very good point that we should be culturally sensitive, and I certainly agree with his idea of consulting with the Muslim community and other communities. We already have talked to people at the East-West Center and we will continue talking with and about it.

"Thank you very much."

Representative Morita then rose to speak in support of the measure, stating:

"I just wanted to point out to the members that there is a book written by Alice Walker, who wrote the 'Color Purple.' She also wrote another book called 'Possessing the Secret of Joy,' and that is when I first learned about this practice. And this is over five years ago. I, too, agree that we should be looking at an outright ban of this practice. And yet the United States has even offered political asylum to women trying to get free from this type of practice. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 63, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

**HUMAN SERVICES TO DRAFT LEGISLATION PROHIBITING FEMALE GENITAL MUTILATION IN HAWAII,"** was referred to the Committee on Finance, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1072-98) recommending that H.C.R. No. 192, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 192, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL IMPACTS OF REQUIRING COVERAGE FOR EARLY INTERVENTION SERVICES TO CHILDREN FROM BIRTH TO AGE THREE OR UNTIL SERVICES ARE NO LONGER DEEMED MEDICALLY NECESSARY,"** was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1073-98) recommending that H.C.R. No. 174, be referred to the Committee on Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 174, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE BENEFITS OF A PEER EDUCATION PROGRAM AS A FORM OF ALTERNATE DISPUTE RESOLUTION AMONG TEENS IN HAWAII,"** was referred to the Committee on Education, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1074-98) recommending that H.C.R. No. 227, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 227, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE COST IMPLICATIONS OF ENACTING A DIRECT PAYMENT LAW FOR DENTISTS,"** was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1075-98) recommending that H.C.R. No. 223, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 223, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR MENTAL HEALTH,"** was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1076-98) recommending that H.C.R. No. 123, as amended in HD 1, be referred to the Committee on Education.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 123, HD 1, be referred to the Committee on Education, seconded by Representative M. Oshiro.

Representative McDermott rose to speak in opposition to the measure, stating:

"Mr. Speaker, this is a well-intended measure, and I appreciate the effort by the authors to put this forth. I empathize with them and agree with their intent, but by the philosophical objection, I think this is an example where the scope of our government has gotten out of control.

"This deals with school-based health clinics. Mr. Speaker, when I was going to school, and I'm sure when you were going to school, the health clinic was you went down the hall, there was a nurse, you got an aspirin. If we're really sick she took your temperature, you lay down on a cot. If you're really very sick, they called your mom or dad and they picked you up and you went home. That's not what we have here. As a matter of fact, if you ask most of my constituents they'll think: what is the health room? Well, that's exactly what I just described. But that's not the direction that our State is going in, and certainly not the direction of these clinics.

"I think the scope of these clinics is way beyond that. I would even say it's out of control to a certain degree. 'Every student will become literate, confident, caring, think critically, solve problems, and communicate effectively.' Someone, please tell me how that fits the mold of the idea of the traditional health room. It doesn't. We're throwing everything in here but the kitchen sink. And I think if we hold our breath, that's going to be in there, too.

"Where we're going is, we want to have mini hospitals with mini psychiatric wards on each high school campus. And that's more marvelous if we could afford it, but we can't.

"Mr. Speaker, I stand here and I criticize you guys for the budget, and here is a measure that says we want to restore funding to something. I can't vote for that and not be a hypocrite. I mean, if I voted for this I'd be a hypocrite.

"Mr. Speaker, I've read this resolution and House Draft, which is much better than the original one, I must say, and I commend the Chair for correcting it. But still, my wife and I are pretty good parents, I think, she's much better than I am. She does the yeoman's amount of the labor around the house, but we can't measure up to this resolution, I can't as a parent. My wife and I with our three young sons, I can't do everything that's in this resolution. So how can we expect a 'school health clinic' to do it when a health clinic is supposed to be: Johnny scrapes his knee, Johnny is supposed to come in to get some rubbing alcohol on the scrape and a Band-Aid. That's what the health clinic is for. It's not a psychiatric ward. We're out of control on this.

"So I urge, and I know it's not going to happen obviously, but I urge that the body not pass this measure. And for those who say, tell us where to cut and we want everything, I'm saying, don't fund this thing. It's an example of our government that's gotten out of control. We don't need to spend the money here. A health clinic

should be a nurse in a room taking care of the kids, not a psychiatric ward or anything else. Thank you."

Representative Arakaki then rose to speak in support of the measure, stating:

"In all deference to the previous speaker, Mr. Speaker, I think a lot of us wish we could return to the past and how things were because I think a lot of us do remember how things were in our schools and how things were in our families. But the reality today is that our families are not 'Ozzie and Harriet' families. They don't live in houses surrounded by white picket fences. And the schools are no longer safe havens. I think all we have to do is look at the headlines in the news to see the kinds of problems that we have in our schools.

"The fact is, Mr. Speaker and colleagues, a lot of our kids are in school with some real baggage that they bring because of the problems that society has created for them. And I wish we could have good parents like the good Representative, you know, who are concerned about their kids, about their education and their health, and their well-being. But again reality is we have problems, and if we didn't we wouldn't have kids who are being abused and neglected. That's reality.

"The fact is when these kids come to school with that kind of background, they're not able to learn. They're not going to be able to maximize their potential as students. Not only that, they create disruption that cause problems to the teachers, for their fellow students. On top of that, a lot of them require remediation. So the question is: how do we assure that students come to school healthy and ready to learn? Some of them don't even come to school with something in their stomachs.

"I think we really need to look at reality and see how we're going to meet this challenge. The common thing that I think all our students have is that they all have to go to school. If this is the best way to provide at least a minimum of health care services, then we ought to do it because that's what's right. Unless we can assure that our kids are in good health, I don't think we can expect them to learn and to do their best to really realize their potential. I think we need to look beyond some of these smaller issues and look at the big picture, and look at what it means to our kids' future.

"Thank you, Mr. Speaker."

Representative Santiago then rose to speak in support of the measure, stating:

"Mr. Speaker, I'd like to just, I guess, comment on some of the comments I heard earlier. We oftentimes hear of cutting funding, and we hear about this is where we can save, etc. And having had first-hand experience with these school health centers, overseeing one in my community for a long time, I wanted to point out some of the amendments that we made and why these amendments were put in and what they mean.

"The amendments are in line with what we did five years through the Board of Education's policies that required any schools with SCBM's already in place to allow for the planning of what these centers were supposed to be about to occur from the ground up. We oftentimes are criticized about how these centers are planned from the top down. The centers that are in existence and have been working and are protected and are fought for by the communities who have seen them work were planned from the ground up. It is not the government. It was not the department saying, you will do this. It was the families, the parents, the students, the communities who came in and said, this is what we need.

"Why do we need this? Because if we don't fund some of these programs, we pay for them ten-fold later on when those kids who did not have access to these services are not dealt with in preventive way.

"These school health centers have proven to be so effective that as we have gone backward here in Hawaii, when five years ago we funded it and we provided the necessary funding to start three pilot programs, on the mainland it was just beginning. Today, the mainland has grown and these centers are all over. Why? Not because some government decided that it was going to work, but because the parents, the students, the communities believed that these preventive programs saved government money in the long run.

"These are not clinics that hand out condoms. These are not what we've heard some of these horror stories about. These are places where students go. They do receive counseling, if that's necessary, otherwise they receive basic minimum things. Parental consent is even talked about in the resolution and it's put in there in writing. So I wanted to clarify this for the sake of all the members. I believe very strongly that if we are going to be caring and we are going to go where the kids are, let them -- the parents and the communities -- tell us how we should proceed. That's what this resolution calls for.

"Thank you, Mr. Speaker."

Representative Moses then rose to speak in support of the measure with reservations, stating:

"I know where the previous speakers' hearts come from, but I'm just reading the words in the resolution. First of all, on page 2, it starts, 'WHEREAS, to achieve excellence in school, students need: to be wanted; to be valued; a positive vision of the future; safe, orderly schools; strong community support; high-quality care, including health care services; and adults they can trust.' Nowhere does it say, that students need to learn. The first one there should be students need to learn.

"On page 3, Mr. Speaker, it lists a couple of items that the school support group should be able to provide. It says, 'schools that are safe and caring; and an environment that is focused on teaching and learning.' My personal belief is Number 2 should be Number 1. They are there to learn.

"Further on page 3, in the third paragraph, it says, 'WHEREAS, the community, in partnership with the schools, is the best resource to decide upon the most appropriate services for the program.' And paragraph 4, it says, 'WHEREAS, it is essential that the Departments of Health and Education, under the auspices of the Board of Education's policies, respect parental involvement and notification in the development of the program.' But then it goes on in paragraph 5 to say, 'regardless of what services a community deems appropriate, the program must focus on facilitating access to primary health care.'

"So in other words, it talks about community involvement and then negates it and says, we're going to do it anyway. So I have those kinds of concerns, Mr. Speaker, and believe me, as a parent of seven, I know what is fundamental and what is required. And that's to educate our children and I'm all for that. But if we must have health clinics, I'm all for that too, but I don't believe they should be integrated with the school system. They can be across the street. They can be next door on Health Department property, not on the school property because I, as a parent, want to have final say what happens to my child. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 123, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE THE SCHOOL-BASED HEALTH CLINIC PROGRAM PERMANENT, TO RESTORE FUNDING TO THE PROGRAM AND EXPAND IT TO REACH OTHER HIGH SCHOOL CAMPUSES, AND TO WORK WITH THE DEPARTMENT OF EDUCATION TO INTEGRATE THE PROGRAM INTO THE COMPREHENSIVE STUDENT SUPPORT SYSTEM," was referred to the Committee on Education with Representative McDermott voting no, and Representatives Cachola, Menor, Say and Suzuki being excused.

Representative Herkes, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1077-98) recommending that H.C.R. No. 59, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 59, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH RECOMMEND TO THE LEGISLATURE SPECIFIC TREATMENT PROGRAMS TO ADDRESS THE INCREASING PROBLEMS OF ADOLESCENT ALCOHOL AND DRUG ABUSE THROUGHOUT THE STATE," was adopted, with Representatives Cachola, Menor, Say, Suzuki and Tom being excused.

#### ANNOUNCEMENTS

Representative Santiago: "I was so hesitant. . . it's not an announcement that I really feel I want to make."

The Chair asked: "Basketball?"

Representative Santiago responded: "Yes. However, my arms have been twisted. Members and anybody else who's interested, the Senate has been talking it up a lot. So those of you who want to come out and help us -- tonight, 7:00 p.m., Klum Gym. Need I say anymore."

Representative McDermott: "I have an announcement that during the basketball game, I talked to Representative Whalen and he has assured me he's going to cover Senator Matsunaga like a 'reciprocal beneficiary.' Thank you."

Representative Marumoto: "Mr. Speaker, I ask the Minority to stay for a short caucus after this session. Thank you."

Representative Arakaki: "Mr. Speaker, just in case we don't prevail tonight, tomorrow we have another chance at the Senate. We're going to have what we're calling the 'Food Fight at the CR Corral,' and CR stands for Capitol Rotunda. It's going to be at 'high noon' LSD, which is Legislative Standard Time, so it's going to be more like 12:30 p.m.

"But we have so far recruited five of our team members and we're going to see how well they 'stack up' against the competition. We have Representatives Marcus Oshiro, Takai, Hiraki, Marumoto and Fox, and they all have their 'can do' spirit and, hopefully, they won't make fools of themselves tomorrow, although, it is April Fools tomorrow. In all seriousness, this is part of our kick-off for our Food Bank Food Drive. And I think we all know how much some of our people are hurting. So hopefully, this is a fun way of getting it started, but I want to urge all of you in your offices to start collecting your donations for the Food Bank. Thank you, Mr. Speaker."

Representative Whalen: "Thank you, Mr. Speaker. I'd like the record to reflect that the words from the Representative from Foster Village were not my own."

#### ADJOURNMENT

At 12:48 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 1, 1998. (Representatives Cachola, Ito, Menor, Say, Suzuki and Tom were excused.)



## FORTY-FIRST DAY

Wednesday, April 1, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:45 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Mrs. Naomi Takai, mother of Representative K. Mark Takai, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Hamakawa, Kahikina, Kawakami, Lee, Menor, Saiki, Santiago, Say and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fortieth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 407 through 411) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 407, returning H.B. No. 2520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FRIVOLOUS LOBBYING CHARGES," which passed Third Reading in the Senate on March 31, 1998.

Sen. Com. No. 408, returning H.B. No. 2523, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL COUNTY REGISTER," which passed Third Reading in the Senate on March 31, 1998.

Sen. Com. No. 409, returning H.B. No. 2531, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ELECTIONS REQUIRING A RUNOFF," which passed Third Reading in the Senate on March 31, 1998.

Sen. Com. No. 410, returning H.B. No. 2802, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM," which passed Third Reading in the Senate on March 31, 1998.

Sen. Com. No. 411, returning H.B. No. 2693, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 31, 1998, in an amended form.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2693, HD 1 (SD 1), and requested a conference on the subject matter of said amendments. (Representatives Arakaki, Hamakawa, Kahikina, McDermott, Saiki, Santiago, Say and Ward were excused.)

By unanimous consent, H.B. No. 2693, HD 1, as amended by the Senate, was placed on the Clerk's desk.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following Senate Bill (S.B. No. 2759) was re-referred to committee by the Speaker:

S.B.  
No.      Re-referred to:

2759      Committee on Judiciary

The following resolution (H.R. No. 26) and concurrent resolutions (H.C.R. Nos. 91, 92, 114 and 115) were re-referred to committee by the Speaker:

H.R.  
No.      Re-referred to:

26      Committee on Tourism, then to the Committee on Finance

H.C.R.  
Nos.

91      Committee on Tourism, then to the Committee on Finance

92      Committee on Economic Development and Business Concerns, then to the Committee on Finance

114      Committee on Agriculture, then to the Committee on Ocean Recreation and Marine Resources

115      Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance

## INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 71 and 72) were announced by the Clerk and the following actions taken:

H.R. No. 71, entitled: "HOUSE RESOLUTION CONGRATULATING THE IOLANI SCHOOL VARSITY BOYS' BASKETBALL TEAM FOR WINNING THE 1998 STATE BASKETBALL CHAMPIONSHIP," was jointly offered by Representatives Goodenow, Menor and Fox.

On motion by Representative Goodenow, seconded by Representative Menor and carried, H.R. No. 71 was adopted, with Representatives Cachola, Hamakawa and Ward being excused.

Representative Goodenow rose and introduced Dr. Mark M. Mugiishi, Coach; Mr. Carl Schroers, Athletic Director; Mr. Cord Anderson, Mr. Brad Anderson and Mr. Kirk Uejio, the Advertiser's Players of the Year from Iolani; and other team members who were seated in the gallery.

H.R. No. 72, entitled: "HOUSE RESOLUTION CONGRATULATING WALLACE FUJII, JAY CHOW, NEAL HIRASAKI, AND ELLEN SCHROEDER AS THE 1997-1998 RECIPIENTS OF THE DISTINGUISHED MILKEN FAMILY FOUNDATION NATIONAL EDUCATOR AWARDS," was jointly offered by Representatives Stegmaier, Morita, Abinsay, Aiona, Arakaki, Fox, Halford, Kahikina, Kanoho, Marumoto, McDermott, Meyer, Morihara, Moses, Pendleton, Saiki, Santiago, Souki, Takai, Takamine, Tarnas, Ward and Yonamine.

On motion by Representative Stegmaier, seconded by Representative Morita and carried, H.R. No. 72 was adopted, with Representatives Cachola, Hamakawa, Kawanakoa and Ward being excused.

Representative Morihara introduced Mr. Wallace Fujii, Principal of Baldwin High School.

Representative Pendleton introduced Mrs. Ellen Schroeder, a teacher at Olomana School.

Representative Arakaki introduced Mr. Neal Hirasaki, Chairperson of the Science Department at Kalani High School.

Representative Chang introduced Mr. Jay Chow, a mathematics teacher and student advisor at Waiakea High School.

At 12:24 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:30 o'clock p.m., Representative Stegmaier introduced Mrs. Gladys Mae Fujii, wife of Mr. Wallace Fujii, Mrs. Patty Pacheco, his daughter, and Mr. Gary Fujii, his son; Mrs. Cheryl Chow, wife of Mr. Jay Chow, and Mr. Gerald and Mrs. Marion Chow, his parents; Mr. Walter Schroeder, husband of Mrs. Ellen Schroeder, and Mr. Jack and Mrs. Margaret Kaguni, her parents; Mr. George and Mrs. Sueko Hirasaki, parents of Mr. Neal Hirasaki, Ms. Terry-Ann Horie; Ms. Randi Porres-Tang, Principal of Kalani High School, and Mr. Dennis Kaneshiro, Band Director at Kalani High School.

At 12:33 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:50 o'clock p.m., a presentation was made to Speaker Souki by Senators McCartney and Ihara.

Representative Santiago rose and stated:

"Mr. Speaker, I am very proud to announce that your basketball team, the House members, last night fought valiantly in a very competitive event. One of our members went above and beyond the call of duty. As you all know, Representative Hamakawa was hurt in the game last night. It was a very brutal game but we did win. And we are very gracious to have with us today two Senators who have come over to also acknowledge the victory last night.

"So on behalf of all the players, all the members of the House who were there, and the staff who were fantastic in giving us support from the stands, it was quite a night to remember. Mr. Speaker, with that I will yield the microphone."

Senator Mike McCartney took the rostrum and stated:

"Thank you, Mr. Speaker and members of the House. On behalf of the Senate, we would like to offer our congratulations to you. You were true champions last night. You exemplified the heart of a champion. You had the three 'Ds' -- discipline, determination and desire. You also had three other things -- three Republicans in the starting lineup. And, Mr. Speaker, it may be a sign of things to come. You needed their help last night. You can count on them with the two 'twin towers' of Representative Kawananakoa and Representative McDermott blocking out, and the 'mongoose' running around with the ball -- Representative Whalen. You cannot go wrong, so be proud that the Minority made a significant contribution this session to beating the Senate and it is something you should be very proud of.

"But with all sincerity, it's been many years that we've had this game and it's been good to bring everybody together, and we just wanted to say 'thank you' for always putting up with us, competing with us, letting us 'older' guys feel like we're young again. We just appreciate it, and we want to say that you deserve this

victory so we want to give you this basketball that has the House and Senate score. I know you were being nice to us, Representative Santiago. You didn't mention the score, but it was 28 to 13. And we also elected Representative Hamakawa as the MVP. So we would like to present you this basketball, Mr. Speaker, and congratulate all of you.

"Thank you very much."

The Speaker responded:

"Senators, on behalf of the House, we will gladly accept this basketball. It's been a 'long winter' and the House finally came through.

"Thank you very much members. Aloha."

### SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward were excused.)

### UNFINISHED BUSINESS

**Stand. Com. Rep. No. 1060-98 and S.B. No. 1310, SD 1, HD 2:**

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1310, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

**Stand. Com. Rep. No. 1061-98 and S.B. No. 1597, SD 1, HD 2:**

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1597, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES PENALTIES," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

The Chair directed the Clerk to note that S.B. Nos. 1310 and 1597 had passed Third Reading at 12:55 o'clock p.m.

### STANDING COMMITTEE REPORTS

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1078-98) recommending that H.R. No. 57, as amended in HD 1, be referred to the Committee on Water and Land Use.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 57, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON TRANSFERRING THE FORESTRY PROGRAMS OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO THE DEPARTMENT OF AGRICULTURE," was referred to the Committee on Water and Land Use, with Representatives Cachola,

Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1079-98) recommending that H.C.R. No. 160, as amended in HD 1, be referred to the Committee on Water and Land Use.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 160, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF AGRICULTURE AND THE OFFICE OF PLANNING TO REASSESS KONA AGRICULTURAL LANDS AS TO WHICH SHOULD BE RECLASSIFIED AS IMPORTANT AGRICULTURAL LANDS TO THE STATE OF HAWAII (AMENDED)," was referred to the Committee on Water and Land Use, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1080-98) recommending that H.C.R. No. 114, as amended in HD 1, be referred to the Committee on Ocean Recreation and Marine Resources.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 114, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ISSUE A PERMIT FOR A PILOT DEMONSTRATION OPEN OCEAN AQUACULTURE PROJECT TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Ocean Recreation and Marine Resources, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1081-98) recommending that H.C.R. No. 166, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF THE FEASIBILITY OF TRANSFERRING RESPONSIBILITY FOR THE ANIMAL QUARANTINE STATION OUT OF THE DEPARTMENT OF AGRICULTURE," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1082-98) recommending that H.C.R. No. 129, HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 129, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM'S STATE OFFICE OF TOURISM AND THE HAWAII VISITORS AND CONVENTION BUREAU TO SUPPORT CULTURE AND THE ARTS AND ITS POSITIVE IMPACT ON HAWAII'S ECONOMY," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1083-98) recommending that H.C.R. No. 213 be referred to the Committee on Higher Education.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 213 be referred to the Committee on Higher Education, seconded by Representative M. Oshiro.

Representative Thielen rose to speak against the resolution, stating:

"This resolution would ask the University of Hawaii's School of Travel Industry Management to look into the feasibility of using the Sheraton Makaha Inn as an educational training conference facility. Here we go again, Mr. Speaker. We also have the Marks Estate which we know is going to require millions of dollars in repair and maintenance and upgrading. We also have the Convention Center. And now we're saying: let's go out and look at using the Sheraton Makaha Inn, and spending more tax dollars on that for an educational training conference facility. Why don't we use what we have? Why don't we use the Convention Center? Why don't we have those training conferences held there? Why don't we make the Convention Center really bustle, practically 24 hours a day with programs, instead of spending more money.

"I really would ask the Committee on Higher Education to take a serious look at this. We've got a lot of better places to put our money.

"Thank you."

Representative Kahikina rose to speak in support of the resolution, stating:

"In these times where we have very little resources, our community in Waianae is looking at all kinds of alternatives to better educate our children. And tourism being the number one industry in Hawaii, we really believe that this Makaha Inn would serve its purpose not only internationally, but also for school-to-work transition, so I would encourage my colleagues to support this resolution.

"Thank you."

Representative Jones rose to speak in support of the resolution, stating:

"Mr. Speaker, the former Makaha Sheraton is presently not being used. There's a church group that uses this facility now and the only charge is for the maintenance of the facilities. There are 270 rooms that are vacant. There's a restaurant that's really not being used. There's an 18-hole golf course out there that has a two-year contract on and after that the Sheraton owners will be looking for other uses. There's a whole lot of things there that really would be good for training -- actual on-the-job training -- for students in the tourist industry. And this is really an ideal opportunity for us to at least look at it.

"All the resolution says is to do a feasibility study, whether it's worthwhile or not to use these facilities as a training center for the University. And this feasibility study also could be a good classroom project for students. Anyway, I urge everyone to support this measure. It really looks like an opportunity that we shouldn't forego.

"Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R.

No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S SCHOOL OF TRAVEL INDUSTRY MANAGEMENT, IN COOPERATION WITH THE SCHOOL OF BUSINESS ADMINISTRATION, TO STUDY AND REPORT ON THE FEASIBILITY OF UTILIZING THE FORMER SHERATON MAKAHA INN AS AN EDUCATIONAL-TRAINING-CONFERENCE FACILITY," was referred to the Committee on Higher Education, with Representative Thielen voting no, and Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1084-98) recommending that H.C.R. No. 220, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 220, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO COORDINATE WITH THE HAWAII VISITORS AND CONVENTION BUREAU, THE NATIONAL QUARTERBACK CLUB, THE NFL PRO BOWL COMMITTEE, THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION, THE DEPARTMENT OF EDUCATION, THE UNIVERSITY OF HAWAII ATHLETIC STAFF AND BOOSTER CLUBS, THE HAWAII WINTER LEAGUE BASEBALL ASSOCIATION, AND THE QUARTERBACK CLUB OF HAWAII, TO WORK OUT ARRANGEMENTS TO HOST THE NEXT NATIONAL QUARTERBACK AWARDS DINNER IN HAWAII DURING THE PRO BOWL WEEK," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1085-98) recommending that H.C.R. No. 73, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 73, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TOURISM FORECASTING PANEL," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1086-98) recommending that H.C.R. No. 172, as amended in HD 1, be referred to the Committee on Finance.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 172, HD 1, be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Aiona rose in support of the resolution with reservations, stating:

"Mr. Speaker, I support the Task Force that would have the State and the City cooperate in improving Waikiki, and that's what this measure calls for. My reservation is because we already have a Waikiki planning group that is in effect doing the same thing that this group is doing. At a time when we talk about duplication of services, I believe that this is a duplication of service.

"I support the concept and idea which is why I am going with reservations, and I ask the members of the Finance Committee to ask the tough questions when this resolution comes to your Committee.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 172, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII AND CITY AND COUNTY OF HONOLULU TO WORK TOGETHER TO ESTABLISH A JOINT WAIKIKI TASK FORCE TO EXPLORE THE REVITALIZATION AND RENOVATION OF WAIKIKI AND SURROUNDING AREAS INCLUDING THE HAWAII CONVENTION CENTER," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1087-98) recommending that H.C.R. No. 206, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 206, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSIST THE VISITOR ALOHA SOCIETY OF HAWAII," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1088-98) recommending that H.C.R. No. 216, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 216, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII AND THE CITY AND COUNTY OF HONOLULU TO ESTABLISH A BANNER WELCOME PROGRAM FOR THE STREET LAMPPOSTS FRONTING THE HAWAII CONVENTION CENTER MAIN ENTRANCE," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1089-98) recommending that H.C.R. No. 64 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING INCORPORATION OF ASSISTIVE TECHNOLOGY CONSIDERATIONS IN ALL APPROPRIATE ADMINISTRATION MEASURES RELATING TO PERSONS WITH DISABILITIES," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1090-98) recommending that H.C.R. No. 133 be referred to the Committee on Labor and Public Employment.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE ADMINISTRATIVE SUPPORT FOR THE TEMPORARY, VOLUNTARY ATHLETIC TRAINERS COMMISSION TO EXAMINE THE PROS AND CONS OF SEPARATE STATE REGULATION OF CERTIFIED ATHLETIC TRAINERS AND THE FEASIBILITY AND IMPACT OF ALLOWING CERTIFIED ATHLETIC TRAINERS TO ACT AS THIRD-PARTY BILLERS FOR SERVICES UNDER THE PREPAID HEALTH CARE ACT AND THE WORKERS' COMPENSATION LAW," was referred to the Committee on Labor and Public Employment, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1091-98) recommending that H.C.R. No. 147 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO DETERMINE AND RECOMMEND TO THE LEGISLATURE THE NECESSARY STEPS TO ENHANCE THE CORPORATION'S ABILITY TO NEGOTIATE CONTRACTS THAT DETERMINE THE REIMBURSABLE COSTS FOR MEDICAL SERVICES," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1092-98) recommending that H.C.R. No. 155 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A NEEDS ASSESSMENT OF FAMILIES WHO PROVIDE HOME CARE TO THEIR FAMILY MEMBER WITH A DEVELOPMENTAL DISABILITY AND DEVELOP A PLAN TO ADDRESS THOSE NEEDS," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Takai, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 1093-98) recommending that H.C.R. No. 17 be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAHIAWA CENTENNIAL CELEBRATION COMMISSION BY EXECUTIVE ORDER," was referred to the Committee on Judiciary, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Takai, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 1094-98) recommending that H.C.R. No. 131, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 131, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO PREPARE A PLAN TO GENERATE REVENUES FOR THE FOUNDATION TO SUPPLEMENT ITS BUDGET," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Case, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1095-98) recommending that H.C.R. No. 156 be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 156, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY, COMPILE, AND SUMMARIZE AVAILABLE DEMOGRAPHIC DATA ON NATIVE HAWAIIANS," was referred to the Committee on Legislative Management, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented joint a report (Stand. Com. Rep. No. 1096-98) recommending that H.C.R. No. 121 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 121, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CHILDREN'S HEALTH INSURANCE PROGRAM PLANNING COMMITTEE TO DEVELOP UNIVERSAL HEALTH COVERAGE FOR ALL OF HAWAII'S CHILDREN," was referred to the Committee on Finance with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1097-98) recommending that H.C.R. No. 141 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO RESTORE FOOD STAMP BENEFITS TO LEGAL, NONCITIZEN IMMIGRANTS," was referred to the Committee on Finance, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1098-98) recommending that H.C.R. No. 124, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 124, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AUDIT OF ALOHACARE," was referred to the Committee on Consumer Protection and Commerce, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.



Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1099-98) recommending that H.C.R. No. 152, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 152, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A THRILL CRAFT ADVISORY COMMITTEE TO REVIEW PRIVATELY-OWNED THRILL CRAFT SAFETY AND THE FEASIBILITY OF REGISTRATION AND CERTIFICATION OF PRIVATE THRILL CRAFT OPERATORS," was referred to the Committee on Judiciary, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1100-98) recommending that H.C.R. No. 106, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 106, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE 'ALOHA EVERY DAY' CONCEPT AND EFFORTS TO NURTURE THE ALOHA SPIRIT IN GOVERNMENT AND ENHANCE HAWAII'S REPUTATION AS THE ALOHA STATE," was adopted, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1101-98) recommending that H.C.R. No. 162, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 162, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE WAIKIKI YACHT CLUB'S ALOHA RACING CHALLENGE TO THE ROYAL NEW ZEALAND YACHT SQUADRON FOR AMERICA'S CUP XXX," was adopted, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Takai, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 1102-98) recommending that H.C.R. No. 102, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 102, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO RESOLVE THE PROBLEMS WITH THE HONOLULU SYMPHONY AND WORK TOWARDS AN AMICABLE SETTLEMENT OF BOOKING DATES," was adopted, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

Representative Arakaki, the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1103-98) recommending that H.C.R. No. 38, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 38, HD 1,

entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A STATE POLICY FOR IMPROVING THE WELL-BEING OF CHILDREN, YOUTH, AND FAMILIES," was adopted, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

### THIRD READING

#### S.B. No. 2889, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2889, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

#### S.B. No. 2680, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2680, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERFORMANCE RATINGS OF EMPLOYEES IN THE CIVIL SERVICE," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

#### S.B. No. 2913, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2913, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

#### S.B. No. 1065, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1065, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

#### S.B. No. 2253, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2253, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

#### S.B. No. 2740, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2740, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

#### S.B. No. 2957, SD 2, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2957, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.



**S.B. No. 2697, SD 1, HD 1:**

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2697, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE COURTS," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

**S.B. No. 1638, SD 1, HD 1:**

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1638, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

**S.B. No. 3015, SD 2, HD 1:**

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 3015, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX EXEMPTION FOR AIRCRAFT SERVICE AND MAINTENANCE FACILITIES," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

**S.B. No. 3141, SD 1, HD 1:**

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 3141, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

**S.B. No. 3004, SD 1, HD 1:**

Representative Okamura moved that S.B. No. 3004, SD 1, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative Fox offered the following amendment to S.B. No. 3004, SD 1, HD 1:

"SECTION 1. Senate Bill No. 3004, S.D. 1, H.D. 1 is amended by amending lines 17 to 23 on page 7 to read:

'etc., expenses) of the Internal Revenue Code shall be operative[, except that subsections (d)(1)(C) with respect to long-term care services, (d)(1)(D) as it applies to long-term care insurance contract premiums, (d)(7) as it applies to long-term care insurance contract premiums, and (d)(10) as it applies to eligible long-term care premiums[,] shall be operative in this State].'"

Representative Fox moved that the amendment be adopted, seconded by Representative Kawanakoa.

Representative Fox rose to speak in support of the amendment, stating:

"The IRC conformity bill was before us last year. It was at that time that the federal government proposed that tax credits be offered, and we were offered the opportunity to conform State tax law with federal law. This year we have a new IRC conformity bill, but because the new bill refers to the section of the Internal Revenue Code that deals with medical care deductions, it has been necessary to once again put in our face, the fact that

Hawaii is not conforming with federal law on this measure. So we have a very wonderful opportunity here, as a body today, to bring again what we didn't do last year and we can do this year.

"We can bring the State Code in conformity with federal law and give people the tax deductions that they need to support long-term care, both for the purposes of buying health insurance to deal with long-term care, and for the expenses that many of us have to bear when our elders are going through long-term care facilities, or our children, anybody who requires long-term care qualifies for this deduction.

"It's a wonderful opportunity. The Governor and the Administration favor it, the Senate favors it, so let's round it off and do the right thing.

"Thank you very much, Mr. Speaker."

Representative Kawanakoa rose to speak in support of the amendment, stating:

"It baffles me that the federal government has seen it as aegis to come out with a credit or a deduction that our families and our elders can use in order to reduce the cost of elderly and long-term health care concerns, Mr. Speaker. It behooves us to have our families take care of themselves, to have our elders living with family members, so for them the tax break is an opportunity of taking care of our elders instead of dumping them on the State that so often happens because the cost is so horrendous, Mr. Speaker. I find it difficult to understand why we would not want to give an incentive to people our age to buy long-term health care insurance. I mean that's the reasonable thing to do. That's what we should all be striving for.

"Mr. Speaker, I would challenge anyone of our members to address the issue of long-term health care problems and the tremendous liability that we will face as the 'baby boomers' enter into their aging years. We don't have an answer for that. We clearly cannot address that cost concern.

"This is a means by which to have our public -- the people -- to think about investing in their own long-term health care insurance policies and planning for their retirement. This is akin to an IRA. We know how much success we've had with that, with the private sector and people going out and putting away investments for their retirement -- for their golden years. But here we are, denying that same credit, that same deduction, that the federal government, which I should note is bipartisan in its effort to pass this legislation on the federal level, to bring that to the constituents and the people of Hawaii.

"It makes sense. We should allow for this credit or for this deduction as it applies to long-term care services for the elderly and also for perhaps our age group that should be buying long-term health care insurance, which we took a poll here. I'm not too sure how many of us have actually planned for that. This might give us the incentive and the means by which to actually purchase those insurance policies. Mr. Speaker, it is a clear, wonderful way to move to give our public the incentive to do the right thing. I see no reason why we should not pass this. This amendment addresses it. It allows for this great idea to continue on its course, and I hope my colleagues would see the importance of passing this amendment.

"With that, I certainly look for a bipartisan effort as the basketball game was a bipartisan effort, Mr. Speaker, and to pass this amendment. However, I will be calling

for a roll call at the appropriate time once discussion is through on this particular measure.

"Thank you, Mr. Speaker."

Representative Say rose to speak against the amendment, stating:

"Mr. Speaker and members of this House, first and foremost, any elected official on this floor has a major responsibility -- a responsibility of balancing one's budget.

"The current draft of this bill, which reflects the IRC conformity introduced by the Administration, had a cost of approximately \$8 million to \$8.9 million attached to it. When the bill came to the Finance Committee, it had additional IRC conformity amendments such as the Hope credit, Mr. Speaker, which the Finance Committee took out at a cost of \$17.7 million, the Lifetime credit of \$16.7 million, and last but not least our long-term care deduction of \$8.5- to \$9.3 million, a total of about \$42.9 million to \$43.7 million.

"I, too, would like to support the long-term care deduction, the Hope credit, and the Lifetime credit. However, it will be irresponsible at this point in time to include these items in the IRC conformity measure.

"During the hearing, all of the members of the Finance Committee had numerous testifiers supporting the three elements that were in this particular measure, and I asked them all a very simple question. I asked them if anyone had any suggestions as to how we could pay for these credits or deductions. No one came forward to offer any suggestions except for Mr. Craig Hirai. When I asked him: would you be willing to incorporate an increase in the insurance premium tax to offset this loss? And the insurance industry said 'no.'

"As for the comments about the Administration supporting the long-term care deduction, they are true. But they supported the deduction as a separate measure last year. They did not want to jeopardize this year's conformity bill, and keep in mind that the Administration's budget was not balanced as a result of the Council on Revenues' projections. As a matter of fact, due to the March revision by the Council, even the House plan needs to accommodate right now an additional \$25 million. If you add that cost to this bill, we are looking now, Mr. Speaker, as we move into conference a deficit of over \$68 million if we incorporate it one percent by the Senate.

"As I said earlier, I would like to support these elements because I truly feel they are very worthwhile programs. Because they are in the Senate version of this bill, they will be conference items, Mr. Speaker, if they agree with the 4.5 percent. If we are able to find the resources, we will consider them and include them. However, Mr. Speaker and members, remember this: the difficult decisions that will have to be made will have a tremendous impact. The long-term care deduction will cost the State approximately \$8.5- to \$9.3 million that was given to us by the Department of Taxation.

"It would be very wonderful to support the proposed amendment, but let me put it in a different perspective for all of you this afternoon. We cut the Peer Education Program at a cost of \$527,000. We cut and abolished the Commission on Persons With Disabilities which cost \$600,000. We cut and abolished the Commission on the Status of Women which cost us \$101,000. We also cut the Aquaculture Development Program which cost \$303,000, and we cut and abolished the subsidy to the Bishop Museum at a total price of \$847,000. Plus, Mr.

Speaker and members, twelve more programs brought the total to over \$5 million.

"I ask all of you right now, as we move into conference, if we can accommodate another \$9 million in programs or services or credits. It will be a very tough issue as we move into conference because all of you on this floor have seen the Senate bills that have come over, as far as giving all of these exemptions, credits, deductions, and the underinsured measure that will be heard this afternoon for the health systems and centers of \$3- and \$4 million. Where are they getting the revenues?

"Mr. Speaker, let's be honest once more with the public. I, too, am going through some tough times with my in-laws in regards to long-term care. I, too, am going through a rough time with my father in regards to long-term care. If I had the opportunity I would have, but not at the expense of the other services and programs which the members of this House really wanted to restore.

"Thank you."

Representative Pendleton rose in support of the amendment, stating:

"Mr. Speaker, just two brief points as to why this floor amendment makes sense. First of all, I would say, as my grandmother said: 'enough study.' When I did serve on the House Health Committee or the Human Services Committee, I learned that we have a long history of studying this problem. It's a very difficult and challenging problem -- very complicated. We've all gone to the annual or biennial breakfast at the Canoe Club to discuss with people this serious problem. People are trying to figure it out. I asked my Office Manager to look into our files to see how many reports and studies and documents we have on this and they go back years and years, all kinds of suggestions. Enough study, now is the time to do.

"The federal government has found the wherewithal to go ahead and move forward with actually trying to create tax incentives for people to plan. Again, this would apply a tax deduction so that people can go ahead and get long-term care insurance. At least it helps make it more affordable for people to do so. This is real action, it is not more study. It is real action, and I think that is what we need to do.

"My second point is that while it costs money to have this particular deduction available to Hawaii residents, I think in the long term it makes sense. Why? Because if people don't have this kind of insurance and wait until the very end, often what they are forced to do by the circumstances -- by the income, the fiscal economic circumstances of each and every family -- they divest themselves of what property they have, gifting it to their relatives and they go the Medicaid route, and we all know who picks up the bill for that. So it's either pay now or pay later. And I believe it makes clear sense now to have these kinds of incentives so that people can go ahead and are able to afford long-term care insurance. It's much less expensive than to have to force people later on to go the Medicaid route and have us pick it up on the other end. It makes fiscal sense in the long term.

"And again, we have a huge budget with hundreds of millions of dollars in it. Can we really not find the few million dollars that it would take to implement this conformity with the federal government? We can find money to bring beauty queens in a beauty pageant here. Can't we find the money to take care of our elderly?"

Representative Arakaki rose to speak against the amendment, stating:

"Mr. Speaker, I would like to start by thanking the author of the amendment for bringing forth this issue, because I think we do stand together on the importance of addressing the concerns of long-term care. It is something we as policymakers need to face and we can't stick our heads in the sand because it is going to hit us like a tidal wave. The fact, though, is that we also can't make decisions in a vacuum and although it makes good policy sense because it is a good investment, we also need to look, like the Finance Chair said, at the big picture.

"And for me, Mr. Speaker, and I hope for many others, if we let our conscience help us decide what kinds of decisions we make, we have to look at some other shortfalls and budget cuts that affect the very lives of people, especially young people, and those are some of the real investments we need to make. When we cut programs like Infants and Pregnant Women at Risk, we cut Sex Assault Victims' Services, and we cut Peer Education and all these other programs that benefit the lives of young people, I cannot in good conscience say that we can also invest this \$8 million in long-term care tax benefits. And I agree with the previous speaker that we need to look at our priorities, and I agree with him, if we can find money for beauty pageants we need to look at our priorities and see where the money is best invested and we, as policymakers, I think, need to search our souls on that issue. But for now I would say, as one of your Co-Chairs, Mr. Speaker, of the Joint Committee on Long-Term Care, this is one of the issues we are looking at for the future. And I am hoping that in the very near future, we will have the resources to accommodate this very important policy.

"Thank you, Mr. Speaker."

Representative Moses rose to speak in support of the amendment, stating:

"I heard a few minutes ago about the \$8 million or \$8.5 million to \$9.3 million in lost revenue, but I beg to differ with the distinguished Representative that we are going to see that money. That's because we don't have the manpower in the State to go sifting through all those federal tax forms and going line by line to determine what their deductions are and whether they are legal in this State or not. It's a very, very difficult and time-consuming matter. Now I don't say that people should knowingly violate the law, but I think most taxpayers out there are going to be quite confused that the federal government allows the deduction and we don't, and it's all for the sake of generating revenue.

"What we should be looking at is what's right. And what is right is if our citizens have the foresight to try to take out insurance for when they need it to provide for themselves, why shouldn't we reward them at least a little bit? We're not giving them money, we're letting them keep some of their money as a credit for preparing for their future. Likewise, long-term care medical expenses should be treated like all other medical expenses.

"Mr. Speaker, if we don't allow these kinds of deductions now, we the State, the taxpayers of the State, will be paying for this forever. It's time to let the people do what is right for themselves with their money, and it is their money. It is not our money. I just don't understand this belief that by taking it now somehow we're doing the right thing for the people. Let them spend their money the way they know they must to provide for themselves and their families from now and forever.

"Thank you, Mr. Speaker."

Representative McDermott rose to speak in support of the amendment, stating:

"Mr. Speaker, I think this is a refreshing idea. This is the way we should do things here. An incentive -- a tax credit -- to provide long-term care for the sick, aged, elderly bedridden of our society. This isn't a government-funded program. This is enabling people to keep their sick and elderly at home so I support this measure.

"Thank you."

Representative Suzuki rose to speak against the amendment, stating:

"Mr. Speaker, as one of the older members in this body, I buy long-term care insurance and many of my constituents do, and I think it would be great if I could participate in the overall reduction of the \$8.5- to \$9 million in taxes that our citizens would enjoy by having this benefit. But I think we also must make our decision based on a larger perspective. I make my decision not because of the State taxes or federal taxes, it's a personal need.

"Now that the federal government has installed this law, I will receive a benefit although it could be larger if the State participates. But let me just explain to you what the federal benefit does. We shouldn't make our decision just because the State doesn't pass or adopt or conform to the Internal Revenue Code. The federal taxes, compared to State taxes, are about three times the amount that one would pay in State taxes, so the benefit would be three times larger. Those that do participate in spite of the fact that the State doesn't pass the law will get a benefit of three times the figure cited, or about \$25.5- to \$27.9 million in reduced federal taxes by participating in this federal law. So this should not prevent people from participating.

"Our action here on this amendment will not prevent people from participating, but it would be nice. But at this time I don't think we can, for the reasons cited by our Finance Chair. We cannot do it right now.

"Thank you, Mr. Speaker."

Representative Okamura rose to speak against the amendment, stating:

"Mr. Speaker, I don't think there's a member here, whether Democrat or Republican, that's against this proposal and this issue has been around for a number of years. But I do agree with the Chair of the Finance Committee that it would be irresponsible at this time because of the shortfalls that we have encountered to pass this at this time.

"Also, Mr. Speaker, the Legislature which unanimously adopted legislation last year creating the Long-Term Commission, and this Commission is comprised of senior citizen leaders who are involved with the long-term care issue and they are looking at this issue comprehensively. They are also looking at this issue of tax credits and one of the things they are considering is: who buys long-term care insurance and who will benefit? The wealthy maybe, and they probably will purchase long-term care insurance. The poor? Very doubtful that they will buy. So they are looking at it comprehensively and they will be coming back before the 1999 Legislature with their recommendations, and I think that would be an appropriate time to look at this and also when our revenues increase.

"Thank you, Mr. Speaker."

Representative Marumoto rose to speak in support of the amendment, stating:

"You know, our tax forms are so complicated that we, here in Hawaii, should conform to as many of the good provisions in the federal Internal Revenue Code (IRC) as possible, and when we differ on these individual provisions -- the deductions and exemptions -- it makes our calculations for individual tax forms all the more complicated. What we strive for really should be simplicity and we really should look at 'piggy-backing' our taxes on the federal form which several states have implemented.

"This particular provision will save Hawaii money because it cost us \$50,000 for each person in a long-term care facility that is on Medicaid, and often they have stripped themselves of their assets or they don't have any money. But it would be much better if we provide people an incentive to save and spend their own money for long-term care. So for those people who can afford it, we really would be saving ourselves some money.

"Thank you."

Representative Kawanakoa then rose and stated:

"Twice I heard that it was irresponsible for us to pass this measure. I find it irresponsible for us not to find cost-saving measures in government to find the revenues. The answer that was given to us: well, in order to do this we have to increase the 4.5 general excise tax. Maybe we should take out the 5 percent. Hell, we make it 10 percent, we could do anything we want to here in the islands. We could build monuments for the past Hawaiian kings, we could build monuments for health care service providers. The point of the matter is that we waste money in government everyday.

"You know, I simply point to the newspaper a couple of weeks back where the Auditor noted that the Department of Transportation neglected to invest some \$360 million. That was \$4 million she calculated in lost revenues. That's waste that is spitting out of this State government on a daily basis. That's one example of one department on one given incident. Four million dollars, half of the money needed to fund this worthy project, this worthy need.

"So we talk about ideas and directions for this government to move in order to meet the necessities and the good services we want to provide and/or the tax credits in order to allow our private citizens, our citizens of the State of Hawaii, to do what they deem best with their money. Why don't we take a look at the waste in government? We offer a proposal here. . .

The Chair interrupted and stated:

"Will you please confine yourself to the measure which is an amendment to the IRC conformity."

Representative Kawanakoa replied:

"I am, Mr. Speaker."

The Chair said:

"Well, please proceed and limit yourself to it."

Representative Kawanakoa continued, saying:

"I will limit myself to the amendment and the rationale for the reason why it is not irresponsible. It is not irresponsible because I submit to you that we could find

these savings in government. Hundreds of millions of dollars could be found within our departments. For any of us to sit here and to advocate that our departments are as efficient and as business-minded and are using the cutting edge business technologies and the management techniques of our counterparts in the private sector, then I'll sit down. But I don't see that happening in our departments, and in case after case, our Auditor goes out and finds tremendous waste in government. So we talk about if we had the resources, we'd love to fund this. If I had the resources, Teenage Pregnant Mothers and Nutrition, Persons With Disabilities, the Status of Women, the list goes on and on of the cuts that we're making, maybe we don't need to make the cuts if we got rid of the waste.

"There are other options besides tax and spend. We're offering those options. I hope the Governor hears this message because he could take action and reduce the. . .

The Chair interrupted and said:

"Again, Representative, we are not talking about the Governor. We are talking about the conformity bill."

Representative Kawanakoa continued, saying:

"I'll limit my remarks. We are very responsible. We are looking at the overall budget and to argue here that this is an irresponsible measure because we can't find the resources, well I submit that we can find those cost-savings within government. If there were another Majority in the House, we'd have the ability to find those resources. . .

The Chair interrupted and remarked:

"It's a cold day in Hell. Please proceed."

Representative Kawanakoa responded:

"Mr. Speaker, if you like to make comments, I'd ask you to join us on this floor of the Legislature and not side-whip from the side here, from your. . .

The Chair stated:

"Representative, you are going all over the place and you're inviting a comment. Please proceed."

Representative Kawanakoa then said:

"I'll ask for a ruling later. Thank you, Mr. Speaker."

At this time, Representative M. Oshiro called for the question, seconded by Representative Okamura and carried. (Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward were excused.)

Representative Kawanakoa rose and requested a roll call vote.

The request for a roll call was put to vote by the Chair and upon a show of hands, the request was granted.

Roll call having been requested, the motion to adopt the amendment was put to vote by the Chair and failed to carry on the following show of Noes, Ayes and Excused:

Noes, 34: Representatives Abinsay, Ahu Isa, Arakaki, Case, Chang, Goodenow, Herkes, Hiraki, Ito, Jones, Kahikina, Kanohe, Kawakami, Lee, Morihara, Morita, Nakasone, Okamura, M. Oshiro, P. Oshiro, Santiago, Say, Stegmaier, Suzuki, Takai, Takamine, Takumi, Tarnas, Tom, White, Yamane, Yonamine, Yoshinaga and Souki.

Ayes, 11: Representatives Aiona, Fox, Halford, Kawanana, Marumoto, McDermott, Meyer, Moses, Pendleton, Thielen and Whalen.

Excused, 6: Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward.

The motion to pass S.B. No. 3004, SD 1, HD 1, on Third Reading was put to vote by the Chair and carried, and S.B. No. 3004, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Third Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Hamakawa, Menor, Saiki and Ward being excused.

The Chair directed the Clerk to note that S.B. Nos. 2889, 2680, 2913, 1065, 2253, 2740, 2957, 2697, 1638, 3015, 3141 and 3004 had passed Third Reading at 1:33 o'clock p.m.

### ANNOUNCEMENTS

Representative Tarnas rose and requested waiver of the 48-hour hearing notice requirement to conduct a public hearing with decision making to follow on H.C.R. No. 114, HD 1, tomorrow morning, Thursday, April 2, at 9:00 a.m. in Conference Room 312, and the Chair "so ordered."

Representative Lee rose and requested waiver of the 48-hour hearing notice requirement for the Consumer Protection and Commerce Committee to hear H.C.R. No. 124, HD 1, tomorrow at 6:00 p.m. in Room 325, and the Chair "so ordered."

Representative Santiago rose and requested waiver of the 48-hour hearing notice requirement for decision making only on H.C.R. Nos. 99, 144, 142 and 143, tomorrow at 9:00 a.m., and the Chair "so ordered."

Representative Arakaki: "Just to let you know, we hope to follow on our victory last night with another victory over the Senate in our 'food fight' at the Capitol rotunda, and I would like to ask the team members to don their uniforms and meet at the rotunda, and we will get the challenge at high noon going as soon as possible."

Representative Aiona: "All freshmen legislators: we're going to meet up in the Capitol rotunda after the session for picture taking."

Representative M. Oshiro: "There will be a luncheon meeting with the Committee Chairs immediately after session in the Speaker's Office."

### ADJOURNMENT

At 1:35 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 2, 1998. (Representatives Cachola, Garcia, Hamakawa, Menor, Saiki, Stegmaier and Ward were excused.)

## FORTY-SECOND DAY

Thursday, April 2, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:42 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Reverend Kevin Kuniyuki from the Honpa Hongwanji in Honokaa, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Goodenow, Halford, Hamakawa, Marumoto, Menor, Say, Ward and Whalen, who were excused.

On motion by Representative M. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the House of Representatives of the Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth, Thirty-First, Thirty-Second, Thirty-Third, Thirty-Fourth, Thirty-Fifth and Thirty-Sixth Days were subsequently approved. (Representatives Arakaki, Goodenow, Halford, Hamakawa, Marumoto, Menor, Nakasone, Say, Ward and Whalen were excused.)

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 192 through 195) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 192, informing the House that on April 1, 1998, he signed the following bill into law:

House Bill No. 1488 as Act 5, entitled: "RELATING TO FAMILY CHILD CARE HOMES."

Gov. Msg. No. 193, transmitting copies of the 1997 Annual Report prepared by the non-government members of the Marine and Coastal Zone Management Advisory Group (MACZMAG), pursuant to Section 205A-3.5, Hawaii Revised Statutes, and Section 3 of Act 104, SLH 1995.

Gov. Msg. No. 194, transmitting copies of the Survey Overview and Analysis of the Hawaii Ocean Resources Management Plan: Status of Resource Sector Policies and Implementing Actions report recently prepared by the Coastal Zone Management Program, Office of Planning, on behalf of the Marine and Coastal Zone Management Advisory Group.

Gov. Msg. No. 195, transmitting copies of the 1998 Report to the Governor on Workforce Development prepared by the Workforce Development Council, pursuant to Section 202-2, Hawaii Revised Statutes, as amended.

## SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 412) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 412, returning H.B. No. 2858, HD 2 (SD 2), entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," which passed Third Reading in the Senate on April 1, 1998, in an amended form.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the House disagreed to the amendments proposed by the Senate to

H.B. No. 2858, HD 2 (SD 2) and requested a conference on the subject matter of said amendments. (Representatives Arakaki, Halford, Hamakawa, Marumoto, Menor, Nakasone, Say, Ward and Whalen were excused.)

By unanimous consent, H.B. No. 2858, HD 2, as amended by the Senate, was placed on the Clerk's desk.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Takamine introduced students and their advisors, Mrs. Yamane and Ms. Uehara, from Hilo, Laupahoehoe, and Paauilo Schools on the Big Island.

Representative Tom introduced Mr. Robert Mag, Director of the Revenue Division, from the Meyers Cord Revenue Group of Carolstream, Illinois.

Representative Aiona introduced his aunt and uncle from the Big Island, Mr. and Mrs. Ed and Vivian Araujo.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following concurrent resolutions were re-referred to committee by the Speaker:

H.C.R.Nos. Re-referred to:

- 133 Committee on Health, then to the Committee on Consumer Protection and Commerce
- 170 Committee on Education, then to the Committee on Judiciary

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 73 and 74) were announced by the Clerk and the following actions taken:

H.R. No. 73, entitled: "HOUSE RESOLUTION COMMENDING AND THANKING SUPERINTENDENT HERMAN M. AIZAWA, PHD, AND HIS STAFF FOR ALL THEIR EFFORTS TO IMPROVE THE QUALITY OF EDUCATION FOR HAWAII'S STUDENTS," was jointly offered by Representatives Stegmaier, Takai, Morita, Arakaki, Abinsay, Aiona, Halford, Hamakawa, Kanoho, Marumoto, McDermott, Meyer, Morihara, Moses, Saiki, Santiago, Takamine, Tarnas, Ward and Yonamine.

On motion by Representative Stegmaier, seconded by Representative Morita and carried, H.R. No. 73 was adopted, with Representatives Arakaki, Chang, Halford, Hamakawa, Marumoto, Menor, Nakasone, Whalen and White being excused.

Representative Stegmaier introduced Dr. Herman Aizawa and his leadership team, as follows: Special Assistant, Dr. Paul K. Ban, Ph.D.; Assistant Superintendents, Mr. Donald R. Nugent, Mr. Alfred K. Suga, and Ms. Diana Kaapana-Oshiro; District Superintendents, Ms. Amy T. Maeda, Ms. Aileen Sachiko



Hokama, Mr. Ralph M. Murakami, Mr. Milton Shishido, Ms. Ruby S. Hiraishi, and Mr. Wendell Robert Staszko; Deputy District Superintendents, Mr. Dan I. Sakai, Ms. Helen M. Orikasa, Mr. Robert Thomas Golden, Mr. Benjamin Lapalio, Mr. Alvin N. Nagasako and Ms. Francine C. Fernandez; and former team members, Mr. Clarence Mills, Ms. Shirley Akita, Mr. Robert Chris Town, Dr. Michael Suzuki, Mr. John Sosa, Ms. Helen Sanpei, Ms. Laurie Wong, Mr. Leighton Hasegawa, and Mr. Stafford Nagatani. The late Ms. Barbara Yoshimura was also recognized.

Representative Okamura introduced Mr. Stanley T. Seki, Deputy Superintendent, Department of Education.

Representative Yonamine introduced Mr. Kenneth Yamamoto, Assistant Superintendent, Department of Education, Office of Accountability and School Instructional Support.

Representative Tarnas introduced Ms. Patricia Cockett Bergin, District Superintendent of the Big Island.

Representative Takai introduced Mr. Thomas Guanson Pangilinan, Deputy District Superintendent Windward Oahu.

At 12:27 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:32 o'clock p.m.

H.R. No. 74, entitled: "HOUSE RESOLUTION HONORING TOMMY KAKESAKO AND THE DAV KEEHI LAGOON MEMORIAL MANAGEMENT COMMITTEE," was offered by Representative Kawanakaoa.

On motion by Representative Kawanakaoa, seconded by Representative Moses and carried, H.R. No. 74 was adopted, with Representatives Arakaki, Chang, Garcia, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Whalen and White being excused.

Representative Kawanakaoa introduced Mr. Tommy Kakesako, Chairman, DAV Keehi Lagoon Memorial Management Committee; Mr. Roy "Cowboy" Murashige and Mr. Joe Oshiro, members of the DAV Keehi Lagoon Memorial Management Committee who were seated in the gallery.

At 12:48 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

#### STANDING COMMITTEE REPORTS

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1104-98) recommending that H.C.R. No. 170, as amended in HD 1, be referred to the Committee on Labor and Public Employment.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 170, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RECOMMENDATIONS FOR SCREENING SCHOOL VOLUNTEERS," was referred to the Committee on Labor and Public Employment, with Representatives Arakaki, Chang, Garcia, Goodenow,

Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Takamine, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1105-98) recommending that H.C.R. No. 164, as amended in HD 1, be referred to the Committee on Tourism.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 164, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO RECOMMEND WAYS OF ATTRACTING FOREIGN HUNTERS TO THIS STATE," was referred to the Committee on Tourism, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 1106-98) recommending that H.C.R. No. 139 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A STATE CONFERENCE ON THE FUTURE ROLE OF THE RESIDENTIAL CARE HOME INDUSTRY IN HAWAII," was referred to the Committee on Finance, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 1107-98) recommending that H.C.R. No. 119, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 119, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A TASK FORCE AND REQUESTING A STUDY AND REPORT ON A NEW HEALTH CARE ASSURANCE PROGRAM," was referred to the Committee on Consumer Protection and Commerce, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1108-98) recommending that H.C.R. No. 56, HD 1 be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 56, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FOLLOW-UP STUDY TO DETERMINE THE VIABILITY OF INCLUDING CHIROPRACTIC COVERAGE UNDER VARIOUS INSURANCE POLICIES IN THE STATE," was referred to the Committee on Legislative Management, with Representatives Arakaki, Chang, Garcia, Goodenow,

Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1109-98) recommending that H.C.R. No. 57, HD 1 be referred to the Committee on Legislative Management.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 57, HD 1 be referred to the Committee on Legislative Management, seconded by Representative M. Oshiro.

Representative McDermott then rose and asked the Clerk to register a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 57, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FOLLOW-UP STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE FOR NATUROPATHIC CARE," was referred to the Committee on Legislative Management with Representative McDermott voting no and Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1110-98) recommending that H.C.R. No. 68 be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ANALYZE THE PROBABLE EFFECTS OF THE PROPOSED REGULATION CONTAINED IN H.B. NO. 3123 (1998) OF PROFESSIONAL CERTIFIED MIDWIVES," was referred to the Committee on Legislative Management, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1111-98) recommending that H.C.R. No. 122, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 122, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OFFICE OF YOUTH SERVICES TO EXPAND ITS SERVICES TO FAMILIES OF YOUTH AND TO PURSUE THE DELIVERY OF COMPREHENSIVE, INTERDISCIPLINARY YOUTH SERVICES THROUGH THE COLLABORATION AND BLENDING OF RESOURCES," was referred to the Committee on Finance, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1112-98) recommending that H.C.R. No. 225, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 225, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO ASSESS THE FINANCIAL AND SOCIAL IMPACT WHEN EXPANDING THE RESIDENTIAL AND COMMUNITY BASED LONG TERM CARE SETTING OPTION TO NURSING FACILITY LEVEL ELDERLY AND THE DISABLED CLIENTS," was referred to the Committee on Finance, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1113-98) recommending that H.C.R. No. 125, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 125, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS MENTAL HEALTH SERVICES AND TO PROVIDE NEEDED SERVICES FOR CHILDREN UNDER FIVE YEARS OF AGE AS EARLY AS POSSIBLE," was referred to the Committee on Finance, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1114-98) recommending that H.C.R. No. 159, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 159, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON UNISEX TOILET FACILITIES FOR PERSONS REQUIRING ASSISTANCE," was referred to the Committee on Judiciary, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1115-98) recommending that H.C.R. No. 244, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 244, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SEEK TO IDENTIFY THE STATEWIDE PREVALENCE OF HEPATITIS C IN VARIOUS SEGMENTS OF THE STATE'S POPULATION," was referred to the Committee on Finance, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representatives Tarnas and Takamine, for the Committees on Ocean Recreation and Marine Resources and Water and Land Use, presented a joint report (Stand. Com. Rep. No. 1116-98) recommending that H.C.R. No. 103, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of

the Committees was adopted and H.C.R. No. 103, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT HALE O LONO HARBOR, ON THE ISLAND OF MOLOKAI FOR REDEVELOPMENT, MANAGEMENT, AND OPERATION BY A QUALIFIED PRIVATE ENTITY FOR RECREATIONAL PURPOSES," was referred to the Committee on Finance, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Takamine, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1117-98) recommending that H.C.R. No. 136, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE DEVELOPMENT OF KA'APUNI O'HAWAI'I TRAIL (TRAIL THAT CIRCLES THE ISLAND OF HAWAI'I)," was adopted, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1118-98) recommending that H.C.R. No. 34, HD 1, as amended in HD 2, be adopted.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 34, HD 2, be adopted, seconded by Representative M. Oshiro.

Representative Case rose in support of the measure with reservations and asked that his comments be inserted into the Journal and the Chair "so ordered."

Representative Case's remarks are as follows:

"Mr. Speaker, on its face this resolution appears to represent a straightforward request that the Federal Trade Commission simply 'reevaluate' a consent order effectively precluding the merger of the retail assets of Shell Oil and Texaco in Hawaii. In that goal, it appears to be harmless and I can support it.

"My reservations are that the testimony makes clear that, at least to some, the end goal of this resolution is to reverse the FTC's action and allow a merger which would further consolidate Hawaii's already highly centralized gasoline market. Since Shell and Texaco chose not to testify on this resolution, we were unable to confirm what is otherwise obvious -- that they want to overturn this action -- a scary thought considering the monopolistic trends in Hawaii in delivery of this vital commodity.

"Instead, the independent Texaco retail operators were put out front to argue that dire consequences would befall them if divestiture proceeded as ordered. No doubt their concerns are sincerely felt, but I doubt that their operations would fail because they switched suppliers, and I do not, in any event, feel that these concerns warrant taking the far graver risks to a far broader class of citizens presented by reversing the divestiture to which Shell and Texaco have already consented.

"On balance, I do not think the Legislature should eventually act in this fashion even if seemingly innocuous. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 34, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL TRADE COMMISSION TO RE-EVALUATE THE AGREEMENT CONTAINING CONSENT ORDER IN THE MATTER OF SHELL OIL COMPANY AND TEXACO INC. (FILE NO. 971-0026)," was adopted, with Representatives Arakaki, Chang, Garcia, Goodenow, Halford, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Saiki and Takamine being excused.

## ANNOUNCEMENTS

Representative Ito: "Mr. Speaker, today is Representative Lei Ahu Isa's birthday. She is 46 years old."

The Chair responded: "Thirty-nine, I heard."

Representative Ito: "Mr. Speaker, is it permissible to sing 'Happy Birthday'? Will all of us join in." (Representative Ito then proceeded to lead the members in singing 'Happy Birthday' to Representative Ahu Isa.)

Representative Tom: "Mr. Speaker, I just want to make a very quick announcement that I forgot to make. It's going to be in Room 325 at 1:00 p.m. for Mr. Robert Mag for the stamping information and the food is going to be great. Thank you very much."

Representative Souki: "I know we had a little happiness there, some frivolity on that birthday, but if the members could rise for a moment of silence for Representative Abinsay's brother who has passed away. And could we have a little moment of silence for his brother, please. Thank you."

## ADJOURNMENT

At 12:57 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 3, 1998. (Representatives Arakaki, Chang, Garcia, Halford, Hamakawa, Hiraki, Marumoto, Menor, Saiki and Takamine were excused.)

## FORTY-THIRD DAY

Friday, April 3, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:40 o'clock a.m., with the Vice Speaker presiding.

The invocation was delivered by Representative Roy M. Takumi, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Cachola, Halford, Hamakawa, Ito, Kanoho, Marumoto, Menor, Meyer, Saiki, Santiago, Souki, Suzuki, Thielen, White and Yamane being excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Second Day was deferred.

## GOVERNOR'S MESSAGE

Gov. Msg. No. 196, transmitting copies of the 1996-1997 Annual Report for the Department of Taxation, pursuant to Chapter 231, Hawaii Revised Statutes, as amended, was received and announced by the Clerk and was placed on file.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 413 through 416) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 413, returning H.B. No. 611, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," which passed Third Reading in the Senate on April 2, 1998.

Sen. Com. No. 414, returning H.B. No. 2768, entitled: "A BILL FOR AN ACT RELATING TO MILK," which passed Third Reading in the Senate on April 2, 1998.

Sen. Com. No. 415, returning H.B. No. 2851, entitled: "A BILL FOR AN ACT RELATING TO GRANDPARENTS' VISITATION RIGHTS," which passed Third Reading in the Senate on April 2, 1998.

Sen. Com. No. 416, transmitting S.C.R. No. 215, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CHANGE THE NAME OF THE HAWAII YOUTH SPORT AND FITNESS PROGRAM TO THE HAWAII YOUTH SPORTS AND FITNESS INSTITUTE," which was adopted by the Senate on April 2, 1998.

By unanimous consent, further action on S.C.R. No. 215 was deferred.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Lee introduced 350 students from all over the State who are attending the Vocational/Industrial Cause of America Conference.

Representative Kahikina introduced Mr. Amadeo Verzon, advisor; and a student, Ms. Rochelle Scott, from Nanakuli High School.

Representative Stegmaier rose and stated:

"With all the Vocational/Industrial Cause of America (VICA) students here, I would just like to mention that I had the privilege of being a judge this morning for their speech contest, and was truly impressed with the quality of the speeches given. It really put us as legislators, and me in particular, to shame, to hear their wonderful remarks.

"Representative Kahikina mentioned a group from Nanakuli and I see one of their speech makers up there, and I want him to know that I very much appreciated his remarks. He and I share in common an experience with polio.

"Thank you."

Representative M. Oshiro introduced his friend, Mr. Darryl Munetake.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following concurrent resolutions (H.C.R. Nos. 192 and 202) were re-referred to committee by the Speaker:

H.C.R. No.	Re-referred to:
192	Committee on Health, then to the Committee on Legislative Management
202	Committee on Finance

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 76 and 75) were announced by the Clerk and the following actions taken:

H.R. No. 76, entitled: "HOUSE RESOLUTION COMMENDING DOUG ATON, OFFICE OF WAIKIKI DEVELOPMENT, DANIELLE IZAT AND PAUL MERINO, WAIKIKI OHANA WORKFORCE AND HONOLULU POLICE DEPARTMENT DISTRICT 6 OFFICERS," was jointly offered by Representatives Fox, Tom, Yamane, Pendleton, Yoshinaga, Abinsay, Ahu Isa, Aiona, Case, Kawananakoa, Lee, Meyer, Morita, Moses, Saiki, White and Yonamine.

On motion by Representative Fox, seconded by Representative Tom and carried, H.R. No. 76 was adopted, with Representatives Arakaki, Cachola, Goodenow, Halford, Hamakawa, Herkes, Kanoho, Marumoto, Menor, Meyer, Nakasone, Saiki, Say, Souki, Suzuki, White and Yamane being excused.

Representative Fox rose and introduced Mr. Doug Aton, Executive Director of the Office of Waikiki Development; Officer Lee Donahue, Acting Police Chief, and Major Henry Robinson, representing the officers of the Honolulu Police Department District 6.

Representative Kawananakoa rose and introduced Ms. Danielle Izat and Mr. Paul Merino, former Co-Chairs of the Waikiki Ohana Workforce.

H.R. No. 75, entitled: "HOUSE RESOLUTION RECOGNIZING THE FORTY-SIXTH ANNUAL CHERRY BLOSSOM FESTIVAL AND CONGRATULATING LORIJOY LEIKO MORITA AS

THE 1998 CHERRY BLOSSOM QUEEN, MEMBERS OF HER COURT, AND FESTIVAL ORGANIZERS," was jointly offered by Representatives Takai, Pendleton and Yoshinaga.

On motion by Representative Takai, seconded by Representative Pendleton and carried, H.R. No. 75 was adopted, with Representatives Arakaki, Cachola, Goodenow, Hamakawa, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki and Yamane being excused.

Representative Takai introduced Ms. Sherri Chun, Forty-Seventh Honolulu Japanese Junior Chamber of Commerce President, and Mr. Russell Iwamura, the Forty-Sixth Annual Cherry Blossom Festival General Chair.

Representative Pendleton introduced Ms. Lorigoy Morita, the 1998 Cherry Blossom Queen, and her parents, Mr. Gary and Mrs. Susan Morita, who were seated in the gallery.

Representative Hiraki introduced First Princess Wendy Mitsuko Okamura, and her father, Mr. Carl Okamura who was seated in the gallery.

Representative Okamura introduced Princess and Miss Popularity Renee Kiyomi Hamasaki, and her parents, Mr. Ryan and Mrs. Sandra Hamasaki, who were seated in the gallery.

Representative Chang introduced Princess Dawna Mariko Abe of Hilo, Hawaii.

Representative Jones introduced Princess Sharleen Nobuko Iwanaka.

Representative Lee introduced Miss Congeniality Tracey Shizuno Otake.

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

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

#### STANDING COMMITTEE REPORTS

Representative Case, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1119-98) recommending that H.C.R. No. 135, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 135, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOMELANDS TO CREATE AND OVERSEE A FORUM REGARDING THE ISSUE OF AN ELECTED HAWAIIAN HOMES COMMISSION," was referred to the Committee on Judiciary, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1120-98) recommending that H.C.R. No. 52, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 52, HD 1,

entitled: "HOUSE CONCURRENT RESOLUTION IMPROVING THE OVERALL TREATMENT OF CHILDREN AT ALL LEVELS," was referred to the Committee on Judiciary, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1121-98) recommending that H.C.R. No. 176, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 176, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXTENSION OF BENEFITS FOR DOMESTIC VIOLENCE VICTIMS TO VICTIMS OF SEXUAL ASSAULT," was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1122-98) recommending that H.C.R. No. 118, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 118, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A FIVE-DAY RECESS TO ALLOW THE LEGISLATURE TO SEEK COMMUNITY INPUT AND GENERATE A BROAD CONSENSUS ON THE LEGISLATURE'S 1998 ECONOMIC REVITALIZATION PROGRAM," was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1123-98) recommending that H.C.R. No. 134, as amended in HD 1, be referred to the Committees on Public Safety and Military Affairs and Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 134, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ADVISING THAT THE STATE NOT ALLOW THE INSTALLATION, DEPLOYMENT OR USE OF ANY DEVICES SUCH AS SURTASS LFA THAT WOULD GENERATE OR BE USED TO PRODUCE LOW FREQUENCY ACTIVE SONAR WITHIN HAWAIIAN WATERS IF CURRENT STUDIES OFF THE COAST OF HAWAII ISLAND INDICATE THAT THIS TYPE OF SONAR WOULD RESULT IN HARM OR ADVERSE EFFECTS TO THE MARINE LIFE," was referred to the Committees on Public Safety and Military Affairs and Judiciary.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1124-98) recommending that H.C.R. No. 76, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the

Committee was adopted and H.C.R. No. 76, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EVALUATION AND AN AUDIT TO DETERMINE THE EFFECTS OF EXPECTED LEGISLATION GRANTING THE UNIVERSITY OF HAWAII FLEXIBILITY IN VARIOUS AREAS (AMENDED)," was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1125-98) recommending that H.C.R. No. 127, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 127, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF SATELLITE UNIVERSITIES IN THE ASIA-PACIFIC REGION," was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1126-98) recommending that H.C.R. No. 217, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 217, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE MANY CONTRIBUTIONS OF THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AND ITS COUNTY EXTENSION AGENTS WITH FAMILY AND LEADERSHIP DEVELOPMENT EMPHASIS (AMENDED)," was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1127-98) recommending that H.C.R. No. 142 be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO CONVENE A TASK FORCE TO INVESTIGATE THE FEASIBILITY OF CREATING AND DEVELOPING PLANS FOR AN INSTITUTE FOR CANCER TREATMENT AND HOLISTIC HEALING," was referred to the Committee on Legislative Management, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1128-98) recommending that H.C.R. No. 214 be referred to the Committee on Higher Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EAST-WEST CENTER TO ESTABLISH AN 'ASIA PACIFIC CENTER' TO SERVE AS A CLEARINGHOUSE FOR DOING BUSINESS IN ASIA AND THE UNITED STATES," was referred to the Committee on Higher Education, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1129-98) recommending that H.C.R. No. 219, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 219, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ASIA-PACIFIC INSTITUTE FOR INFRASTRUCTURE DEVELOPMENT," was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representatives Herkes, Cachola and Arakaki, for the Committees on Economic Development and Business Concerns, Tourism, and Human Services and Housing, presented a joint report (Stand. Com. Rep. No. 1130-98) recommending that H.C.R. No. 215, as amended in HD 1, be referred to the Committee on Transportation.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 215, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE EXPANSION OF THE USE OF FEDERAL AVIATION ADMINISTRATION FUNDS FOR INDIRECT AVIATION-RELATED PURPOSES," was referred to the Committee on Transportation, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1131-98) recommending that H.C.R. No. 167, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 167, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DETERMINE HOW TO EXPAND FOREIGN LANGUAGE INSTRUCTION TO ALL SCHOOLS AND TO MAKE IT AVAILABLE TO AS MANY YOUNG STUDENTS AS POSSIBLE IN ORDER TO MAKE HAWAII'S GRADUATES COMPETITIVE IN THE JOB MARKET," was referred to the Committee on Finance, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No.



1132-98) recommending that H.C.R. No. 194, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 194, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH SCHOOL TO DETERMINE A POLICY OF REQUIRING UNIFORMS FOR STUDENTS OR OTHER STANDARDS OF STUDENT ATTIRE," was referred to the Committee on Judiciary, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1133-98) recommending that H.C.R. No. 193 be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 193, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH SCHOOL TO DETERMINE ITS INDIVIDUAL POLICY REGARDING THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND THE SINGING OF THE STAR-SPANGLED BANNER AND HAWAII PONOI," was referred to the Committee on Judiciary, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1134-98) recommending that H.C.R. No. 99, as amended in HD 1, be referred to the Committee on Judiciary.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 99, HD 1, be referred to the Committee on Judiciary, seconded by Representative M. Oshiro.

Representative McDermott rose in opposition to the resolution and asked the Clerk to cast a no vote for him, and the Chair "so ordered."

Representative McDermott explained his opposition, stating:

"While this is a relatively benign resolution, I would just like to note for the record that the Public Health Service, the American Medical Association, the American Cancer Society, the American Glaucoma Association, the American Academy of Ophthalmology, the National Eye Institute and the National Cancer Institute all opposed the medical use of marijuana.

"I say that we should let the scientists decide it and not make it a political issue.

"Thank you."

Representative Ward rose and asked the Clerk to cast a no vote for him, and the Chair "so ordered."

Representative Tarnas rose to speak in support of the resolution, stating:

"I recognize that this measure is drawing attention because of the subject matter of marijuana and its use for medical purposes. I want to be very clear about what this resolution does. It specifically states that we are urging

the federal government to enact legislation to expedite research into the medical efficacy of marijuana.

"The whole purpose of this resolution, Mr. Speaker, is to base our decisions on good science. The National Academy of Science, the National Institute of Health are all working on this right now, and I feel it is incumbent upon us to show our support for basing decisions on providing medically significant pharmaceuticals to those in need and basing those decisions on good science, not on politics.

"I think this measure is very responsible. It states specifically the same recommendation that came from the Hawaii State Substance Abuse Task Force which was formed by the Legislature previous to this one -- the Eighteenth Legislature. And so I feel that this is truly a responsible measure. We're not making any conclusions, rather we're stating that these decisions must be based on good science, and we're urging the federal government to expedite the research to make that decision.

"Thank you, Mr. Speaker."

Representative Pendleton rose to speak in support of the resolution with reservations, stating:

"My reservations have mainly to do with the Legislature again stepping into an arena best left to non-political bodies. I have no opposition to getting more information to urging Congress to do what it can to expedite research. However, how many times have we done this with other kinds of prescriptive medications? How many times have we done this with other kinds of medical procedures -- new surgical techniques, new types of prosthetic devices?

"You know, the Food and Drug Administration presently is looking at dozens, if not hundreds, of new medications which have potential lifesaving effects which could be very beneficial. Yet we take no position on those sorts of medications. Perhaps they don't have the attention of the public at this time, but it seems odd that we would focus on this one particular substance and raise it to a level that we haven't done to many other kinds of important medical procedures of prescriptive medications. So those are my reservations."

Representative Halford rose and asked the Clerk to record an aye with reservations for him, and requested that the words of the previous speaker be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Moses rose and asked the Clerk to record a no vote for him, and the Chair "so ordered."

Representative Tarnas rose and stated:

"I would just like to say a few more words and that is: why is the Legislature actually taking action? And the reason for this is that the federal government has not been moving on this issue for years and years and years. It was ten years ago that the Drug Enforcement Administration's chief of administrative law judge recommended the rescheduling of marijuana because he stated that it is 'one of the safest therapeutically active substances known.' But the DEA rejected that recommendation. And it was only because of State action, specifically the California initiative, that spurred some action by the federal government in starting the researches of the National Institute of Health and the National Academy of Science.

"So I believe it is very appropriate that states take action in this matter because no pharmaceutical company

is moving on this because this is not something that pharmaceutical companies produce. It is a naturally occurring substance. And so it is because of State action that the federal government is now moving. We're adding our voice to the other states, saying: 'please do your job, federal government.'

"Thank you, Mr. Speaker."

Representative McDermott again rose and stated:

"Mr. Speaker, the THC -- the active ingredient -- is available in prescription form, and I realize that maybe some patients have problems with that. But once again, the American Medical Association is against this. As a practical matter, let's just think about it for a second, and I have joked around with some members in the hallway -- how the heck do you control dosage? How effective is the marijuana cigarette? I mean, it just doesn't make sense to me. For that reason again, I am voting no."

Representative Santiago rose to speak in support of the measure, stating:

"As the Chair handling this measure, I just wanted to perhaps share with the members: we did hold the bill. The testimony was very compelling. The evidence and the facts that were shared by the proponents of the bill were also very compelling. We have at least eight states who have already legalized and taken a position on this issue. We have now a conflict with the federal government occurring in the State of California where the physicians are quite concerned about the legal ramifications for following state law that is inconsistent with federal law. We have individuals who have testified in front of our Committee -- very emotional testimony. These are individuals who are in need of some relief to the pain that they may have to endure during the latter parts of their lives. And for many of them, this is a very important issue.

"What we have tried to do with amending the initial language of this measure is say to the federal government: 'do not continue to simply not respond to the very loud voices and very compelling reasons, but to at least conduct on a more rapid basis the studies that we know need to be conducted so that the research and the scientists can in fact, within their realm of authority and expertise, give back to us factual information.

"The synthetic form of THC that had been mentioned by a previous speaker has not, for whatever reason, been able to perform the kind of remedial type of need that the patients require. As a result, the most responsible effort that I think has come out from our Committee is to not make a very bold statement, not make any assumptions, but simply to say to the federal government: let's try to have a universal policy developed at some point. Let's not just continue to punt on this issue to the State. And what we're doing is lending our voices to other states in the entire country to say to the federal government: 'let's look at this, let's deal with it, and let's move on in a sensible and responsible manner.

"Thank you, Mr. Speaker."

Representative Kawanakoa rose and requested the Clerk to cast a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 99, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO EXPEDITE RESEARCH INTO THE EFFICACY OF MEDICAL MARIJUANA," was referred

to the Committee on Judiciary, with Representatives Kawanakoa, McDermott and Moses voting no, and Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representatives Morihara and Stegmaier, for the Committees on Higher Education and Education, presented a joint report (Stand. Com. Rep. No. 1135-98) recommending that H.C.R. No. 197, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 197, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF EDUCATION TO ADDRESS THE TEACHER SHORTAGE AND TEACHER TRAINING NEEDS," was adopted, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1136-98) recommending that H.C.R. No. 14, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 14, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY," was adopted, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1137-98) recommending that H.C.R. No. 53, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 53, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF PROPOSED REGULATION OF PROFESSIONAL MENTAL HEALTH COUNSELORS AND PROFESSIONAL REHABILITATION COUNSELORS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY," was adopted, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1138-98) recommending that H.C.R. No. 62, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 62, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSESS THE NEED FOR A CENTER FOR AFTERSCHOOL ACTIVITIES AND EDUCATION FOR INTERMEDIATE SCHOOL STUDENTS IN THE HILO DISTRICT," was adopted,

with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1139-98) recommending that H.C.R. No. 43 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REQUIRE THAT THE IMPORTATION OF ALL AGRICULTURAL PRODUCTS INTO HAWAII HAVE A DESIGNATION OF COUNTRY OR ORIGIN AND A CERTIFICATION OF INSPECTION BASED ON UNITED STATES DEPARTMENT OF AGRICULTURE STANDARDS," was adopted, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1140-98) recommending that H.C.R. No. 188 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 188, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND OTHERS TO PROMOTE THE PURCHASE OF SERVICES AND PRODUCTS MADE IN HAWAII," was adopted, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

Representatives Herkes and Cachola, for the Committees on Economic Development and Business Concerns and Tourism, presented a joint report (Stand. Com. Rep. No. 1141-98) recommending that H.C.R. No. 154 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE LEGISLATURE, AND HAWAII BUSINESS LEADERS TO DISCUSS WITH HAWAII'S CONGRESSIONAL DELEGATION THE POSSIBILITY OF EXPANDING AND ENHANCING HAWAII'S FREE TRADE ZONE PROGRAM," was adopted, with Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga being excused.

#### ANNOUNCEMENTS

Representative Yonamine: "On Monday morning, the Labor and Public Employment Committee will be holding an informational briefing. What it is is it's not only for members of the Committee but for all of you and I hope you can attend. What it does is, it's looking at the estimates of the Council on Revenues and how that will affect the government services and operations. We are having three departments coming in -- Department of Taxation, Department of Budget and Finance and the Department of Business, Economic Development and Tourism -- to talk in terms of the impacting of these budget cuts that can occur. I hope you will all be here

and we'll take a look at how that will also apply to our House stand."

Representative Takumi: "Just to let the members know that Representative Hamakawa was discharged earlier today and we hope to see him on the floor Monday."

Representative Stegmaier: "Just to alert the members of the Education Committee that we will be attempting to schedule a decision-making meeting of the Committee at 1:30 in an open Conference Room, hopefully to be able to get a quorum together."

Representative Kawanakoa: "Just a note that your Republican Caucus will be having an Aloha Friday caucus immediately after the session."

Representative M. Oshiro moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving Standing Committee Reports and House Resolutions and House Concurrent Resolutions attached thereto, seconded by Representative Meyer and carried. (Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga were excused.)

Representative M. Oshiro then moved that all Standing Committee Reports received by the Clerk up to 6:00 o'clock p.m. this legislative day be adopted and that the House Resolutions and House Concurrent Resolutions attached thereto proceed to their designated committees, seconded by Representative Meyer and carried. (Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga were excused.)

At 12:56 o'clock p.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. 1142-98 through 1186-98) were received in the Clerk's Office up to 6:00 o'clock p.m. this legislative day, and in accordance with the motion made earlier, said Standing Committee Reports were adopted and all House Resolutions and House Concurrent Resolutions accompanying said Standing Committee Reports were referred to the committees designated on said Standing Committee Reports:

Stand. Com. Rep. No. 1142-98 (AGR) was adopted and H.C.R. No. 105, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF THE KOLOA SUGAR MILL VENTURE ON THE OPERATIONS OF THE KAUAI TROPICAL FRUIT DISINFESTATION FACILITY," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1143-98 (HSH/HLT) was adopted and H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE AND THE DEPARTMENT OF HEALTH TO EXPRESS THEIR COMMITMENT TO SEXUAL ASSAULT VICTIMS BY RESTORING PROPOSED BUDGET CUTS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1144-98 (PSM) was adopted and H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE, CIVIL DEFENSE DIVISION TO CONDUCT

A STUDY ON THE AVAILABILITY AND CONDITION OF HURRICANE-RESISTANT PUBLIC SHELTERS WITHIN EACH COUNTY," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1145-98 (PSM) was adopted and H.C.R. No. 218, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE LEGISLATURE'S SUPPORT FOR THE CONSTRUCTION OF A NEW CORRECTIONAL FACILITY AND OR THE EXPANSION OF THE EXISTING FACILITY AT KULANI ON THE BIG ISLAND," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1146-98 (EDB) was adopted and H.C.R. No. 182, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO STUDY, EXAMINE, AND DETERMINE THE CAPABILITIES OF HAWAII'S FINANCIAL SERVICES INDUSTRY AND ASSESS THE STEPS NEEDED TO PROPEL THE INDUSTRY TO THE FOREFRONT IN HANDLING THE FAST-EMERGING ELECTRONIC COMMERCE THAT WILL DOMINATE IN THE FUTURE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1147-98 (TRN) was adopted and H.C.R. No. 93, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC TRANSPORTATION DIVISION OF THE HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES TO ADOPT POLICIES AND PROCEDURES ALLOWING BUS DRIVERS TO DENY SERVICE TO STUDENTS WHO DO NOT HAVE A VALID OFF-CAMPUS PASS DURING SCHOOL HOURS," was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 1148-98 (TRN) was adopted and H.C.R. No. 205, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REDUCTION ON THE USE OF HERBICIDES IN ROADSIDE MAINTENANCE," was referred to the Committee on Energy and Environmental Protection.

Stand. Com. Rep. No. 1149-98 (TRN) was adopted and H.C.R. No. 229, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EDUCATE PARENTS THAT CHILDREN ARE SAFER IN THE BACK SEAT THAN THE FRONT SEAT OF A CAR," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1150-98 (TRN) was adopted and H.C.R. No. 230, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO CHILD PASSENGER RESTRAINT SYSTEMS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1151-98 (JUD) was adopted and H.C.R. No. 16, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1152-98 (JUD) was adopted and H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION ON THE SUBJECT OF JUDICIAL TAXATION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1153-98 (JUD) was adopted and H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF JUROR FEES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1154-98 (JUD) was adopted and H.C.R. No. 143, HD 1, as amended in HD 2, entitled: "HOUSE CONCURRENT RESOLUTION ADDRESSING CONCERNS RELATING TO PAYMENTS MADE TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1155-98 (CPC) was adopted and H.C.R. No. 58, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE COST-EFFECTIVENESS OF DIRECT ACCESS TO DERMATOLOGISTS IN MANAGED CARE PLANS," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1156-98 (CPC) was adopted and H.C.R. No. 223, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR MENTAL HEALTH," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1157-98 (CPC) was adopted and H.C.R. No. 124, HD 1, as amended in HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF ALOHACARE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1158-98 (CPC) was adopted and H.C.R. No. 227, HD 1, as amended in HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE COST IMPLICATIONS OF ENACTING A DIRECT PAYMENT AND EQUAL REIMBURSEMENT LAW FOR DENTISTS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1159-98 (EEP) was adopted and H.C.R. No. 67, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE IMPACT OF BANNING SCRAP METAL FROM LANDFILLS IN HAWAII," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1160-98 (EEP) was adopted and H.C.R. No. 239, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ACTION PLAN TO SUPPRESS THE GORSE SHRUB," was referred to the Committee on Agriculture.

Stand. Com. Rep. No. 1161-98 (EEP) was adopted and H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE THE PETROLEUM ADVISORY COUNCIL TO STUDY GASOLINE PRICES AND HAWAII'S GASOLINE MARKET," was referred to the Committees on Consumer Protection and Commerce and Judiciary.

Stand. Com. Rep. No. 1162-98 (EEP/WLU) was adopted and H.C.R. No. 238, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PLAN CONTAINING SHORT- AND LONG-TERM SOLUTIONS CONCERNING WATERBIRD MANAGEMENT ON KAUAI AND THE EXPANSION OF SUITABLE AREAS FOR FORAGING

AND NESTING HABITAT FOR WATERBIRDS," was referred to the Committee on Agriculture.

Stand. Com. Rep. No. 1163-98 (EDN) was adopted and H.C.R. No. 195, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO PROVIDE EACH SCHOOL WITH CLEAR GUIDELINES FOR FORMULATING POLICY WITH REGARD TO RELIGIOUS EXPRESSION," was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 1164-98 (EDN/HED/CAR) was adopted and H.C.R. No. 171, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO REVIEW AND IMPROVE EXISTING MUSIC EDUCATION PROGRAMS IN ALL PUBLIC ELEMENTARY AND SECONDARY SCHOOLS IN HAWAII," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1165-98 (LAB) was adopted and H.C.R. No. 116, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO INITIATE A PARTNERSHIP WITH THE NATIONAL PERFORMANCE REVIEW," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1166-98 (WLU) was adopted and H.C.R. No. 245, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE WITHDRAWAL OF LAND FROM THE OPERATION OF GOVERNOR'S EXECUTIVE ORDER NO. 1529, DATED OCTOBER 1, 1952, TO THE CITY AND COUNTY OF HONOLULU, BOARD OF WATER SUPPLY AND THE TRANSFER OF CERTAIN PUBLIC LANDS AT KALAWAHINE, HONOLULU, OAHU, TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1167-98 (WLU) was adopted and H.C.R. No. 161, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY ON THE FEASIBILITY OF ALLOWING, FOR NOMINAL CONSIDERATION, THE AMENDMENT OF CERTAIN LAND PATENTS BY REMOVING CONDITIONS RESTRICTING THE USE OF THE LAND FOR ELEMOSYNARY PURPOSES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1168-98 (WLU/EEP) was adopted and H.C.R. No. 177, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING THE EFFORTS OF THE ALA WAI CANAL IMPROVEMENT PROJECT AND THE COMMUNITY ADVISORY COMMITTEE'S EFFORT IN DEVELOPING COMMUNITY-BASED STAKEHOLDER STEWARDSHIP FOR THE ENHANCEMENT AND PROTECTION OF THE ALA WAI WATERSHED," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1169-98 (EEP/WLU) was adopted and H.C.R. No. 78, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REAFFIRMING STATE SUPPORT FOR EFFORTS TO ENCOURAGE THE DEVELOPMENT AND USE OF RENEWABLE ENERGY," was referred to the Committee on Consumer Protection and Commerce.

Stand. Com. Rep. No. 1170-98 (EEP) was adopted and H.C.R. No. 233, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL STATE AND COUNTY CHIEF PROCUREMENT OFFICERS TO INCLUDE PROVISIONS FOR THE

PREFERMENT AND PROCUREMENT OF CLEANERS AND SOLVENTS CONTAINING LOW LEVELS OF VOLATILE ORGANIC COMPOUNDS IN STATE AND COUNTY BID LISTS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1171-98 (EEP) was adopted and H.C.R. No. 234, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT TIRE DEALERS AND RETAILERS COMPLY WITH THE DISPOSAL REQUIREMENTS OF CHAPTER 342I, PART II, HAWAII REVISED STATUTES," was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 1172-98 (EEP) was adopted and H.C.R. No. 236, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PERFORMANCE REVIEW THROUGH A MANAGEMENT AND FINANCIAL AUDIT OF THE ENVIRONMENTAL HEALTH ADMINISTRATION OF THE DEPARTMENT OF HEALTH," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1173-98 (EEP) was adopted and H.C.R. No. 249, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE STATE TO CONTINUE ITS INVESTIGATION INTO THE CONTAMINATION AT HONOLULU HARBOR," was referred to the Committee on Transportation.

Stand. Com. Rep. No. 1174-98 (EDN) was adopted and H.C.R. No. 5, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE RADFORD SATURDAY PROGRAM AND SUPPORTING ITS EFFORTS TO PROVIDE STUDENTS WITH ADDITIONAL DIRECTION, GUIDANCE, LEADERSHIP, AND DIRECTED STUDIES IN A POSITIVE EFFORT TOWARDS SELF-IMPROVEMENT," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1175-98 (EDN) was adopted and H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF STUDENT-CENTERED MENTAL HEALTH INTERVENTION SERVICES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1176-98 (EDN) was adopted and H.C.R. No. 120, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON EARLY CHILDHOOD EDUCATION AND CARE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1177-98 (EDN) was adopted and H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO EXPEDITIOUSLY RENOVATE THE THELMA PARKER MEMORIAL PUBLIC AND SCHOOL LIBRARY AT WAIMEA, HAWAII," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1178-98 (EDN) was adopted and H.C.R. No. 153, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO OFFER A JUNIOR RESERVE OFFICER TRAINING CORPS PROGRAM AT KA'U HIGH SCHOOL ON THE BIG ISLAND," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1179-98 (EDN) was adopted and H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE BIG ISLAND'S YOUTH LEADERSHIP DEMONSTRATION

PROJECT BE ALLOWED TO USE GENERAL FUNDS IN A MANNER THAT WOULD GENERATE ADDITIONAL SOURCES OF REVENUE TO FINANCIALLY SUSTAIN FUTURE STUDENT PROGRAMS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1180-98 (EDN) was adopted and H.C.R. No. 169, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HIGH SCHOOL ATHLETICS ASSOCIATION ('HHSAA') TO CONSIDER GENDER AND GEOGRAPHICAL EQUITY ISSUES CONCERNING HIGH SCHOOL ATHLETIC TOURNAMENTS, AND FURTHER REQUESTING THE BOARD OF HHSAA TO CONSIDER THE COMPOSITION OF ITS BOARD," was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 1181-98 (EDN) was adopted and H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE BENEFITS OF A PEER EDUCATION PROGRAM AS A FORM OF ALTERNATE DISPUTE RESOLUTION AMONG TEENS IN HAWAII," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1182-98 (EDN) was adopted and H.C.R. No. 183, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF A POLICY THAT ENSURES THE RETURN OF TEXTBOOKS IN HAWAII'S PUBLIC SCHOOLS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1183-98 (LAB) was adopted and H.C.R. No. 72, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PROVISION OF TOURISM TRAINING ON THE NEIGHBOR ISLANDS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1184-98 (CAR) was adopted and H.C.R. No. 130, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO PROVIDE A PERMANENT EXHIBITION SPACE FOR THE STATE ART COLLECTION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1185-98 (EDN) was adopted and H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A CITY, STATE, AND COMMUNITY TASK FORCE TO DEVELOP A MASTER PLAN FOR IMPROVEMENTS TO MANOA RECREATIONAL PARK AND MANOA ELEMENTARY SCHOOL," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1186-98 (EDN) was adopted and H.C.R. No. 123, HD 1, as amended in HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE THE SCHOOL-BASED HEALTH CLINIC PROGRAM PERMANENT, TO RESTORE FUNDING TO THE PROGRAM AND EXPAND IT TO REACH OTHER HIGH SCHOOL CAMPUSES, AND TO WORK WITH THE DEPARTMENT OF EDUCATION TO INTEGRATE THE PROGRAM INTO THE COMPREHENSIVE STUDENT SUPPORT SYSTEM; AND REQUESTING THE DEPARTMENT OF EDUCATION TO ASSIST THE INDIVIDUAL SCHOOLS TO FACILITATE THE DEVELOPMENT OF SCHOOL-BASED HEALTH CLINICS," was referred to the Committee on Finance.

At 6:00 o'clock p.m., the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, April 6, 1998. (Representatives Arakaki, Cachola, Chang, Goodenow, Hamakawa, Hiraki, Kanoho, Marumoto, Menor, Nakasone, Saiki, Souki, Takai, Yamane and Yoshinaga were excused.)

**ADJOURNMENT**



## FORTY-FOURTH DAY

Monday, April 6, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:41 o'clock a.m., with the Speaker presiding.

An inspirational musical invocation was delivered by Representative David A. Tarnas, after which the Roll was called showing all members present with the exception of Representatives Halford, Hamakawa, Kawakami, Menor, Morihara, Santiago, Suzuki, Takamine, Ward, White and Yonamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Third Day was deferred.

## GOVERNOR'S MESSAGE

Gov. Msg. No. 197, transmitting copies of the 1997 State Certified Arbitration Program (SCAP) Report, was received and announced by the Clerk and was placed on file.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Ahu Isa introduced 5th grade students from Hawaii Baptist Academy and their teachers, Ms. Lillian Lee, Ms. Darlene Higa, Ms. Laurie Omiya and Ms. Imelda Juakin.

Representative Kahikina introduced Mrs. "Auntie" Hoaliku Drake.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 77 and 78) were announced by the Clerk and the following actions taken:

H.R. No. 77, entitled: "HOUSE RESOLUTION RECOGNIZES AND COMMENDS AGNES KALANIHOOKAHA COPE FOR HER PARTICIPATION AND DEDICATION IN THE PRESERVATION OF THE TRADITIONAL NATIVE HAWAIIAN CULTURE AND ARTS," was jointly offered by Representatives Kahikina, Moses, Abinsay, Aiona, Cachola, Case, Garcia, Goodenow, Hamakawa, Herkes, Kanoho, Kawanakoa, Lee, McDermott, Menor, Saiki, Santiago, Suzuki and Yonamine.

On motion by Representative Kahikina, seconded by Representative Ahu Isa and carried, H.R. No. 77 was adopted with Representatives Halford, Hamakawa, Kawakami, Menor, Morihara, Nakasone, Suzuki, Takamine, Ward and White being excused.

Representative Kahikina introduced Ms. Agnes "Auntie" Kalanihookaha Cope.

H.R. No. 78, entitled: "HOUSE RESOLUTION COMMENDING KAMAKI A. KANAHELE III FOR HIS CONTRIBUTION AND DEDICATION IN SERVING THE PEOPLE OF HAWAII," was jointly offered by

Representatives Kahikina, Kawanakoa, Kanoho, Fox, Ahu Isa, M. Oshiro, Aiona, Arakaki and Suzuki.

On motion by Representative Kahikina, seconded by Representative Ahu Isa and carried, H.R. No. 78 was adopted with Representatives Halford, Menor, Morihara, Nakasone, Say, Suzuki, Takamine, and White being excused.

Representative Kahikina introduced Mr. Kamaki A. Kanahele III; and the current President, Mr. Tony Sang, and other members of the State Council of Hawaiian Homestead Associations.

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

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

## STANDING COMMITTEE REPORTS

Representatives Jones and Cachola, for the Committees on Agriculture and Tourism, presented a joint report (Stand. Com. Rep. No. 1187-98) recommending that H.C.R. No. 46, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 46, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ACTION PLAN TO PROMOTE HAWAII-GROWN AND HAWAII-MADE AGRICULTURAL PRODUCTS," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1188-98) recommending that H.C.R. No. 240, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 240, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE ORGANIC INDUSTRY AS AN AGRICULTURAL COMMODITY GROUP," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representative Garcia, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1189-98) recommending that H.C.R. No. 90, as amended in HD 1, be adopted.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 90, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Kawanakoa rose to speak in support of the measure, stating:

"Thank you. I have the great honor of sitting on the Public Safety and Military Affairs Committee. It gives me great pleasure to see that we're passing this resolution out in support of our Filipino Veteran community and all the work and sacrifice that they provided our great nation.

"The fact that we are, once again, requesting that our federal delegation take this issue to Congress and to otherwise bring home what is appropriate is very heartening. I understand, as we speak now, that

Congress is contemplating a hearing on this particular measure and with all deliberate speed, we hope to fulfill an obligation, I believe, that is long outstanding.

"Thank you, Mr. Speaker."

Representative Ward then rose to speak in support of the measure, stating:

"Mr. Speaker, there is a saying among those of us who have served that 'there are no atheists in foxholes.' So too, all soldiers are equal. There's no soldier more equal than others. All who have served know that you can't give benefits to one and deny them to another. So as in life, so also in death.

"This resolution, Mr. Speaker, is only to get back the equity and what American democracy is all about. So, Mr. Speaker, I commend the Military Affairs Committee for doing this and I encourage all future legislators and legislatures to do year after year after year 'until kingdom come' to get this resolution passed and not to give up.

"Thank you, Mr. Speaker."

Representative Pendleton then rose to speak in support of the measure, stating:

"Mr. Speaker, I have some prepared remarks which I would like inserted into the Journal," and the Chair "so ordered."

"But very briefly, I would like to just share some information pertinent to this particular House Concurrent Resolution 90. On Friday, I was on the telephone with Chairman Robert Stump, who is the Chairman of the United States House Veterans' Affairs Committee, and he assured me that they will be holding a hearing on the House Resolution that is Federal Resolution 836.

"I think that our Legislature, at least our House in passing House Concurrent Resolution No. 90, is very timely. Now we have an opportunity to move on the federal resolution and with the economy nationally the way it is, this might be the only opportunity we have to move that resolution through because of the amount of appropriation it would take. So I again stand in strong support of this House Concurrent Resolution, asking our congressional delegation to support the move for fairness and equitable treatment of the Filipino-American Veterans.

"Thank you, Mr. Speaker."

Representative Pendleton's additional remarks are as follows:

"Mr. Speaker, I rise in strong support of House Concurrent Resolution Number 90, House Draft 1. Mr. Speaker, this resolution asks for the continued support of the Hawaii Congressional delegation.

"I strongly favor this resolution because it makes clear to our representatives and senators in Washington, D.C. that we here in Hawaii want favorable action on the Filipino Veterans bill.

"Mr. Speaker, I think it is fitting and proper that I set forth some of the historical background so as to afford us all a more complete understanding as to why we want to urge favorable congressional action on this issue.

"Mr. Speaker, the federal Filipino Veterans bill, H.R. 836, was given a positive boost recently when Congressman Robert Stump, Chairman of the United States House Veterans' Affairs Committee, announced that

the bill would be scheduled for a public hearing perhaps as early as this Summer. While no guarantee of passage out of the Committee was made, this is undoubtedly an important development.

"Mr. Speaker, though this is federal legislation which is beyond the jurisdiction of state legislators, this does not mean that it is of no interest to state residents or state officials. As patriotic citizens we all should take note of this positive move by the Congress, for this federal legislation will have a significant impact on veterans throughout the various states of this country and perhaps on those presently residing overseas as well.

"Mr. Speaker, the Filipino Veterans bill would amend Title 38 of the United States Code so that certain types of active-duty service in the organized military of the Government of the Commonwealth of the Philippines and the Philippine Scouts would be treated as active duty service for the United States. This would mean that many Filipino veterans would receive certain U.S. Veterans Administration benefits because their service during World War II would count as service rendered to and for the United States of America.

"The consequence of passing the Filipino Veterans bill, Mr. Speaker, would be that Filipino veterans would receive greater benefits than those presently received. This does not mean that they would be given special benefits. This would only mean that they would finally, after decades of waiting, receive equal and equitable benefits for services rendered during wartime. These are benefits they had been promised years ago.

"As we all know, Filipino veterans fought for the United States in the Pacific Theater during World War II. They numbered about 200,000, and they were commanded by American military officers and were assured by various officials that their service would result in equal military benefits and that the process of acquiring American citizenship would take into account their valiant efforts. Unfortunately, whatever hopes Filipino veterans had about 'equal treatment' were dashed by the Federal Rescission Act of 1946.

"The unacceptable pattern of disparate and inequitable treatment of Filipino veterans as manifested in the Rescission Act was part of a larger body of formal public policy. Mr. Speaker, this was and is unfortunate. But this is the sad truth. It was preceded by President Franklin D. Roosevelt's Executive Order of 1941 and continued in Public Law 89-640, which passed the United States Congress in 1966. The policy had the effect, for example, of taking into consideration the currency exchange rate when paying benefits. The United States has veterans in many countries, but only when it comes to veterans in the Philippines does the U.S. take into account currency exchange rates.

"On this subject United States Congressman Saylor delivered the following words on the chamber floor of the U.S. House of Representatives in 1966:

'In 66 countries around the world, men and women who served in the Armed Forces of the United States are sent checks on the first of every month by the Veterans Administration in dollars. But if you happen to be a veteran who served with the Army, Navy, or the Air Force of the United States and you live in the Philippines, the Veterans Administration rules and regulations do not apply to you. A different set of standards applies. If you lost an arm, a leg, or you were wounded in the defense of the flag of the United States and you live in the Philippines, you receive only half of the compensation paid to servicemen in the United States.'

"Later Congressman Saylor asked his fellow Members of Congress to do what was right:

'Do not forget that many of the people taken into the service in Europe, in Italy and in Greece, were not American citizens. If you were living in this country and you were taken into the service, you are entitled to your benefits because you served the United States. If we do not make any other exceptions among the 66 nations, why do we do so in the Philippines? Why do half way? Why not give to the Filipinos, those brave men who served in our armies, the same benefits?'

"A detailed discussion of the nuances and details of the Filipino Veterans bill would require much too much time and is therefore beyond the scope of these remarks in favor of this House Concurrent Resolution, and so suffice it to say, Mr. Speaker, that this House Concurrent Resolution Number 90, which urges continue support by our congressional delegation, is a good measure.

"Mr. Speaker, the intended consequence of our resolution is to advance the federal bill, H.R. 836. H.R. 836 is worthy of becoming the law of the land. But before that can happen, there must be a public hearing.

"Mr. Speaker, Congressman Stump did the right thing when he decided to schedule this federal bill for a public hearing. The federal bill recognizes and finally acknowledges the reality that Filipino veterans fought beside American military forces for the United States, thereby rendering invaluable service to the United States, and should be accorded fair and equitable treatment.

"As state legislators, Mr. Speaker, we stand in strong support of fairness and equity to Filipino veterans. We welcome the news that this bill will receive a public hearing. And we should do everything we can to see that the bill is passed out of the U.S. House Veterans' Affairs Committee.

"Filipino veterans have patiently waited for fair treatment since the close of World War II. Now we have the opportunity to correct a wrong and to do what is right. In 1998 we have the opportunity to see that justice is done.

"Mr. Speaker, thank you for the opportunity to shed some light on this issue. I urge my colleagues to also vote in favor of this House Concurrent Resolution."

Representative Cachola then rose to speak in support of the measure, stating:

"Mr. Speaker, when we were researching this particular reso, I found out that there's a lot of my relatives and neighbors way back in the Philippines who died. As a matter of fact, my father-in-law who was a guerrilla, was tortured and killed when my wife was only about two years old.

"However, Mr. Speaker, those who died are not the ones who will be the beneficiaries of what will be the benefits that will be given if Congress will enact a law that gives Filipino Veterans equity rights, the same benefits as all other veterans.

"Mr. Speaker, most of the veterans now, whether they are living here in Hawaii or United States or those living in the Philippines, are now in their late 60s, or 70s, or early 80s. They don't have that much years left for them. I think it's about time for all of us, especially the United States Congress, to do the right thing. And that is to give equity rights for these Filipino Veterans.

"You know, Mr. Speaker, the Filipinos who fought valiantly during World War II, even after the fall of Bataan and the fall of Corregidor practically did it on their own, hiding in mountains with the help of the population to resist aggression. They were the ones who really carried the torch of freedom not only for the Filipinos or the United States, but to all free-loving countries worldwide.

"It is for this reason, Mr. Speaker, that we should strongly support this resolution and urge our congressional leaders to support it. Maybe if there's another amendment that I should add to this, if there be any other committee to look into it, is to give copies to all members of Congress, both the House and the Senate, and not just our congressional delegation.

"I would like to commend the Chairman of the Public Safety and Military Affairs Committee for doing such a good job. And I urge all of you to please pass this resolution. Thank you."

Representative Moses then rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I would be very remiss if I didn't mention that I'm a member of VFW Post 1572 which, with the exception of me and two other members I believe, is represented by the 1st Philippine Infantry Battalion. These men and their families have sacrificed for many years. They are Americans. They fought with us, side by side with us. For them to get insufficient treatment or less treatment than Americans after being side by side in the same foxhole fighting the same enemy, I think is a disgrace. They need to get the same treatment that all of us get. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 90, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONTINUED SUPPORT BY HAWAII'S CONGRESSIONAL DELEGATION ON LEGISLATION AND OTHER ACTION TO PROVIDE EQUITY TO FILIPINO-AMERICAN VETERANS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES OR JOINED THE PHILIPPINE SCOUTS BEFORE OCTOBER 6, 1945," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1190-98) recommending that H.C.R. No. 149, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 149, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE FEDERAL AVIATION ADMINISTRATION, THE U.S. SENATE COMMITTEE ON COMMERCE SCIENCE AND TRANSPORTATION AND THE U.S. HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE TO PROMOTE ACTIONS TO ENSURE HAWAII'S ROLE AS A TEST SITE IN THE FLIGHT 2000 DEMONSTRATION PROJECT," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representatives Stegmaier and Morihara, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 1191-98) recommending that H.C.R. No. 212 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO CONSIDER INPUT FROM THE PRIVATE SECTOR IN FORMULATING CURRICULUM," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1192-98) recommending that H.C.R. No. 84 be adopted.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 84 be adopted, seconded by Representative M. Oshiro.

Representative Marumoto rose to speak in support of the measure, stating:

"I am strongly in favor of the intent of this. I really am not too sure we should legislate this, but this is a resolution just requesting the use of the word Aloha. But I think we should all be pushing the spirit of Aloha all the time.

"The DBEDT had a hearing on Hawaiian entertainment and one thing that I got out of it was that, although the live shows in Waikiki were dying, the Hawaiian music is experiencing quite a renaissance on the Mainland and in Japan, and CDs are doing quite well. So we are exporting the Hawaiian culture and music, and Aloha along with it, across the globe. We should also promote our other aspects of Hawaiian culture and hula and everything that goes along with it -- the love and the friendship and gratitude which the word Aloha incorporates.

"I think we should all live for the day when we see Aloha Friday celebrated around the world. In Bosnia, Somalia, the Middle-East, Bangladesh or Buenos Aires, wherever, if you could all imagine, Aloha Friday worldwide. Thank you very much."

Representative Aiona then rose to speak in support of the measure, stating:

"Mr. Speaker, I'm glad to see that the Legislature is requesting State employees to use the word Aloha when answering the phones and in other aspects of our business day. I just want to caution you, Mr. Speaker and members, that in our hearing, when we did hear the measure, there was a lot of mockery, I guess, for lack of a better word, of the word Aloha.

"When we do speak about the word Aloha, please do not mock the language and insult the language by doing it in a sort of 'non-Hawaiian' way. The word Aloha has a deep-rooted meaning and I certainly wouldn't want to see the word Aloha being trivialized and would caution members and others, when they do use the word Aloha, to really understand the meaning and if you don't mean it, don't say it.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL STATE EMPLOYEES TO USE THE WORD 'ALOHA' AS AN OFFICIAL GREETING WHEN MEETING THE PUBLIC OR ANSWERING PHONE CALLS FROM THE

PUBLIC," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1193-98) recommending that H.C.R. No. 114, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 114, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ISSUE A PERMIT FOR A PILOT DEMONSTRATION OPEN OCEAN AQUACULTURE PROJECT TO THE UNIVERSITY OF HAWAII," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1194-98) recommending that H.C.R. No. 7, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 7, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO COMPUTERS FOR PUBLIC SCHOOLS," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1195-98) recommending that H.C.R. No. 207 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 207, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE KIHAI HIGH SCHOOL COMMUNITY COMMITTEE TO CONTINUE ITS EFFORTS TO ESTABLISH A CHARTER SCHOOL IN KIHAI, MAUI, CENTERED ON SYSTEMS TECHNOLOGY AND BASED ON PUBLIC-PRIVATE PARTNERSHIPS," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representative Takai, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 1196-98) recommending that H.C.R. No. 226, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 226, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PARKS AND RECREATION AND PRIVATE ORGANIZATIONS TO ASSIST THE PHILIPPINE CENTENNIAL CELEBRATION COORDINATING COMMITTEE/HAWAII," was adopted, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1197-98) recommending that S.B. No. 2056, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2056, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine and White being excused.

#### ANNOUNCEMENTS

Representative Kawakami rose and requested waiver of the 48-hour hearing notice requirement to hear S.B. Nos. 2063; 2213, SD 2, HD 1; 2363, SD 1; 2259, SD 1; 3024, SD 1, HD 1; 3025, SD 1, HD 1; 2774, SD 3; and decision making on S.B. Nos. 719, SD 2, HD 1; 1469, SD 1; 2849, SD 1, HD 1; 2987, SD 2, HD 2; 3000, SD 2, HD 1; 3007, SD 1, HD 1; and 3075, SD 2, tomorrow, beginning at 2:00 p.m. with decision making to follow, and the Chair "so ordered."

Representative Santiago: "Mr. Speaker, sometimes when we're in office we're called upon to make some major sacrifices. I think I'd just like to welcome back Representative Eric Hamakawa from making the ultimate sacrifice, and I think we should just welcome him back."

Representative Hamakawa: "Thank you, Mr. Speaker. I guess I'm the newest member joining Representative Yamane and Representative Case to the 'House Peg Leg Society.' I just want to thank you Mr. Speaker, the members of the House, and all the staffers who called and sent things over, especially all the goodies and all your prayers. Thank you very much."

#### ADJOURNMENT

At 12:42 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 7, 1998. (Representatives Chang, Kahikina, Menor, Morihara, Say, Takamine, and White were excused.)

## FORTY-FIFTH DAY

Tuesday, April 7, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:46 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Pastor Hollis Wright of the Holy Nativity Church, after which the Roll was called showing all members present with the exception of Representatives Cachola, Halford, Hamakawa, Menor, Morihara, Say and Takumi, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Fourth Day was deferred.

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 198 and 199) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 198, transmitting copies of the 1996-97 Annual Report prepared by the Public Utilities Commission pursuant to Section 93-12 of the Hawaii Revised Statutes.

Gov. Msg. No. 199, transmitting copies of the 1997 Annual Report of the Medical Claims Conciliation Panel and The Design Professional Conciliation Panel, pursuant to Sections 672-12 and 671-20, Hawaii Revised Statutes.

## INTRODUCTIONS

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

Representative Aiona introduced 48 fifth grade students from Kamehameha Schools. They were accompanied by their teacher, Ms. Becky Kekuna, and chaperones: Mrs. Beth Ann Burgess, Mrs. Nalani Nalua and Mrs. Sylvia Morita.

Representative Okamura introduced former State Senator Donna Ikeda and her granddaughter, Natasha, who were with the group of students from Kamehameha Schools.

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 12:10 o'clock p.m.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following Senate Bill (S.B. No. 2803) was re-referred to committee by the Speaker:

S.B.No. Re-referred to:

2803 Committee on Economic Development and Business Concerns, then to the Committee on Finance

The following concurrent resolution (H.C.R. No. 232) was re-referred to committee by the Speaker:

H.C.R.No. Re-referred to:

232 Committee on Agriculture

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 79 and 80) were announced by the Clerk and the following actions taken:

H.R. No. 79, entitled: "HOUSE RESOLUTION CONGRATULATING THE WILLIAM S. RICHARDSON SCHOOL OF LAW ON ITS TWENTY-FIFTH ANNIVERSARY," was jointly offered by Representatives Saiki, Cachola, Kahikina, Morita, Moses, Pendleton, Santiago, Takai, Tarnas, Whalen, Yamane and Yonamine.

On motion by Representative Saiki, seconded by Representative Takamine and carried, H.R. No. 79 was adopted, with Representatives Chang, Goodenow, Halford, Hamakawa, Hiraki, Menor and White being excused.

Representative Saiki rose and introduced Dr. Kenneth P. Mortimer, President and Chancellor, University of Hawaii; Dean Lawrence C. Foster; Chief Justice (Retired) William S. Richardson; Professor Emeritus Richard S. Miller; Associate Professor Casey Jarman; Ms. Shanlyn Souza, Esq., Vice President, WSRSL Alumni Association; Mr. Brandon Gonzales, President, Student Bar Association; and in the gallery Associate Dean Carol Mon Lee.

H.R. No. 80, entitled: "HOUSE RESOLUTION CONGRATULATING THE POLYNESIAN VOYAGING SOCIETY FOR ITS ACCOMPLISHMENTS AND SERVICE TO THE PEOPLE OF HAWAII," was offered by Representative Yamane.

On motion by Representative Yamane, seconded by Representative Nakasone and carried, H.R. No. 80 was adopted.

Representative Case rose and introduced Mr. Myron Thompson, President of the Polynesian Voyaging Society; Dr. Ben Finney, one of the co-founders of the PVS; Mr. Abraham Pi'ianai'a, Master Mariner; Mr. Will Kyselka, one of the main teachers and mentors in the revival of traditional Polynesian and Hawaiian navigation; Mr. Wallace Froiseth who captained Hokule'a on its first voyage to the South Pacific in 1976 and also captained Hawai'iloa during its visit to southeast Alaska in 1995; Mr. Gordon Pi'ianai'a, first mate on the 1976 voyage from Tahiti to Hawaii and captained the Hokule'a on its 1980 voyages to and from Tahiti; Mr. E. Kawika Kapahulehua, a pure Hawaiian from Niihau, who captained Hokule'a on the 1976 voyage to Tahiti and back to Hawaii; Mr. Clyde Aikau, representing his brother, the late Mr. Eddie Aikau, a famed lifeguard and wave rider who was lost at sea in 1978 when he left the Hokule'a to find help; Mr. Alex Jakubenko who constructed and captained the escort boats on four of the South Pacific voyages; and Mr. Nainoa Thompson, Executive Director of the PVS, who was seated in the gallery.

Representative Case then mentioned Mr. Wright Bowman, Sr., an integral force in the construction and maintenance of the Hokule'a; the late Mr. Wright Bowman, Jr., the renowned master canoe builder of



Hawai'iloa; and the late Mr. Tommy Holmes, co-founder of the Polynesian Voyaging Society.

Representative Yamane introduced Ms. Cathy Eber, his staff intern.

At 12:55 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:06 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1198-98) recommending that S.B. No. 2941, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2941, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aiona, Chang, Fox, Hiraki, McDermott, Menor, Meyer, Morihara, Moses and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1199-98) recommending that S.B. No. 2822, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2822, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEMON LAW DISCLOSURE COMPLIANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aiona, Chang, Fox, Hiraki, McDermott, Menor, Meyer, Morihara, Moses and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1200-98) recommending that S.B. No. 2135, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2135, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE TRADE PRACTICES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aiona, Chang, Fox, Hiraki, McDermott, Menor, Meyer, Morihara, Moses and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1201-98) recommending that S.B. No. 2132, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2132, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aiona, Chang, Fox, Hiraki, McDermott,

Menor, Meyer, Morihara, Moses and Yoshinaga being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1202-98) recommending that S.B. No. 2136, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2136, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR CONTROL ADJUDICATION BOARD," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aiona, Chang, Fox, Hiraki, McDermott, Menor, Meyer, Morihara, Moses and Yoshinaga being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1203-98) recommending that S.B. No. 2805, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2805, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aiona, Chang, Fox, Hiraki, McDermott, Menor, Meyer, Morihara, Moses and Yoshinaga being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1204-98) recommending that S.B. No. 2495, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2495, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aiona, Chang, Fox, Hiraki, McDermott, Menor, Meyer, Morihara, Moses and Yoshinaga being excused.

#### ANNOUNCEMENTS

Representative Yamane: "For the members, there's going to be a get-together in Room 325. A light lunch will be served honoring the Polynesian Voyaging Society."

Representative M. Oshiro: "There will be a luncheon meeting for all Committee Chairs immediately after session in the Speaker's Conference Room."

Representative Arakaki rose and stated:

"I know everyone's hungry but I would like to talk about that subject -- about hunger. First of all, I want to acknowledge the fact that your team of can stackers followed up a great victory in basketball with a victory at can stacking. Thanks to the engineering skills of Representative Takai, we were able to stack cans up to over eight feet tall, and I have proof. And we handily defeated the Senate. Along with Representative Takai, there were Representatives Marumoto, Hiraki, Fox and M. Oshiro, so 'thank you' for their efforts.

"I also want to mention, in our collection drive I want to acknowledge Representative Ken Ito's Office. They were ahead with 310 points, followed by my office with 260, and being energy efficient like her Committee, Representative Terry Yoshinaga with 176, and we also have Representative Say, Representative Case and also the Chief Clerk's Office, all over a hundred points. I just want to make note also that we have a few offices with zero next to their names. I won't be naming them today, but please, if you haven't contributed, please make an effort."

The Chair responded:

"Thank you very much. We better get those offices going a little bit. Looks like it's the year of the House. Let's hope it continues on to conference."

At 1:10 o'clock p.m., Representative M. Oshiro asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:11 o'clock p.m.

#### **ADJOURNMENT**

At 1:12 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 8, 1997. (Representatives Chang, Menor, Morihara and Yoshinaga were excused.)

## FORTY-SIXTH DAY

Wednesday, April 8, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:43 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Father Louis H. Yim from St. Pius X Catholic Church, after which the Roll was called showing all members present with the exception of Representatives Case, Hamakawa, Menor, Meyer, Santiago, Takamine, Takumi and Yoshinaga, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Fifth Day was deferred.

## GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 200) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 200, informing the House that on April 7, 1998, he signed the following bills into law:

House Bill No. 2859, HD 1 as Act 6, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH ADULT MENTAL HEALTH DIVISION";

House Bill No. 2854, HD 1 as Act 7, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION";

House Bill No. 3032, HD 2 as Act 8, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY";

House Bill No. 2788, HD 1 as Act 9, entitled: "MAKING AN APPROPRIATION FOR THE CLEAN HAWAII CENTER";

Senate Bill No. 2773, SD 1 as Act 10, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE";

House Bill No. 2447 as Act 11, entitled: "RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OR REPEALING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 2695 as Act 12, entitled: "RELATING TO HIGHER EDUCATION";

House Bill No. 2787, HD 1 as Act 13, entitled: "RELATING TO THE DEVELOPMENT OF THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT"; and

House Bill No. 2802 as Act 14, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM".

The following communications from the Senate (Sen. Com. Nos. 417 through 422) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 417, transmitting S.C.R. No. 159, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL STATE EMPLOYEES TO USE THE WORD 'ALOHA' AS AN OFFICIAL GREETING WHEN MEETING THE PUBLIC OR ANSWERING PHONE CALLS FROM THE PUBLIC," which was adopted by the Senate on April 7, 1998.

Sen. Com. No. 418, transmitting S.C.R. No. 200, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PAROLING AUTHORITY AND THE DEPARTMENT OF PUBLIC SAFETY TO PROMPTLY REVIEW MATERIAL RELEVANT TO THE 'LAP DANCING' CASES AND EXERCISE APPROPRIATE REMEDIAL OPTIONS (AMENDED TITLE)," which was adopted by the Senate on April 7, 1998.

Sen. Com. No. 419, transmitting S.C.R. No. 201, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO CONDUCT PUBLIC HEARINGS AND CONSIDER JUDICIAL CONDUCT BASED UPON PEER REVIEW WITH RESPECT TO JUSTICES AND JUDGES WHO ARE BEING CONSIDERED FOR RETENTION," which was adopted by the Senate on April 7, 1998.

By unanimous consent, further action on S.C.R. Nos. 159; 200, SD 1; and 201 was deferred.

Sen. Com. No. 420, returning H.B. No. 2670, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," which passed Third Reading in the Senate on April 7, 1998, in an amended form.

On motion by Representative Okamura, seconded by M. Oshiro and carried, the House disagreed to the amendments proposed by the the Senate to H.B. No. 2670, HD 2 (SD 1), and requested a conference on the subject matter of said amendments. (Representatives Case, Hamakawa, Menor, Meyer, Santiago, Say, Takamine, Takumi, Tom and Yoshinaga were excused.)

By unanimous consent, H.B. No. 2670, HD 2, as amended by the Senate, was placed on the Clerk's desk.

Sen. Com. No. 421, informing the House that the Senate has agreed to the amendments proposed by the House to the following Senate Bill and that said bill has passed Final Reading on April 7, 1998:

Senate Bill No. 2740, SD 1, HD 1.

Sen. Com. No. 422, informing the House that on April 6, 1998, the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 1310, SD 1, HD 2, entitled: "RELATING TO CRIMINAL INJURIES COMPENSATION";

S.B. No. 1597, SD 1, HD 2, entitled: "RELATING TO AQUATIC RESOURCES PENALTIES";

S.B. No. 1065, SD 1, HD 1, entitled: "RELATING TO ELECTION OFFENSES";

S.B. No. 2253, SD 1, HD 1, entitled: "RELATING TO PROSTITUTION";

## SENATE COMMUNICATIONS

S.B. No. 2697, SD 1, HD 1, entitled: "RELATING TO THE JURISDICTION OF THE COURTS";

S.B. No. 2957, SD 2, HD 1, entitled: "RELATING TO OUTDOOR ADVERTISING";

S.B. No. 1638, SD 1, HD 1, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET";

S.B. No. 3004, SD 1, HD 1, entitled: "RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE";

S.B. No. 3015, SD 2, HD 1, entitled: "RELATING TO THE GENERAL EXCISE TAX EXEMPTION FOR AIRCRAFT SERVICE AND MAINTENANCE FACILITIES";

S.B. No. 3141, SD 1, HD 1, entitled: "RELATING TO TAXATION";

S.B. No. 2680, SD 1, HD 1, entitled: "RELATING TO PERFORMANCE RATINGS OF EMPLOYEES IN THE CIVIL SERVICE"; and

S.B. No. 2889, SD 1, HD 1, entitled: "RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS".

### INTRODUCTIONS

Representative Morihara introduced Ms. Kauai Doyle and Sister Joan Golden from the Maui Foodbank.

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

Upon reconvening at 12:08 o'clock p.m., the Chair introduced Miss Universe Brook Lee to say a few words, as follows:

"Thank you. Hi, you all know what this is evidently. They're going to have to pry it from my cold dead hands.

"I'm so grateful for this opportunity. I've just gotten back from a trip and I didn't know I was going to have the opportunity to come here for the signing until, literally, 48-hours ago. I am so grateful to each and every one of you for everything that you have done on both sides to help bring this to pass.

"I understand fully the weight of the responsibility of the money appropriated here and the funds that were needed and the other places that they could have gone. And I promise you that we will work hard to make sure that every cent counts. I know how hard it was to get every cent here and it took each and every one of you working together to do it, and that's a humbling experience in itself.

"But when you see 75 of the most beautiful women in the world come together in Hawaii and show the world what it is that we can do when we're working together, I think you'll understand why it is that so many of us insisted that we step in and take a look at the opportunity and the window that we have, to literally take over the planet for a day. That one day is going to make the difference for years to come. I promise you that. I've seen it happen. I've been around the world. I've seen the impact.

"And it's a strange odd thing. It's a strange odd thing that sits on my head, but the ramifications I promise you

are there. I've witnessed it. I've been a part of it for a year and I'm grateful and thankful that I can bring all of that to a close right here at home, and I thank each and every one of you for that. So thank you very, very much."

At this time, Representative Okamura introduced Mrs. Toni Lee, mother of Miss Universe; and Public Relations Manager for Miss Universe, Ms. Stacy Cox.

Representative Kawanakoa introduced Mr. Brandon Lee, brother of Miss Universe.

At 12:11 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.

### ORDER OF THE DAY

#### STANDING COMMITTEE REPORTS

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1205-98) recommending that H.C.R. No. 74 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REAFFIRMING STATE CONTROL OVER INSURANCE LEGISLATION," was adopted, with Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1206-98) recommending that H.C.R. No. 55, HD 1, be adopted.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 55, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Pendleton rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. This is a very good measure. I stand in strong support of this concurrent resolution which would seek to have the Superintendent of Education provide information in the form of a report to the Legislature.

"A couple of comments, however. My first comment has to do with the fact that it is a good thing the Superintendent of Education will give us this information. In speaking with educators throughout the State, both at the secondary level as well as higher ed, you need people who talk about the fact that Filipinos are not fully represented at the University of Hawaii, the upper campus.

"I once had a conversation with President Mortimer, and I suppose he didn't know what my position was on this, and so perhaps in trying to say words that would please me, President Mortimer said: 'Yeah, Pendleton, until we get more Filipinos accepted we won't have any credibility.' That led to a conversation where I said: 'What we need to do is not work on trying to reconfigure the mission's policy or lower the standards somehow. To me, that's kind of insulting as a Filipino. What we need to do is focus on "beefing up", improving, making stronger our secondary and our elementary school system,

so that more and more will be qualified and ready and prepared for U.H.'

"My other comment, less substantive than that, Mr. Speaker, has to do with the first paragraph where it reads: 'The purpose of this concurrent resolution is to request that the Superintendent of Education submit a report to the Legislature', and I believe the next word should read 'on', 'on the status of efforts' and 'effort' probably should be pluralized, especially since this resolution has to do with education, we want to get it right.

"Thank you, Mr. Speaker."

Representative Kawanakoa then rose and stated:

"Thank you, Mr. Speaker. I also concur with the statements of the Minority Whip and would simply ask that the Clerk enter his words into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 55, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS OF THE STATUS OF EFFORTS TO PROMOTE FAIRNESS AND EQUITY FOR FILIPINO-AMERICANS," was adopted, with Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1207-98) recommending that H.C.R. No. 83, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 83, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COORDINATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE, THE UNITED STATES CUSTOMS SERVICE, AND THE HAWAII AIRLINES ASSOCIATION, TO SEEK OUT AND ASSESS TECHNOLOGIES THAT WILL EXPEDITE THE CUSTOMS AND IMMIGRATION CLEARANCE PROCESS AT THE HONOLULU INTERNATIONAL AIRPORT," was adopted, with Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1208-98) recommending that S.B. No. 2389, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1208-98 and S.B. No. 2389, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2389, SD 1, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1209-98) recommending that S.B. No. 2655, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1209-98 and S.B. No. 2655, SD 1, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies

of S.B. No. 2655, SD 1, HD 1, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1210-98) recommending that S.B. No. 2850, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1210-98 and S.B. No. 2850, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2850, SD 2, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1211-98) recommending that S.B. No. 3088, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1211-98 and S.B. No. 3088, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3088, SD 1, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1212-98) recommending that S.B. No. 3204, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1212-98 and S.B. No. 3204, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3204, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1213-98) recommending that S.B. No. 632, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1213-98 and S.B. No. 632, SD 2, HD 3, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 632, SD 2, HD 3, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1214-98) recommending that S.B. No. 2204, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1214-98 and S.B. No. 2204, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2204, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1215-98) recommending that S.B. No. 2249, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1215-98 and S.B. No. 2249, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2249, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1216-98) recommending that S.B. No. 2254, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1216-98 and S.B. No. 2254, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2254, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1217-98) recommending that S.B. No. 2624, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1217-98 and S.B. No. 2624, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2624, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1218-98) recommending that S.B. No. 2835, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1218-98 and S.B. No. 2835, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2835, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1219-98) recommending that S.B. No. 2874, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1219-98 and S.B. No. 2874, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2874, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1220-98) recommending that S.B. No. 721, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1220-98 and S.B. No. 721, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 721, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1221-98) recommending that S.B. No. 1309, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1221-98 and S.B. No. 1309, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1309, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1222-98) recommending that S.B. No. 2025, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1222-98 and S.B. No. 2025, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2025, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1223-98) recommending that S.B. No. 2123, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1223-98 and S.B. No. 2123, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2123, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1224-98) recommending that S.B. No. 2402, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1224-98 and S.B. No. 2402, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2402, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1225-98) recommending that S.B. No. 2782, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1225-98 and S.B. No. 2782, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2782, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1226-98) recommending that S.B. No. 2983, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1226-98 and S.B. No. 2983, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2983, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1227-98) recommending that S.B. No. 3114, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1227-98 and S.B. No. 3114, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3114, SD 2, HD 2, were made available to the members of the House.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1228-98) recommending that H.C.R. No. 208 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING



THE DEPARTMENT OF EDUCATION TO NAME THE MAUI HIGH SCHOOL GYMNASIUM IN HONOR OF FORMER SENATOR MAMORU YAMASAKI," was adopted, with Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.

Representative Jones, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1229-98) recommending that H.C.R. No. 232, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 232, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADVISORY COMMITTEE ON PESTICIDES TO DETERMINE THE FEASIBILITY OF REQUIRING STATE AGENCIES TO IMPLEMENT INTEGRATED PEST MANAGEMENT PROGRAMS," was adopted, with Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1230-98) recommending that S.B. No. 2466, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2466, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1231-98) recommending that S.B. No. 2796, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2796, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY IN THE FIRST DEGREE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1232-98) recommending that S.B. No. 2903, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2903, entitled: "A BILL FOR AN ACT RELATING TO THE STATE COMMISSION ON THE STATUS OF WOMEN," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1233-98) recommending that S.B. No. 2710, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2710, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

SEARCH WARRANTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.

### SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Arakaki, Menor, Meyer, Say, Takamine, Tom and Yoshinaga being excused.)

### STANDING COMMITTEE REPORTS

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1234-98) recommending that S.B. No. 2884, SD 1, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2884, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT ON PUBLIC WORKS PROJECTS," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1235-98) recommending that S.B. No. 2885, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2885, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT ON PUBLIC WORKS PROJECTS," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1236-98) recommending that S.B. No. 2099, SD 2, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2099, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1237-98) recommending that S.B. No. 2581, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2581, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1238-98)

recommending that S.B. No. 2633, SD 1, HD 1, pass Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2633, SD 1, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative Case rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Basically, I think this bill in its current form is a misdirected attempt to deal with what I do agree is one of the major economic problems we have in the State today, and that is the high cost of commercial and industrial land, particularly lease-hold. I do believe that we're going to have to address that particular problem legislatively in the immediate future, but I do not believe that this bill will solve that problem.

"I do believe it will have unintended consequences. The most direct unintended consequence that I can conceive of at the moment is that the cost of lease-rent arbitrations will probably double immediately. I don't think that's good for anybody.

"I do vote in favor of the bill based on the representations of the Chair of the Consumer Protection and Commerce Committee who believed that it was necessary to keep this bill alive while we await an Auditor's report which we had agreed to request last year to dispose of this issue once and for all. That Auditor's report is expected momentarily. I do hope we review that Auditor's report carefully and act upon it one way or another so that we can put this particular issue behind us. But I also hope that if we don't get that Auditor's report, we do not act on this bill this year. Thank you."

Representative Ward then rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, what has been said is true, exact and reasonably correct except there's a major flaw in that bill. That is, its enactment date is 2010. That is an insult to the leasehold community of Hawaii, of which there are approximately 100,000 units, who live in condos or townhouses.

"And quite frankly, it makes us look like we're a little lame or a little slow or a little bit pre-meditatively stalling on this issue. If we're going to do it legislatively, I've never seen a bill with 12 years as a waiting period. Mr. Speaker, I think we can do better than that, and because of that I have some serious reservations."

The Chair responded: "Thank you very much. I believe there is a reason for that."

Representative Ward continued, stating:

"There is a reason, but I don't think I agree with it. We need to get a report."

Representative Cachola then rose and stated:

"Mr. Speaker, on the same bill that the Representative from Aina Haina spoke, the reason why we put the year 2010 as the effective date is so we can have continued discussion during conference committee. The process is such that if we put an effective date of July 1, 1998, there's a tendency that the Senate might accept it. There's a possibility that we should try to tighten the bill, and that's the reason why we put in an effective date 2010. I hope the Representative in Aina Haina understands the process."

The Chair responded: "Thank you very much. You are awaiting the report from the Auditor's office."

Representative Ward then rose and stated:

"Mr. Speaker, I will withdraw if the good intention of what is made is followed through with. Sometimes I think when we've got these very serious matters before us that these can be misleading. And we've got tax matters and other matters that we need to have very specific details on. So I will take the Chair's word at face value and wait and see. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2633, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1239-98) recommending that S.B. No. 2866, SD 1, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2866, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONNEL FOR MENTAL HEALTH," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1240-98) recommending that S.B. No. 3002, SD 2, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3002, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1241-98) recommending that S.B. No. 3213, SD 2, HD 1, pass Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 3213, SD 2, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative McDermott rose to speak in opposition to the measure, stating:

"This is a fee increase, Mr. Speaker, and I'm going to vote against that. Quite simply, whenever we raise fees, I'm going to vote against it. When we decrease them, I may remain silent or I may not. Thank you."

Representative Moses then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I think the bill is well intentioned and there's very good things in here that calls for an insurance license fee and it would be used for continuing education. That sounds very good. However, I notice in the bill that one-half of the money collected will go to the general fund. That makes this a tax bill,

Mr. Speaker, and I'm opposed to raising taxes. Thank you."

Representative Kawanakoa then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. For the same reasons that were just set forth by the prior speaker, I'll be voting 'no' and have his remarks entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

Representative M. Oshiro then rose to speak in support of the measure, stating:

"Mr. Speaker, it's my understanding that this bill is a product of the industry or the licensed insurance practitioners out there, and that this is their bill and they came forward to the Department of Commerce and Consumer Affairs seeking relief on this particular measure. The idea being, Mr. Speaker, that these people who are licensed under DCCA rules wanted to ensure that the licensing process, as well as the regulation process, as well as the training process and continuing education process, would be well funded so that yearly classes and continuing education and courses for the insurance sales people will be provided.

"Some of the proponents, when you look at the Committee Report, are the Hawaii Independent Insurance Agents Association, the Hawaii State Association of Life Underwriters, and the State Farm Insurance Companies. And for these reasons, Mr. Speaker, I support this bill. Thank you."

Representative Pendleton then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. My wife practices insurance and I spoke to her about this measure. The education requirement -- continuing education -- is something that their industry genuinely wants. I asked them about the money going to the general fund: what does that have to do with ensuring that the licenses are taken care of, the training, etc., because once the money gets to the general fund, it can be used for whatever purpose the Legislature sees fit.

"She wasn't aware of that. I don't think the industry testified in favor, specifically. I don't think the fact that part of the monies go to the general fund is at the heart of what the industry wanted. That's something the Legislature did separately. Again, I wasn't their 'in' person for the hearing and for the testimony, but I don't think that that was the core of what they wanted. They wanted the continuing education. They wanted sufficient funding to make sure that the licensing, etc. is well funded. So if that's the concern, we should have all the money -- the fee -- go towards those purposes and not have some of it go into the general fund. For that reason, I'm voting no. Thank you."

Representative Yamane then rose and stated:

"I'm doing this with much regret, but I rise in support with serious reservations on this bill.

"The logic behind the bill is that industry wants it because we are one of a few states that don't have reciprocity like other states as far as insurance agents here having rights in other states. The vast majority of the states all have reciprocity with licenses so they can sell in any state. There are a number of agents here that represent clients in the Mainland that would like that same privilege. I myself being an insurance agent only

practice on this island so I don't have a problem with that.

"I don't appreciate having to pay higher fees, but the reason behind the higher fees, which the industry concurred with, is to set up this program. Because the Insurance Commissioner is going to have to come up with rules, is going to have to come up with programs, and have to designate who and what courses are going to have to be the criteria for this reciprocity, that's the reason for it. It's very logical. The industry came forward themselves for it. There are a number of agents that are not in favor of it, but there is a great deal of logic behind it. And with serious reservations, I will support this bill."

The Chair responded: "Thank you very much. I believe the question is in the general fund and not in the bill itself."

Representative Kawanakoa then rose and stated:

"Thank you, Mr. Speaker. I hadn't intended to give rebuttal, but some of the statements with regard to the industry wanted this, and therefore, we should turn our head and allow it to happen. As the Minority Whip has already mentioned, that isn't the whole truth.

"Clearly the industry wants to have better educational process so that they can keep their standards up and to keep out, perhaps, not as ethical and/or as well-trained insurers in our islands. As was just mentioned by my good colleague with regard to reciprocity with other states, that's another good reason to have this educational process in place. But with regard to having them pay an extra fee so that it will go to the general fund, almost as if we're asking them: you want to better your industry, you want to make your practice a better one, that's great.

"But we're making them pay an additional fee. We're having them pay, I guess, a premium to do the right thing. Just the opposite of what we should be doing by giving them an incentive, we're asking them to pay a premium. They want this so bad, they're willing to pay extra money into the general fund. That's not right. We should support them in their efforts to better their industry without the 'highway robbery' of an additional fee or an excess fee. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3213, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 39 ayes to 6 noes, with Representatives Halford, Kawanakoa, McDermott, Moses, Pendleton and Ward voting no, and Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1242-98) recommending that S.B. No. 2739, SD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2739, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF FINES," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1243-98) recommending that S.B. No. 2388, SD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2388, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

The Chair directed the Clerk to note that S.B. Nos. 2884, 2885, 2099, 2581, 2633, 2866, 3002, 3213, 2739 and 2388 had passed Third Reading at 12:40 o'clock p.m.

### THIRD READING

#### S.B. No. 2056, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2056, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Herkes voting no, and Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

#### S.B. No. 2941, SD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 2941, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Third Reading by a vote of 45 ayes, with Representatives Arakaki, Menor, Meyer, Say, Takamine and Tom being excused.

The Chair directed the Clerk to note that S.B. Nos. 2056 and 2941 had passed Third Reading at 12:42 o'clock p.m.

### ANNOUNCEMENT

Representative Kawakami rose and requested waiver of the 48-hour hearing notice requirement to hear S.B. Nos. 760, HD 1; 2689, SD 2, HD 1; 2092, SD 1; 2803, SD 2, HD 1; 2727, SD 2, HD 1; 3006; and decision making on the following previously deferred bills: S.B. Nos. 2201, SD 2, HD 1; 2078, SD 1, HD 2; 3043, SD 2, HD 1; 2037, SD 1, HD 1; 2350, SD 1, HD 1; and 379, SD 2, HD 1, today at 2:00 in the Finance Room, and the Chair "so ordered."

### ADJOURNMENT

At 12:45 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 5:00 o'clock p.m. tomorrow, Thursday, April 9, 1998. (Representatives Arakaki, Cachola, Jones, Menor, Meyer, Say, Takamine and Tom and Ward were excused.)

## FORTY-SEVENTH DAY

Thursday, April 9, 1998

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 5:13 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Guy Higashi from the New Hope Christian Fellowship, after which the Roll was called showing all members present with the exception of Representatives Ahu Isa, Hiraki, Menor, Morihara, Suzuki and Takamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Sixth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 423 through 443) were received and announced by the Clerk and were placed on file.

Sen. Com. No. 423, returning H.B. No. 2230, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII-HILO," which passed Third Reading in the Senate on April 8, 1998.

Sen. Com. No. 424, returning H.B. No. 2895, entitled: "A BILL FOR AN ACT RELATING TO RIDING BICYCLES ON ROADWAYS," which passed Third Reading in the Senate on April 8, 1998.

Sen. Com. No. 425, returning H.B. No. 3004, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS," which passed Third Reading in the Senate on April 8, 1998.

Sen. Com. No. 426, returning H.B. No. 3020, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED," which passed Third Reading in the Senate on April 8, 1998.

Sen. Com. No. 427, returning H.B. No. 3317, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 8, 1998.

Sen. Com. No. 428, returning H.B. No. 2496, HD 2 (SD 1) entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR THE INDIGENT," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 429, returning H.B. No. 2614, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO POLICE OFFICERS, FIREFIGHTERS, AND BANDSMEN PENSION SYSTEM," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 430, returning H.B. No. 2711, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 431, returning H.B. No. 2714, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO UNCOLLECTIBLE ACCOUNTS IN THE

JUDICIARY," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 432, returning H.B. No. 2760, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO SALARY PERIODS," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 433, returning H.B. No. 2761, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS TO NEW EMPLOYEES," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 434, returning H.B. No. 2776, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 435, returning H.B. No. 2786, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO MENTAL AND MEDICAL EXAMINATION OF CONVICTED DEFENDANTS," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 436, returning H.B. No. 2793, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 437, returning H.B. No. 2846, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE SALES TO MINORS," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 438, returning H.B. No. 2957, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HUNTING LICENSES," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 439, returning H.B. No. 3022, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO YOUTH FACILITY," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 440, returning H.B. No. 3027, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MEDICAID OVERPAYMENT RECOVERY," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 441, returning H.B. No. 3453, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

Sen. Com. No. 442, returning H.B. No. 3468, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on April 8, 1998, in an amended form.

On motion by Representative Okamura, seconded by M. Oshiro and carried, the House disagreed to the amendments proposed by the Senate to H.B. Nos. 2496, HD 2 (SD 1); 2614 (SD 1); 2711, HD 1 (SD 1); 2714, HD 2 (SD 1); 2760, HD 1 (SD 2); 2761 (SD 1); 2776, HD 1 (SD 2); 2786, HD 2 (SD 2); 2793 (SD 1); 2846, HD 1 (SD 1); 2957, HD 2 (SD 1); 3022, HD 2 (SD 1);

3027, HD 2 (SD 1); 3453, HD 2 (SD 1); and 3468, HD 2 (SD 2), and requested a conference on the subject matter of said amendments. (Representatives Hiraki, Menor, Morihara, Suzuki and Takamine were excused.)

By unanimous consent, H.B. Nos. 2496, HD 2; 2614; 2711, HD 1; 2714, HD 2; 2760, HD 1; 2761; 2776, HD 1; 2786, HD 2; 2793; 2846, HD 1; 2957, HD 2; 3022, HD 2; 3027, HD 2; 3453, HD 2; and 3468, HD 2, as amended by the Senate, were placed on the Clerk's desk.

Sen. Com. No. 443, informing the House that the Senate has agreed to the amendments proposed by the House to the following Senate Bills and that said bills have passed Final Reading on April 8, 1998:

Senate Bill No. 3215, SD 1, HD 1

Senate Bill No. 2913, SD 1, HD 1

### ORDER OF THE DAY

#### DEFERRED RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 159, 200, 201 and 215) were referred to committee by the Speaker:

#### S.C.R.

##### Nos. Referred to:

- 159 Committee on Tourism, then to the Committee on Labor and Public Employment
- 200 Jointly to the Committee on Judiciary and the Committee on Public Safety and Military Affairs
- 201 Committee on Judiciary
- 215 Committee on Higher Education

#### COMMITTEE REASSIGNMENT

The following resolution was re-referred to committee by the Speaker:

#### H.R.

##### No. Re-referred to:

- 56 Committee on Education, then to the Committee on Finance

At 5:19 o'clock p.m., Representative McDermott asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:20 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1244-98) recommending that S.B. No. 2332, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2332, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1245-98) recommending that S.B. No. 2611 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2611, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM TRANSFER-ON-DEATH (TOD) SECURITY REGISTRATION ACT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1246-98) recommending that S.B. No. 2819 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2819, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1247-98) recommending that S.B. No. 2839 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2839, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1248-98) recommending that S.B. No. 2844 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2844, entitled: "A BILL FOR AN ACT RELATING TO ISSUANCE OF UTILITY VOTING STOCK," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1249-98) recommending that S.B. No. 3077 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3077, entitled: "A BILL FOR AN ACT RELATING TO RISK RETENTION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.



Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1250-98) recommending that S.B. No. 2334, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2334, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1251-98) recommending that S.B. No. 2644, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2644, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1252-98) recommending that S.B. No. 2829, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2829, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1253-98) recommending that S.B. No. 2833, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2833, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LEASE DISCLOSURE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1254-98) recommending that S.B. No. 2842, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2842, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEDICAL MALPRACTICE UNDERWRITING PLAN," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1255-98) recommending that S.B. No. 2472 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2472, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1256-98) recommending that S.B. No. 2554, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2554, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT USE OF CREDIT CARD," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1257-98) recommending that S.B. No. 2619, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2619, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR TRADE REGULATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1258-98) recommending that S.B. No. 2832, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2832, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATIVE SUBPOENAS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1259-98) recommending that S.B. No. 2836, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2836, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was placed on the calendar for Third Reading, with

Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1260-98) recommending that S.B. No. 3241, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 3241, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR TRADE PRACTICE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1261-98) recommending that S.B. No. 2516, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the joint report of the Committees be adopted and S.B. No. 2516, SD 1, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, I received a number of calls from legitimate antique dealers in the community. They are tremendously upset about this bill. I imagine that they have called a number of your offices. It's taking a legitimate profession and moving them into the perimeters of the pawnbrokers' statute. They are strongly opposed to this. We are going to have an opportunity to discuss it in our respective caucuses, and I would hope that everyone would take a look at it.

"I'd also ask that members call legitimate antique dealers in your own communities and get their input on this before we cast a final vote on Tuesday.

"Thank you."

Representative Tarnas rose and stated:

"I've also received numerous phone calls and having friends who have been in this antique dealer business, I do feel that it's a stretch to include them.

"I'd also like to have a 'no' vote recorded on my behalf," and the Chair "so ordered."

Representative Pendleton rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative McDermott rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Marumoto rose and asked the Clerk to register a "no" vote for her, and the Chair "so ordered."

Representative Ward rose and asked the Clerk to register a "no" vote for him (the Chair "so ordered"), saying:

"A 'no' with a message that if we do this, we're sending to the business community a sense that we're not very pro-business. I think antique dealers don't deal in things that are pawnbrokered. So I think we have to be

careful that we're putting these in here that we will be discerning when we pass this next week.

"Thank you."

Representative Stegmaier rose and asked the Clerk to record and aye with reservations for him, and the Chair "so ordered."

Representative Kawanakoa rose and asked the Clerk to record a "no" vote for him, and the Chair "so ordered."

Representative Meyer rose and asked the Clerk to record a "no" vote for her, and the Chair "so ordered."

Representative Moses rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Case rose in support of the measure, stating:

"Mr. Speaker, before we all overreact to the phone calls we have been getting from antique dealers, and so that we can make an informed decision on this bill, I want to provide a little bit of background for the respective caucuses.

"This is part of the legislature's efforts over the last two years to crack down on property crime. Our property crime rate is still one of the highest problems in the country. Essentially what is happening is that stolen goods are easily 'fenced.' They get fenced through a variety of places: pawnshops, second hand dealers, antique dealers, swap meets, et cetera.

"Over the last years, we have addressed pawnshops, with their agreement, two ways. The first is requiring people that come in to deliver goods to these entities for resale to leave a thumbprint behind. that has proven to be a great success.

"The second item is to ask these entities to hold goods hold goods that they receive for resale for a certain period of time to allow police investigations to be completed. The House has proposed thirty calendar days, which is also acceptable to these entities.

"Now the antique dealers have come in very late in the game. If they have concerns, I believe those concerns should be focused on the holding period. But this bill is generally a good one because it assures that their profession, as well as the other professions, are recognized as not being the conduit for the disposition of stolen goods.

"So I would simply urge colleagues to reserve judgment and instead understand the motivations, read the testimony, and consider the alternatives before they leap to the conclusion that this is a bad bill.

"Thank you."

Representative Thielen rose and stated:

"I'm rising again to speak in opposition to the bill, Mr. Speaker.

"Let's just be perfectly clear who we are targeting by this bill -- the Carriage House which is located in Kapahulu, the Antique House and the Royal Hawaiian. We are targeting very respectable antique dealers. There's also an antique dealer in the Davies Pacific Center.

"I think that we have overreached with this bill. And I would ask again, at our respective caucuses, that we all really take a look at this and see whether or not we shouldn't just 'table' this bill for this year and take a look at another way to go about what we're trying to do, which is to reduce crime.

"Thank you."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and S.B. No. 2516, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Kawanakoa, Marumoto, McDermott, Meyer, Moses, Pendleton, Tarnas, Thielen and Ward voting no, and Representatives Hiraki, Menor and Takamine being excused.

Representative Takamine, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1262-98) recommending that S.B. No. 2256, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2256, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BARBERS POINT HARBOR," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1263-98) recommending that S.B. No. 1362, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1264-98) recommending that S.B. No. 2469, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2469, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1265-98) recommending that S.B. No. 2575, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2575, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading, with

Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1266-98) recommending that S.B. No. 2586, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2586, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1267-98) recommending that S.B. No. 2823, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2823, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE IDENTIFICATION BADGES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1268-98) recommending that S.B. No. 2838, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2838, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1269-98) recommending that S.B. No. 2887, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2887, SD 1, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Whalen rose in support of the bill with reservations, stating:

"Mr. Speaker, it seems like a pretty small shock since this is something that normally I wouldn't speak on, but I think it only states the mistakes we keep making in the little things.

"The first time this bill came through, the Department of Labor said they didn't have the personnel or the money to develop the personnel to do the inspection for the bungee jumping devices, whatever they may be. The second time around, we get a letter from HGEA saying that they would support the measure only if we do not allow qualified inspectors but only union people to do the work.

"We quickly jumped to the hoop and deleted all portions which allows us -- not mandates us -- but allows us merely to contract out for these services. And I think it is an example of where we keep missing the boat on this issue, Mr. Speaker.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2887, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AMUSEMENT RIDES, INCLUDING BUNGEE JUMPING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1270-98) recommending that S.B. No. 2981, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2981, SD 1, 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, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1271-98) recommending that S.B. No. 3018, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3018, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1272-98) recommending that S.B. No. 1071, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1071, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OPENING OF THE ABSENTEE POLLING PLACE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1273-98) recommending that S.B. No. 2557, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2557, SD 1, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Pendleton rose and asked the Clerk to note his reservations on this bill, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2557, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1274-98) recommending that S.B. No. 2759, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2759, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1275-98) recommending that S.B. No. 2786, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2786, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1276-98) recommending that S.B. No. 3228, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1277-98) recommending that S.B. No. 2026, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2026, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS INNOVATION RESEARCH GRANTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1278-98) recommending that S.B. No. 2717, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the

Committee was adopted and S.B. No. 2717, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1279-98) recommending that S.B. No. 2580, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2580, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE STUDENT COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1280-98) recommending that S.B. No. 2345, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2345, SD 1, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Thielen rose and requested the Clerk to register an aye with reservations (the Chair "so ordered"), saying:

"My reservations are found on page 6 where the bill states that a 'safe harbor agreement may not be affected by subsequent modifications to the law, except with the consent of the landowner.' I think that is too broad an exemption from the law to provide.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2345, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THREATENED AND ENDANGERED SPECIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1281-98) recommending that S.B. No. 2757, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2757, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL ASSESSMENTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1282-98) recommending that S.B. No. 2363, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2363, SD 1, HD 1

pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative McDermott rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

The motion was put to a vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2363, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Second Reading and was placed on the calendar for Third Reading with Representative McDermott voting no, and Representatives Hiraki, Menor and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1283-98) recommending that S.B. No. 3006, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 3006, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative McDermott rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3006, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF TAXES," passed Second Reading and was placed on the calendar for Third Reading with Representative McDermott voting no, and Representatives Hiraki, Menor and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1284-98) recommending that S.B. No. 1469, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1469, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Fox rose to speak against the bill, stating:

"The purpose of this bill is to subvert the amendment to the Constitution passed by the Constitutional Convention in 1978. It says when the State is in surplus, money should be returned to the taxpayers. This would set up a special fund that would collect the money rather than return it to the taxpayers, and I think we should stick with the Constitution.

"Thank you."

Representative McDermott rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1469, SD 1, 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 with Representatives Fox and McDermott voting no, and Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand.



Com. Rep. No. 1285-98) recommending that S.B. No. 2598 pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2598 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Pendleton rose to speak in support of the bill with reservations, stating:

"Mr. Speaker, very briefly, I think the intent is very good. In many ways this bill addresses the problem we have with the AG taking so long to review rulemaking and to get the process going.

"My one concern is, though, that if the Governor feels it is important to have information regarding, say, the fiscal impact of certain rules or impact on small business with respect to these rules, the DCCA doesn't need to give that information to the Governor under this bill and we may very well want to have that kind of information. So those are my reservations on this particular bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2598, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE DIVISION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1286-98) recommending that S.B. No. 2840, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2840, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1287-98) recommending that S.B. No. 2414, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2414, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1288-98) recommending that S.B. No. 2564, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2564, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1289-98) recommending that S.B. No. 2588, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2588, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1290-98) recommending that S.B. No. 2602, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2602, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDSCAPE ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1291-98) recommending that S.B. No. 2610, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2610, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL LAND SURVEYORS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1292-98) recommending that S.B. No. 2821, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2821, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1293-98) recommending that S.B. No. 3113, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3113, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.



Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1294-98) recommending that S.B. No. 3159, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3159, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TIME SHARE LAW," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1295-98) recommending that S.B. No. 682, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 682, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1296-98) recommending that S.B. No. 2297, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2297, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1297-98) recommending that S.B. No. 2411, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 2411, SD 2, 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, with Representatives Hiraki, Menor and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1298-98) recommending that S.B. No. 3105, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 3105, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1299-98) recommending that S.B. No. 2774, SD 3, HD 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2774, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1300-98) recommending that S.B. No. 2292, SD 1, HD 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2292, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hiraki, Menor and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1301-98) recommending that S.B. No. 2063, SD 2, HD 1 pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2063, SD 2, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, there are a number of provisions in this bill that are good, but there are certain provisions that are so bad and take us so far backward in protecting our natural resources and our lands that I just cannot vote 'yes' on the bill.

"One of the main concerns I have is found on page 2 of the Standing Committee Report. It's item number 5, and it requires intervenors to have an ownership interest in the land at issue. You turn to page 6 of the bill. What the bill is eliminating is a long line of hardly fought and deeply contested cases where intervenors had standing, such as the Sierra Club, Life of the Land, you name them. It's all the environmental groups that had the courage to stand up and challenge certain land use decisions. Those cases are found in the Hawaii Reports. They were usually brought by non-profit environmental organizations. The attorneys representing those organizations generally did so *pro bono* because no one else was willing to step forward and help them.

"Now we are saying that if a person or a group such as this wants to intervene in land use decisions, they are not going to be allowed to do so. We're really narrowing the standing that has been so difficultly won for these groups that have protected our lands in the islands.

"If you take a look at part of the language that's being eliminated: 'All other persons may apply to the commission for leave to intervene as parties. Leave to intervene shall be freely granted.' That was fought for in the 1970s and won, and now in the 1990s we're shutting

the door on those land use groups -- the groups that protect our environment. I can't understand why this body is moving backward. I can't understand why we are doing these kinds of things.

"Mr. Speaker, it's tremendously important that we allow the environmental groups the opportunity to intervene, to have this standing to intervene. That language there -- 'leave to intervene shall be fully granted'. It's taken right out of a State Supreme Court case. This was under Chief Justice Richardson, the author of many of our fine land use decisions in the Supreme Court.

"We're just moving backward, Mr. Speaker, and things are turning more conservative, folks. But I really question this, and it's not going to end up with a better Hawaii. It's not going to end up with better land use decisions. We're slamming the door on the very groups that have defended our land and our decisions and have helped us to preserve what is left of Hawaii's beautiful areas.

"Yes, there are some good things in here, but please take a look at this before Final Reading. Please take a look if you really want to be known as the group that moves away from what we fought for in the 1970s, what we won in the 1970s. Some of you, I think, were colleagues with attorneys such as Boyce Brown who, for so many years, led these wonderful battles. Some of you learned from him. Some of you learned as other lawyers learned from reading those cases.

"You're reversing yourselves. You're going toward a very conservative 'keep the public out' kind of an attitude on this. And I don't think your children are going to sit here on these chairs some day and be happy with what you've done. So I'd really ask you to take a look at it.

"Thank you."

Representative M. Oshiro rose to speak in support of the bill, stating:

"I would just like to address the concerns of the previous speaker. As I look at page 6, paragraph 3, although there is an ownership provision that has been inserted into this bill and the statute, there is another provision there that allows the person who can demonstrate that they have or will be substantially affected by the proposed change that their interest in the proceeding is clearly and substantially distinguishable from that of the general public, shall be admitted as parties upon the timely submission of an application for intervention and intervenor status.

"So I believe there is a mechanism here for them to come to the table to intervene and to become part of the proceedings.

"Thank you, Mr. Speaker."

Representative Tarnas rose to cast a no vote, saying:

"I do have similar concerns about the intervention status. I think that should be granted freely. In fact, that's one of the reasons why the LUC is useful, because it does have the ability for intervenors to come in. However, I think you can maintain intervention status, broadly defined, as long as we can insert language that is inserted into this bill which says that interventions must be contesting matters of State interest. That's the crux of this whole thing. The LUC should be focusing only on State interest.

"I do have other concerns as well, Mr. Speaker: the 150 acre provision. I'm concerned about that when it comes to agricultural land because the State has a responsibility to protect agricultural land, and I really don't want to give that up to the counties for agricultural land with parcels of 150 acres or less.

"In the matter where intervention requests are required to be submitted in writing to the LUC for consideration no later than thirty days after the date of petition for boundary changes filed with the LUC, I have a problem with that, just because you have to assume that the process will fail and will not represent your interest and so you intervene with that assumption. And I would like to come up with a system where you people will have a chance of using the system to make it work and if it doesn't work, you'd have the ability to intervene at basically as an appeal.

"And so, with those concerns I'd really hope that we can look at this in conference and I would like to vote up on the final bill because we do need land use reform. But unfortunately, I haven't been able to have my say and participate in this process because I don't sit on the Committees for doing it, but I do hope that the Conference Committee can take some of these considerations into their deliberations in conference.

"Thank you, Mr. Speaker."

Representative Morita rose and asked that a no vote be cast for her (the Chair "so ordered"), saying:

"Many of my concerns echo many of the comments made by the Representatives from Kailua and Kohala."

Representative Meyer rose and asked the Clerk to register an aye with reservations (the Chair "so ordered"), saying:

"I'm concerned about the 150 acres. That's a whole subdivision and you'd also have the ability to rezone ag land which the previous speaker has said that that should be a State function.

"Thank you, Mr. Speaker."

Representative Thielen rose and stated:

"Mr. Speaker, in response to the Majority Floor Leader's comments, I would like to explain. Yes, the word 'substantially' has been added. Standing will be given to those groups that can demonstrate they will be so directly 'substantially' and immediately affected by the proposed change. What's eliminated is that 'move to intervene shall be freely granted.' So we know what's going to happen. The battles will be fought on whether an environmental group will be allowed to having standing and many of those battles will be lost. We won them in the 1970s. Now twenty years later, we move backward.

"There's another concern I'd like you all to look at. Look at what's being eliminated on page 19 of the bill. The Land Use Commission will no longer look at the impact of the proposed reclassification on areas of State concern, such as preservation or maintenance of important natural systems or habitats. Now, why the blazes are we taking that out? The Land Use Commission no longer will be paying attention to maintenance of valued cultural, historical, or natural resources. Why the blazes are we eliminating that?

"We're not moving forward, Mr. Speaker. And I hope on Monday, that you all take a look at this very seriously

and give it the consideration that it deserves. I'd be very happy if it doesn't come out on Tuesday for a vote.

"Thank you."

Representative Santiago rose and stated:

"Mr. Speaker, I want to ask that my vote be entered with reservations (the Chair "so ordered"), but on an issue like this I do want to take a closer look. I represent a district that oftentimes have many land use issues that are of deep concern. So I will take a closer look at it during further debate.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2063, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Morita, Tarnas and Thielen voting no, and Representatives Hiraki, Menor and Takamine being excused.

### THIRD READING

#### S.B. No. 2822, SD 1, HD 1:

By unanimous consent, action was deferred until April 14, 1998.

#### S.B. No. 2135, SD 1, HD 1:

By unanimous consent, action was deferred until April 14, 1998.

#### S.B. No. 2132, SD 1, HD 1:

By unanimous consent, action was deferred until April 14, 1998.

#### S.B. No. 2136, SD 1, HD 1:

By unanimous consent, action was deferred until April 14, 1998.

#### S.B. No. 2805, SD 1, HD 1:

By unanimous consent, action was deferred until April 14, 1998.

#### S.B. No. 2495, SD 1, HD 1:

By unanimous consent, action was deferred until April 14, 1998.

#### S.B. No. 2466, SD 1:

By unanimous consent, action was deferred until April 14, 1998.

#### S.B. No. 2796:

By unanimous consent, action was deferred until April 14, 1998.

#### S.B. No. 2903:

By unanimous consent, action was deferred until April 14, 1998.

At 5:40 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:50 o'clock p.m.

### STANDING COMMITTEE REPORT

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1302-98) recommending that S.B. No. 2259, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2259, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Ward rose to speak against the bill, stating:

"Mr. Speaker, this bill is hot off the press. In fact, literally in our hands we have the Xerox residual. However, as we look at this bill, this is a 'mother' of all bills -- there are ten bills in one. This is the ERTF, this is the resurrection of the 4.5 percent general excise tax increase. This is the attempt to give the Senate a chance to recant their position to pass the general excise tax.

"Mr. Speaker, when we began our session we asked for wisdom and discernment in prayer. This is neither wise nor discerning to put this 'poison pill' among those ten to do what otherwise very wisely has the TAT tax go from 11.5 percent back to 11 percent. That's a very good piece of it. In the other eight, they seem reasonably sound and reasonably rational. We are taught not to build houses on sand but on rock. We are taught to build a society and an economy on sound principles. And if this bill continues to tax ourselves into prosperity, continues to base itself on the premise that if we just tax the people long enough, we will have prosperity.

"Mr. Speaker, that is not discernment, that is not wisdom and this, unfortunately, is a step backwards, and I am voting against it.

"Thank you."

Representative Moses rose to speak against the bill, stating:

"Mr. Speaker, there is no way to disguise this bill. It's titled properly. It says: 'A Bill for an Act Relating to Taxation,' and that's exactly what it is. And my colleague just mentioned: provide for a new general excise rate of 4.5 percent, increase the use tax to 4.5 percent, impose the use tax on imported services, increase the transient accommodations tax (TAT) to 11 percent. It's a tax bill.

"And as my colleague also mentioned, this thing is still hot. We haven't had the chance to see it. All we had a chance to do was turn to the Committee Report and see that this is just another way of taxing the people of Hawaii.

"Please enter a 'no' vote for me, Mr. Speaker."

Representative Say rose to speak in support of the bill, stating:

"Mr. Speaker, for the edification of the members of the House, Senate Bill 2259, HD 1, is a compilation, yes, of ten measures that were introduced in this House, respectively.

"The biggest hangup that the Minority may have is in reference to House Bill 2568 that is deadlocked in the Senate Ways and Means Committee, which was the House position, Mr. Speaker, when it went over.

"I am really enjoying this debate, in all candidness to all of you, because there is nothing as far as the 'poison pill' in this measure. There is nothing! To incorporate House Bill 2568, HD 1, the people of the State of Hawaii will have a tremendous windfall in their savings of their personal income taxes: 25 percent for the first two years, 35 percent in the third year. There is a tax credit for the low income, a double tax credit exemption for the retirees. I look at that as being very positive for the people of the State of Hawaii. And how do we pay for it? In cutting the State budget for the next three years, and raising the excise tax by .05 percent. One of my colleagues said that was about 37 cents and I said: 'No.' The 37 cents per day was based on 5.35 percent.

"I am very honored that the members of the Finance Committee agreed with me in lowering the TAT, Mr. Speaker. As far as listening to the industry, that is also struggling along -- the tourist industry, the hotel industry -- from 11.5 percent back down to 11 percent, which the industry agreed to. They were upset at the beginning on our original House bill because of the .05 percent increase. And now we have listened to the industry, Mr. Speaker and members of this House.

"The GET exemption for aviation cleaning facilities -- for the past three years and this year, we had measures that Chancellor Joyce Tsunoda asked us to support for the community colleges. There are members that have asked the Committee on Finance to look into areas of how we can make the State of Hawaii much more attractive in bringing in this industry -- teaching these mechanics and pilots.

"The GET exemption for real estate investment trusts (RITS) will be a major boon for this economy. And why we are granting the exemption is because the real estate investment trusts, as a trust, do not get the profit of all the rentals that come in because it goes to the investors of the trust. And why should we tax them --- the real estate investment trusts -- half a point at 4 percent, Mr. Speaker? Throughout the country, RITS are just making a lot of money and you folks have read the business magazines. That was a way to circumvent and adapt to the federal tax laws also.

"In House Bill 1012, HD 1, we have incorporated that for the income-splitting for tourist-related services as well as goods.

"Mr. Speaker, there are ten measures that I asked the public this evening to look at which is the total package on behalf of economic development and economic opportunities toward jobs. Isn't the number one priority that we saw in the survey by one of our local dailies that job opportunities were the major concerns and worries of our people? I hope we are not 'naysayers' here this evening, but individuals who have the courage to develop a package of giving the people of the State of Hawaii an opportunity.

"One group, in reference to Senate Bill 2065, SD 1, agreed that if we would adopt the general exemption for sales between wholesalers, the original package doctrine, they would support the .05 percent increase. And that was the Hawaii Food Industry Association. Why, Mr. Speaker? This exemption, for example, gives a wholesaler who has a representative here who brings it in and then sells it to a wholesaler, the 4 percent cuts the pyramiding. Why should the manufacturer's representative here that brings it in for another wholesaler

be assessed the 4 percent when he sells it to the wholesaler?

At this point, Representative Nakasone rose and yielded his time.

Representative Say thanked the Chair and continued, saying:

"This is all pro-business. Can I have a conflict because I'm a wholesaler? I thought we were all here in our goal and endeavor to address our business climate. And these ten measures in the bill, Mr. Speaker, will allow the business community in the State of Hawaii to survive the global market.

"I wasn't prepared to speak and I told the Minority when we came to this session that I hope the Minority would not speak on Second Reading. But I am happy to discuss the ten measures that we have incorporated in the bill, and like I told the members of the Finance Committee this is the only 'vehicle' we have alive, and I think the members of the Finance Committee realize that. And as I said to the members of the Finance Committee and to the members of this House, our reckoning will come by tomorrow or by next week when we see the proposals of the Senate if they are responsible and balanced, tied to their financial plan and the budget.

"So at this time, Mr. Speaker, I would just like to ask all of my members to support this measure on Second Reading and we will have a much more lively debate on Third Reading.

"Thank you."

Representative Kawanakoa rose and stated:

"Mr. Speaker, I vote 'nay.' The Chair asked us not to be 'naysayers' but I am voting 'nay.' I understand my good colleague's concern with the other good measures that are in this particular bill, as it is now referenced at some 147-150 pages.

"Mr. Speaker, you know very well that we didn't have the time to offer an amendment to excise the excise tax because we believe in the good measures that are also couched in this bill. But as it is now, we're being forced to vote on it all in one because we just received this bill, maybe five or ten minutes ago, without the opportunity to offer an amendment so we could clearly show the people of Hawaii where we stand. That we stand with the other resolutions or the other aspects of this bill. But we cannot, and we continue to stand in opposition to an increase in the excise tax.

"It was also mentioned the issue is jobs and we've been saying from the start that this will not create jobs. The stimulus to the economy is too little. I know last Monday we had a great rally here and a great discussion on increasing taxes. It was interesting to note that there were no Minority views allowed to discuss their concerns at this rally.

"I would simply say now that we are pushing this off until Tuesday and that there will be a 'showdown' on Tuesday. And I can only say that this Representative will continue to vote 'no' on an increase in the excise tax, and I encourage the rest of my colleagues: do not be cajoled along with the notion of, let's keep this alive, as we discussed on the first crossover to the Senate. Many of our Representatives were asked: please keep the idea alive. Maybe the Senate will come around to our way of thinking. It seems clear to me that the Senate is not coming around and that argument shouldn't hold much water. So I encourage my colleagues to have the fortitude

and the courage that was mentioned earlier to vote their conscience and not just to keep another ball in the air. When it comes to solidify the direction of this State, we need to give guidance, we need to give leadership, and that is up to us in the House of Representatives.

"Thank you, Mr. Speaker."

Representative Tarnas rose to speak in opposition to the bill, stating:

"Despite all the excellent provisions in the bill, I did make a commitment to my constituents not to support an increase in the general excise tax, and I have to honor that commitment because those are the people I work for. For that reason, I have to vote against this measure.

"Thank you, Mr. Speaker."

Representative Pendleton rose to speak against the bill, stating:

"As my distinguished colleague from Nuuanu has said, there are many good provisions in this bill. Provisions which we have talked about for a long time, provisions which we wholeheartedly embrace. But unfortunately, these are coupled with the GET increase and so that is why I'm going to have to be voting no.

"It is interesting that the Chair of Finance spent so much time singing the praises of things that we all agree on. Our opposition has nothing to do with all of the other tax reduction proposals. We welcome those. We wish there were two separate bills: put the GET increase in one separate bill and you can get a unanimous vote on all the rest of the tax reduction proposals. But it's the GET increase that concerns us.

"The reason why it concerns us is because even the ERTF, their Task Force, their Working Group, did not recommend this, even at the ERTF level. They did not say that this was the heart of the program, that this was the centerpiece, that this was the most important piece of the whole program when they gave a town meeting in Kailua. They de-emphasized it. They said the GET increase is just one of the many things that they want as an entire package. There are many things that we can talk about. We're not going to enumerate and number which one is most important.

"Mr. Speaker, the Legislature has compromised on the corporate tax reduction. We have compromised on the issue of reducing the pyramiding on the services side. We have compromised on the issue of abolition of the Land Use Commission to duplicative land use. We have compromised on the issue of County Boards. All of these things were recommended by the ERTF. We're willing to compromise on those things but when it comes to the GET increase, that's the heart of the matter. That's where we have to draw the line in the Senate. That's what apparently was the centerpiece of the ERTF program according to certain members. Well, I disagree. I don't think the GET increase was the heart of the program. If we are willing to discuss and to make amendments and changes to the ERTF proposals on all those other measures, why can't we do that on the GET increase measure? This was not the heart of the program. You can ask anyone. Tom Lappart, he will not say that this was the centerpiece. . .

Representative M. Oshiro rose on a point of order and said:

"Mr. Speaker, I believe that this bill is regarding the House tax proposals and not the ERTF proposals and we should debate that particular matter."

The Chair answered:

"Representative, please continue and confine yourself to the measure. Thank you."

Representative Pendleton continued, saying:

"I will. Mr. Speaker, if we want to pretend that this has nothing to do with the ERTF, we can do that.

"Finally, I will be voting no because of the GET increase, but I do want to make a comment that procedurally, having this bill voted through the Finance Committee so late today and coming before us again. . . you know, it's many, many pages long -- 155 pages long. Is this the best way to make these tough, difficult decisions? I think many businesses in this State have to make some very, very tough decisions -- Queens, Liberty House, et cetera. I don't think that they say: well, let's wait till the very last minute and let's give our Board of Directors information minutes before they need to speak on these minutes before they need to vote. I don't think it's prudent. I certainly don't think it's the optimal way of making some of these tough decisions. Apparently, we think that that's the way we need to operate here. Maybe that explains why we are facing some of the challenges we are facing today.

"Thank you, Mr. Speaker."

Representative McDermott rose to speak against the bill, stating:

"Mr. Speaker, I've tried to vote against every tax increase and like the good Representative from Kona, I took the same pledge of oath. I told my constituents I won't vote for any tax increases. And as the Representative from Makakilo pointed out, this 'baby' is worried. I'm a pretty big guy but I have trouble lifting it because it has so many taxes in it. I can't lift it up.

"Mr. Speaker, we won't support the tax reform for the income tax brackets by robbing Peter to pay Paul. We're lowering tax rates on one hand and raising the excise tax on the other because we don't have the courage to cut government. It was mentioned before, when our budget came out, we cut about 1.8 percent. That's not enough. And if people ask: 'where are you going to cut?' I say: 'cut the Rent Subsidy Program which services about 644 families.' That's not everything but it's a start. That's one program, and I'm on record to say that we should eliminate that one. But we haven't done enough. We need to go further and we shouldn't tax our bosses.

"Thank you."

Representative P. Oshiro rose to speak in support of the bill, stating:

"Mr. Speaker, while the primary intent of this bill is to position various measures for our upcoming House/Senate Conference Committees, I would like to offer a few comments on the tax reform provisions that are contained in this bill.

"The personal income tax reduction proposal, Mr. Speaker, is a very comprehensive one, which blends several different components together into a single package which will significantly lower taxes for the residents of Hawaii. So while it may be very tempting, Mr. Speaker, to take certain parts of this tax reduction package and to applaud or to criticize its parts, that would not fairly reflect, Mr. Speaker, the true intent and the true impact of this tax reduction proposal.

"This measure, Mr. Speaker, consists primarily of two major components. First and foremost, this proposal implements a major reduction in personal income taxes, which is estimated to total in excess of \$800 in tax savings for our residents over the next three years. To minimize the negative impact that this \$800 million revenue loss will have upon State programs and State services, to minimize that, the second part of this measure increases the general excise tax by 1/2 of 1 percent. And I need to emphasize, Mr. Speaker, that the only reason for this increase in the general excise tax is to partially make up for the \$800 million in personal income tax relief. That is the only reason.

"When viewed together -- the partial income tax reduction and the excise tax increase -- when viewed together as a package, this proposal is estimated to result in a \$460 million tax reduction for the residents of Hawaii over the next three years. And I truly believe, Mr. Speaker, that the additional dollars that our residents will gain by this proposal, will encourage additional spending which will, in turn, result in the strengthening of our economy.

"Mr. Speaker, as we move into Conference Committee, it is imperative that we enter into these deliberations with a fundamentally sound, and fiscally responsible tax reform package which is a part of our overall financial plan. And that is what we have done, Mr. Speaker.

"I truly believe that the House has taken a very balanced approach in the development of this tax reform proposal, which includes a significant reduction in personal income taxes, a tax revenue enhancement initiative, along with a major reduction in government expenditures. And while, Mr. Speaker, at present, our tax reform proposal which we will be entering into conference with, while at present the House tax reform proposal may differ substantially from that of the Senate, I certainly do believe that with continued dialogue and discussion, that we will emerge at the end of this session with a tax reform measure that will be an integral part of our effort to revitalize Hawaii's economy.

"Thank you."

Representative Fox rose to speak against the bill, stating:

"Mr. Speaker, we are in a serious economic crisis in Hawaii today. I would really encourage all 51 members of the House to try to come together on a solution to the economic crisis that we face to the other, and to put aside partisan differences and really search out a solution that can work for the people of Hawaii.

"Unfortunately, what we have before us this evening is a gigantic 'sugar-coated pill' that at its core is a pocket of lethal poison, and that is the excise tax increase. Part of the sugar-coating that we're looking at this evening is a \$10 million reduction in the taxes that tourism-related businesses have to pay. That's designed in part to draw those industries into supporting the 'poison pill' of an excise tax increase. Another \$10 million that we have is to bring aboard, as the Representative from Palolo, the Chair of our Finance Committee has pointed out, the Hawaii Food Industry Association. To bring them aboard, we have sugar-coating of \$10 million in a tax break for them. It is all designed to move through this \$120 million 'poison pill' of the excise tax increase. This increase is not necessary and it would be really good if we'd all work together to take this off the table.

"We do have a proposal to reduce income taxes by \$230 million. We can pay for that \$230 million without increasing excise taxes. If we do away with the \$20

million that we proposed tonight, we do away with the credit of \$42 million that we have to put in so that 'poison pill' will go down. That's \$62 million in credits that we're incorporating to get the 'poison pill' down our system. The total cost now of the excise tax 'poison pill' is only \$100 million -- that's only three percent of our general fund budget.

"If we can find \$100 million in savings in this government and, Mr. Speaker, I say that if the House and the Senate together are up to that challenge, we can find \$100 million more worth of savings in that budget. If we find \$100 million more in savings, we do not have to increase the excise tax. That's all we need. The bill is now down to \$100 million since we obviously have \$20 million worth of savings that we talked about tonight -- a hundred million dollars.

"I believe that's an entirely achievable objective, Mr. Speaker, and I believe that we should all -- all 51 of us and all 25 of those in the Senate -- should work to find that \$100 million in savings. We can do it and we can thereby avoid hitting the people of Hawaii with an excise tax increase in a down economy, hitting the tourists who visit Hawaii, including many tourists from Japan who've indicated very clearly their lack of interest in the consumption taxes. We can avoid having them be faced with higher taxes because we are talking about charging the tourists higher taxes. That is what it's about when we talk about an excise tax increase. So let's take that off the table, let's find \$100 million worth of savings. Let's reduce the general fund by another three percent, and we can have it all.

"Thank you, Mr. Speaker."

Representative Stegmaier rose to speak against the bill, stating:

"I want to focus on our need to cut government spending so significantly that we force ourselves to streamline our government, and we force ourselves to cut waste and end duplication of government services. In the area that I am familiar with -- education, health and human services -- Mr. Speaker, I still see much duplication and much waste.

"The general excise tax increase that is in this bill will keep from reducing government to the level that we need to make these changes to government that will open up opportunities in the private sector and, therefore, eventually stimulate our economy. For these reasons, I am in opposition to this bill.

"Thank you."

Representative Ahu Isa rose in support of the bill with reservations, stating:

"Mr. Speaker, I am against any increase in the general excise tax and I will continue to oppose any increase. But we need a 'vehicle' to take to conference. And I am not being fooled because I know this increase will hurt the poor, the elderly and people on fixed income. A lot of people don't look down the road when they file their income taxes and that they will get back a return. They look at the dollars that they take to the supermarket and whenever they have to purchase something, they have to count their pennies to pay their taxes. I know, at this point in time, Mr. Speaker, we have nothing to bring to the 'table', as the Chair has said.

"This bill incorporates nine measures that will stimulate our economy and create jobs. I look at some of them here exempts the general excise tax on exported services, exempt hotel room rentals from the general excise tax,



provides a general excise tax exemption for real estate investment trusts, exempts wholesalers from the .05 percent general excise tax assessments.

"It is only fair, Mr. Speaker, that we give this bill a chance. It is only fair to our constituents at this point, and I commend the Chair of Finance, and I have faith in him as we go to conference at this point.

"Thank you, Mr. Speaker."

Representative Case rose to in opposition to the bill, stating:

"Briefly, Mr. Speaker, my objection remains the increase in the general excise tax, which I regard as a failure to 'face the music.' Frankly, I also have questions or reservations, I'm not sure which, on a number of the exemptions that are in this bill. I think we have to realize that exemptions can be worthwhile, but they can also be bad when they shift a disproportionate tax load over onto non-exempt taxpayers.

"So as I look in here, I note that we need to explain why it is, for example, that we are proposing an exemption for employee leasing companies, or telecommunication services. The more exemptions we have, the more urging or compelling the argument to raise the general excise tax to raise revenue from a smaller tax base, which I think is exactly the wrong way to go.

"Thank you."

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, my opposition comes because of the increase in the general excise tax. I pulled something off of the Web, and it's a recent Governor's speech of the Bank of Japan. 'The Japanese economy has not shown any definite signs of recovery since its reaction to the rise in the consumption tax rate in April 1997. Rather, economic recovery appears decelerating.' I think we can take a lesson from what they have learned and experienced.

"Thank you, Mr. Speaker."

Representative Santiago rose to speak in support of the bill with reservations, stating:

"Mr. Speaker, what really gets me is at least what I'm hearing tonight, and I'm really pleased to hear that there's acknowledgement on the part of those who are voting against the bill, that within the measures, and most of these we've heard before, there is the largest decrease in the history of our State.

"I know when I came down here, I told my constituents that I'll do the best job I could. I served them honestly with integrity and I have tried, for the last couple of weeks now, to speak to as many people as I could, who are voting against the measure, to come up with an alternative -- show me how. And I keep hearing, you know, we need to 'face the music', we can have it all if we don't raise the general excise tax -- let's just go down a little bit more on the income tax. And I say, surely, that's easier to sell. And I think with the help of the media -- they're still here but they turned off their cameras. With the help of the media explaining to the public that this whole focus and this whole debate seems to be only about the .05 percent increase, that's all that the message is going to get out.

"What I'm really concerned about and what I try to get the economists -- the experts in this area -- to talk about is: how much of the stimulus do we have to absolutely look at to get this economy going? Because we can debate till the end of time what's the right thing to do, et cetera, et cetera. But I think the bottom line for me and the legacy that I want to leave when I leave this place, however way I go out, is that I didn't just think about like right now because the economy needs to get going,

"What we're talking about here is \$800 million -- \$340 million is going to be looked at through the general excise tax, 30 percent of that is going to be exported, I imagine, to the visitors if I'm hearing the correct figures and the total deduction of \$460 million. And I hear that we've not cut enough in government and every time we say, well, where more are we going to look at, I hear vague generalities about, well, there's waste here and there's a little bit waste there. We can cut a little bit here, we can cut a little bit there. And I say to everybody: hey, let's look very closely at every one of those suggestions. I know I've looked at it in the department that I'm overseeing, and what I see is a department that is totally demoralized because they are having cuts that affect people. I sometimes refer to and I see some of my people up there talking about the Peer Education Program that's on the block to be cut as non-essential. These are essential services.

"So I share with you, Mr. Speaker and my colleagues, that I'm hopeful that by the time this session is over, that we will have achieved the goal of trying to stimulate the economy and really taking some tough choices, whatever they may be, and that be the goal primarily, because if we don't, the hurt that we're hurting with now will get worse, and I truly hope we don't take the easier 'sell', maybe the tastier 'pill', and try to have our cake and eat it too, which is to say: we're not going to go so far down. Everyone will understand if we don't raise the general excise tax. If there's a way that we can do it, who in their right mind is going to say: 'me, me, me, I want to raise the general excise tax.' Who in their right mind is going to do that? You know, I don't think anybody sitting here wants to do that. But I think everything else I've looked at, every other solution that has come my way, is not going to accomplish the goal that we know we need to achieve, Mr. Speaker. And I'm searching, like the rest of you. We still have time. If there is a way to do it, let's find it. We haven't found it yet, obviously, Chairman. We've been looking high and low and under every rock. But, Mr. Speaker, I'm still hopeful.

"Mr. Speaker, I share these words with you only because the silence is deafening on the part of those who are in support of the measure. I'm hoping that the statistics that you shared in your article will come forward in terms of how other states have dealt with this before the end of session.

"Thank you, Mr. Speaker."

Representative Meyer rose to speak against the bill, stating:

"It is very difficult for me to vote 'no.' I just voted with reservations in the Committee. I have been an outspoken critic of the fact that we haven't reformed our personal income tax here since about 1965. Little by little, the residents of this State have been taxed more and more because we've made no adjustment for inflation. We have the very worst income tax in the country with the lowest threshold, the highest rate. You may look at some tables but they are not comparing apples and apples because some of the other states tie the state tax. You are

able to subtract your federal tax. . . we just have the worst possible thing, and I'm very anxious to see this reformed.

"But I personally feel that the excise tax is one of the most onerous taxes. And again, the graphs that we look at that are circulated around again are not accurate, because we're always being compared with other states' sales taxes and our excise tax is not a sales tax. And it is such a painful tax on the self-employed, people that perform services. It's that 4 percent right off the top, right at the gross, whether they're profitable or not.

"Obviously yes, I wanted this bill to come out of Committee. It's the only 'vehicle' we have and it's the only chance of getting some kind of income tax relief for the people of Hawaii, but I would rather see the income tax reduction loss, or spread over a few more years, so that we can finally make it more fair, but not increase the excise tax.

"Thank you, Mr. Speaker."

Representative Aiona rose and asked the Clerk to register a "no" vote for him, and the Chair "so ordered."

Representative Goodenow rose in support of the bill and asked that the remarks of the Representative from the North Shore be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Marumoto rose in opposition to the bill, stating:

"I don't believe that this is an economic stimulation package. The Bank of Hawaii economist said this several times to us in November. He said it was a restructuring of our taxes as befits our being increasingly a service economy. So I don't think this will really help our economy or job creation. I think it will really hurt our small businesses and our lower and middle class, especially the middle class, and it will hit them right in the gut.

"I think we have an opportunity to kill the excise tax increase at this point because it is deadlier than a dried thing in the Senate I hope -- we'll know tomorrow. But if we kill it now, it would be a good thing. If we keep it alive and allow it to go to conference, it could turn into a 5.35 percent monster, and I would hate to see that. It would be much worse than the present 4.5 percent. Also the TAT, the hotel tax, can go from 11 percent to 12.35 percent in conference. I think we've got to be very much aware of how much these taxes could hurt our economy.

"The Representative from Kailua cited the fact that the consumption tax in Japan went from 3 to 5 percent and their economy plummeted over 11 percent, and they are in a very critical situation now. We have got to be very cognizant that our economy could go into a 'spin', that the Japanese economy could also go into a 'free fall', and I think we have to take some bitter medicine now and cut our spending.

"I regret I have to vote 'no' on this measure because there are some good things in it, but I think because we're at such a critical juncture in our economy, this is something we must do.

"Thank you."

Representative Takai rose and asked the Clerk to register a "no" vote for him and requested that the words of the Representative from Manoa be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2259, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aiona, Case, Fox, Kawanakoa, Marumoto, McDermott, Meyer, Moses, Pendleton, Stegmaier, Takai, Tarnas, Thielen and Ward voting no [with additional noes of Representatives Halford and Whalen as noted below], and Representatives Menor and Takamine being excused.

Representative Marumoto then rose and called for a division of the House.

The Chair responded: "We just had a vote, Representative."

At 6:30 o'clock p.m., Representative Kawanakoa asked for a recess, and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 6:36 o'clock p.m., Representative Whalen rose on a point of personal privilege and stated:

"Mr. Speaker, as Representatives of the House, we are all entitled to have our 'no' votes registered and at the last vote, I was deprived of that privilege to have my vote registered. I understand the discussion and the Speaker's desire to end it, which I agree with by the way. However, I do feel that I was entitled to have a 'no' vote registered."

The Chair responded:

"Representative, you are out of order. The vote was taken and you did vote. In fact, you voted 'no' along with all those who voted 'no', so at the request for an aye or a nay, you voted nay. It was so recorded."

Representative Whalen: "I'm rising on a point of personal privilege."

Chair: "State your point."

Representative Whalen: "The other Representatives had the opportunity to have their 'no' vote registered in the Journal. I'm simply asking for that same privilege that was granted the other members."

Chair: "You will be given that privilege on Tuesday. This is Second Reading, the vote has been taken."

Representative Whalen thanked the Chair.

[Comments inserted pursuant to the Speaker's directive announced on April 14, 1998 (48th Day):

Representative Halford: "For the sake of representative democracy, and for the sake of my constituents' right to know how their representative voted, I am asking that you formally record my Second Reading 'no' vote on SB 2259, SD1, HD1.

"In the complex dynamics of this 51 member House, occasional deviations from correct form will occur. In these instances, prudent action is both the best approach and the whole solution.

"Thank you for recording my 'no' vote."]

At this time, Representative Okamura was permitted a late introduction and he introduced to the members of the House Mr. Paul Kawaguchi, Senate Clerk, and Mrs. Carol Taniguchi, Assistant Clerk of the Senate.

**ANNOUNCEMENTS**

Representative Arakaki rose and stated:

"In all this debate over economic and fiscal policy, I think it is important to keep our perspective and remember why we make these decisions. They're basically for our children and for our future generations. So tomorrow, we're having a handful of hardy and committed individuals who will be 'walking the talk' and putting feet on our faith and, hopefully, faith in our feet, to really talk about and emphasize the importance of our children as we visit different programs and agencies. If anyone wants to join us, I would welcome them. We're going to start tomorrow at 8:30 a.m. here at the Capitol.

"The other announcement that I have: we are going to try out a new way of raising revenues for the State. We are going to have a demonstration project. It's called a 'dunking' booth. This is going to be next Wednesday during our recess. If it works, we may use it as a revenue-generating measure. But we need volunteers and we need Representatives who are willing to volunteer to be in the dunking booth and the proceeds will go towards the Foodbank. And it's going to be a challenge to see who can raise the most amount of money and pledges. Somehow, Mr. Speaker, I think if you volunteered you'd probably raise the most, so please think about it."

The Chair responded: "I'll take that as a compliment."

Representative Ward rose and wished all the members of the House "A Happy Easter."

Representative M. Oshiro moved to keep the Journal open until 12:00 midnight this legislative day for the purpose of receiving Standing Committee Reports and Senate Bills transmitted thereby.

Representative Marumoto rose and stated:

"Mr. Speaker, I second the motion, but I would like to address the motion. I would like to express reservations on it."

The Chair stated:

"But you just seconded the motion. You cannot second and state your reservations. You just seconded the motion. Please sit down.

The Chair then asked:

"Is there any discussion on the motion" Now, you may state your reservations."

Representative Marumoto stated:

"Mr. Speaker, on the motion to keep the Journal open, I notice that some Standing Committee Reports will be going into the Clerk's Office and attached to the reports will be some Senate Bills. I'm wondering, if we are passing Second Reading, will we have the opportunity to vote on them or actually see them, or will we not be able to see them until tomorrow after which they are printed?

"It's just simply an objection on my part. I protest the arrangement, and so I wanted to express my reservations on this motion."

Representative Okamura rose and stated:

"I just want to clarify that we are not keeping the Journal open and there's not going to be any bill that's going to be submitted for Second Reading. Everything

that is passing Second Reading, we adopted this afternoon and this evening."

Representative Marumoto rose and responded:

"Mr. Speaker, I am a little puzzled because if we keep the Journal open until midnight for the purpose of receiving Standing Committee Reports, my understanding is the ones we voted on have already been received and so I don't know why the Journal is kept open."

At 6:42 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 6:45 o'clock p.m., the motion to keep the Journal open until midnight this legislative day was put to vote by the Chair and carried, with Representatives Menor and Takamine being excused.

At 6:46 o'clock p.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. 1303-98 through 1367-98) were received in the Clerk's Office up until 12:00 o'clock midnight this legislative day, and subsequent to its recessing at 6:46 o'clock p.m., the House of Representatives took the following action:

Stand. Com. Rep. No. 1303-98 (CPC) and S.B. No. 1946, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF MEDICINE," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1304-98 (CPC) and S.B. No. 2761, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1305-98 (CPC) and S.B. No. 3094, SD 2, 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 April 14, 1998.

Stand. Com. Rep. No. 1306-98 (CPC/JUD) and S.B. No. 2460, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ACQUISITION OF HOSPITALS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1307-98 (CPC/JUD) and S.B. No. 2914, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1308-98 (CPC/JUD) and S.B. No. 3137, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1309-98 (CPC/JUD) and S.B. No. 2770, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1310-98 (JUD) and S.B. No. 1601, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1311-98 (JUD) and S.B. No. 2846, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1312-98 (FIN) and S.B. No. 1465, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1313-98 (FIN) and S.B. No. 2454, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1314-98 (FIN) and S.B. No. 2816, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPOSITION OF THE BOARD OF THE HAWAII PUBLIC EMPLOYEES' HEALTH FUND," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1315-98 (FIN) and S.B. No. 2852, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE VOLUNTARY RESPONSE PROGRAM," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1316-98 (FIN) and S.B. No. 2970, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO NOISE," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1317-98 (FIN) and S.B. No. 3035, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1318-98 (FIN) and S.B. No. 2582, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURERS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1319-98 (FIN) and S.B. No. 2618, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1320-98 (FIN) and S.B. No. 3143, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITY TRANSMISSION LINES," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1321-98 (FIN) and S.B. No. 3248, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1322-98 (FIN) and S.B. No. 1273, SD 1, HD 1, as amended in HD 2, entitled: "A

BILL FOR AN ACT RELATING TO VICTIMS OF SEXUAL ASSAULT," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1323-98 (FIN) and S.B. No. 2338, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF HOISTING MACHINE OPERATORS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1324-98 (FIN) and S.B. No. 2559, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPLOSIVES," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1325-98 (FIN) and S.B. No. 2768, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PAYMENTS TO HEALTH CARE PROVIDERS FOR WORKERS' COMPENSATION CLAIMS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1326-98 (FIN) and S.B. No. 3220, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1327-98 (FIN) and S.B. No. 720, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE FEES AND COSTS FOR THE ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1328-98 (FIN) and S.B. No. 2350, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1329-98 (FIN) and S.B. No. 2326, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER'S MUTUAL INSURANCE COMPANY," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1330-98 (FIN) and S.B. No. 2689, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1331-98 (FIN) and S.B. No. 2803, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII SMALL BUSINESS REGULATORY FLEXIBILITY ACT," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1332-98 (FIN) and S.B. No. 3000, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1333-98 (FIN) and S.B. No. 3007, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT CORPORATIONS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1334-98 (FIN) and S.B. No. 2078, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1335-98 (FIN) and S.B. No. 2922, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1336-98 (FIN) and S.B. No. 2346, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1337-98 (FIN) and S.B. No. 379, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1338-98 (FIN) and S.B. No. 2092, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX LAW," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1339-98 (FIN) and S.B. No. 2413, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1340-98 (FIN) and S.B. No. 2987, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1341-98 (FIN) and S.B. No. 3043, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT COMPUTER SYSTEMS WHICH ARE NOT YEAR 2000 COMPLIANT," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1342-98 (FIN) and S.B. No. 760, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS-WITHIN-SCHOOLS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1343-98 (FIN) and S.B. No. 2966, SD 2, 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 April 14, 1998.

Stand. Com. Rep. No. 1344-98 (FIN) and S.B. No. 2820, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1345-98 (FIN) and S.B. No. 1559, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL HEALTH," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1346-98 (FIN) and S.B. No. 2349, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL

HEALTH," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1347-98 (FIN) and S.B. No. 2037, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1348-98 (FIN) and S.B. No. 2386, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COORDINATED CARE ORGANIZATIONS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1349-98 (FIN) and S.B. No. 2399, SD 2, 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 April 14, 1998.

Stand. Com. Rep. No. 1350-98 (FIN) and S.B. No. 2207, SD 2, 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 April 14, 1998.

Stand. Com. Rep. No. 1351-98 (FIN) and S.B. No. 2625, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1352-98 (FIN) and S.B. No. 2213, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1353-98 (FIN) and S.B. No. 719, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1354-98 (CPC) and S.B. No. 2308, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL, OR TECHNICAL SCHOOLS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1355-98 (CPC) and S.B. No. 2828, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIES," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1356-98 (CPC/JUD) and S.B. No. 2180, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1357-98 (CPC/JUD) and S.B. No. 3126, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1358-98 (FIN) and S.B. No. 1122, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1359-98 (FIN) and S.B. No. 2333, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1360-98 (FIN) and S.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION PROJECTS.," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1361-98 (FIN) and S.B. No. 2849, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE SALES TO MINORS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1362-98 (FIN) and S.B. No. 3076, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1363-98 (FIN) and S.B. No. 3230, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1364-98 (FIN) and S.B. No. 3025, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1365-98 (FIN) and S.B. No. 3024, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUARANTINE," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1366-98 (FIN) and S.B. No. 705, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS FOR THE JUDICIARY," were placed on the calendar for Third Reading on April 14, 1998.

Stand. Com. Rep. No. 1367-98 (FIN) and S.B. No. 2211, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 14, 1998.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock a.m. on Tuesday, April 14, 1998.