

## FORTY-SIXTH DAY

Tuesday, April 13, 1993

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, convened at 10:05 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Darrell Rott, Aiea Seventh-Day Adventist Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Fifth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 316 to 318) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 316, advising the Senate of the withdrawal of the nomination of M. CASEY JARMAN to the Board of Health, under Gov. Msg. No. 284, dated March 31, 1993, was placed on file.

In compliance with Gov. Msg. No. 316, the nomination listed under Gov. Msg. No. 284 was returned.

Gov. Msg. No. 317, advising the Senate of the withdrawal of the nomination of DONNA L. BROOME from the Waianae Coast Subarea Health Planning Council, under Gov. Msg. No. 288, dated March 31, 1993, was placed on file.

In compliance with Gov. Msg. No. 317, the nomination listed under Gov. Msg. No. 288 was returned.

Gov. Msg. No. 318, informing the Senate that on April 7, 1993, he signed the following bills into law:

Senate Bill No. 1420 as Act 3, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR THE PAYMENT PROGRAMS"; and

Senate Bill No. 1713 as Act 4, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR OPERATING EXPENSES FOR THE STATE MEDICAL ASSISTANCE PROGRAM,"

was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 413 to 440) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 413, returning S.B. No. 195, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 195, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 414, returning S.B. No. 208, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 208, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO GARNISHMENT FEES AND COSTS IN THE DISTRICT COURTS," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 415, returning S.B. No. 262, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 262, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 416, returning S.B. No. 281, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 281, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 417, returning S.B. No. 336, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 336, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HIGH SCHOOL ATHLETICS," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 418, returning S.B. No. 353, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 353, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 419, returning S.B. No. 417, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 417, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LIAISON RESOURCE TEACHER TO THE ASTRONAUT ELLISON S. ONIZUKA SPACE CENTER," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 420, returning S.B. No. 690, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 690, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAGE," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 421, returning S.B. No. 920, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 920, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 422, returning S.B. No. 930, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 930, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A RESOURCE AND TECHNICAL ASSISTANCE PROJECT ON AUTISM," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 423, returning S.B. No. 1181, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1181, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 424, returning S.B. No. 1422, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1422, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 425, returning S.B. No. 1426, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1426, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 426, returning S.B. No. 1448, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1448, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 427, returning S.B. No. 1550, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1550, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMPLEMENTATION OF A SPECIAL MARKETING PLAN PROMOTING TOURISM ON KAUAI," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 428, returning S.B. No. 1582, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1582, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL OFFICER

CLASSIFICATION AND COMPENSATION ADJUSTMENTS," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 429, returning S.B. No. 1629, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1629, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 430, returning S.B. No. 1669, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1669, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 431, returning S.B. No. 1706, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1706, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERING EMPLOYEES OF THE HAWAII PUBLIC BROADCASTING AUTHORITY," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 432, returning S.B. No. 1729, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1729, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EXCISE TAX," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 433, returning S.B. No. 818, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 818, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 434, returning S.B. No. 1906, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1906, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICE OF YOUTH SERVICES," was deferred until Wednesday, April 14, 1993.

Hse. Com. No. 435, returning S.B. No. 25, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, was placed on file.

Hse. Com. No. 436, returning S.B. No. 213, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, was placed on file.

Hse. Com. No. 437, returning S.B. No. 217, which passed Third Reading in the House of Representatives on April 8, 1993, was placed on file.

Hse. Com. No. 438, returning S.B. No. 879, which passed Third Reading in the House of Representatives on April 8, 1993, was placed on file.

Hse. Com. No. 439, returning S.B. No. 1711, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1993, was placed on file.

Hse. Com. No. 440, returning S.B. No. 1864, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1993, was placed on file.

#### **LEADERSHIP COMMITTEE REPORT AND STANDING COMMITTEE REPORTS**

Senator Holt, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 1377) recommending that the Senate advise and consent to the nomination of MULIUFI F. HANNEMANN for Director of Business, Economic Development, and Tourism, in accordance with Gov. Msg. No. 236.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 1377 and Gov. Msg. No. 236 was deferred until Wednesday, April 14, 1993.

Senators Ikeda and B. Kobayashi for the Committee on Consumer Protection and the Committee on Legislative Management, presented a joint report (Stand. Com. Rep. No. 1378) recommending that S.C.R. No. 53, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1378 and S.C.R. No. 53, S.D. 1, was deferred to the end of the calendar.

Senator Ikeda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 1379) recommending that S.C.R. No. 56 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1379 and S.C.R. No. 56 was deferred to the end of the calendar.

Senator Matsunaga, for the Committee on Science, Technology and Economic Development, presented a report (Stand. Com. Rep. No. 1380) recommending that S.R. No. 74, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1380 and S.R. No. 74, S.D. 1, was deferred to the end of the calendar.

Senator Matsunaga, for the Committee on Science, Technology and Economic Development, presented a report (Stand. Com. Rep. No. 1381) recommending that S.C.R. No. 93, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1381 and S.C.R. No. 93, S.D. 1, was deferred to the end of the calendar.

Senator Tungpalan, for the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1382) recommending that S.R. No. 84 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1382 and S.R. No. 84 was deferred to the end of the calendar.

Senator Tungpalan, for the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1383) recommending that S.C.R. No. 105 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1383 and S.C.R. No. 105, was deferred to the end of the calendar.

Senator Tungpalan, for the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1384) recommending that S.R. No. 136, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1384 and S.R. No. 136, S.D. 1, was deferred to the end of the calendar.

Senator Tungpalan, for the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1385) recommending that S.C.R. No. 162, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1385 and S.C.R. No. 162, S.D. 1, was deferred to the end of the calendar.

Senators Iwase and Tungpalan, for the Committee on Planning, Land and Water Use Management and the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a joint report (Stand. Com. Rep. No. 1386) recommending that S.R. No. 213, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1386 and S.R. No. 213, S.D. 1, was deferred to the end of the calendar.

Senators Iwase and Tungpalan, for the Committee on Planning, Land and Water Use Management and the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a joint report (Stand. Com. Rep. No. 1387) recommending that S.C.R. No. 248, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1387 and S.C.R. No. 248, S.D. 1, was deferred to the end of the calendar.

#### **ORDER OF THE DAY**

##### **THIRD READING**

##### **MATTERS DEFERRED FROM THURSDAY, APRIL 8, 1993**

H.B. No. 892, H.D. 1, S.D. 1:

On motion by Senator Iwase, seconded by Senator Kanno and carried, H.B. No. 892, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

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

The Senate reconvened at 10:14 o'clock a.m.

H.B. No. 1134, H.D. 1, S.D. 1:

On motion by Senator Iwase, seconded by Senator Kanno and carried, H.B. No. 1134, H.D. 1, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

**THIRD READING**

H.B. No. 284, H.D. 2, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Levin and carried, H.B. No. 284, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1650, H.D. 1, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Chang and carried, H.B. No. 1650, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS FOR ADMISSION TO WAIMANO TRAINING SCHOOL AND HOSPITAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1899, H.D. 2, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Chang and carried, H.B. No. 1899, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 882, H.D. 2, S.D. 1:

Senator Chang moved that H.B. No. 882, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator George rose to speak against the measure and said:

"Mr. President, I don't want to make a public thing out of it but again I'd like to strike a blow in favor of xerophytic plants again. We ought to be thinking about the conservation of water."

The motion was put by the Chair and carried, H.B. No. 882, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDSCAPING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (George, Koki).

H.B. No. 1673:

On motion by Senator Iwase, seconded by Senator Kanno and carried, H.B. No. 1673, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2078:

On motion by Senator Iwase, seconded by Senator Koki and carried, H.B. No. 2078, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1400, S.D. 1:

On motion by Senator Levin, seconded by Senator Blair and carried, H.B. No. 1400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1593:

On motion by Senator Levin, seconded by Senator Blair and carried, H.B. No. 1593, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1152 (H.B. No. 2001):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1152 was adopted and H.B. No. 2001, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR ENERGY DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1675, H.D. 1, S.D. 1:

Senator Iwase moved that H.B. No. 1675, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kanno.

Senator Blair rose to speak in support of the measure, as follows:

"Mr. President, I cannot let the matter pass without some comments. I'll be supporting the bill, in fairness to the residents of Kahana and Waimanalo who are affected by it. But I do so with serious reservations.

"We have before us an extension of two pieces of legislation which were originally enacted in 1987 and 1988. In each instance, I believe it's the third such extension. There's clearly something seriously wrong here. I hope that these matters will not just be continually punted and that there will be some oversight by the Legislature into what appears to be a breakdown in the administration's implementation of policy that was established in 1987 and in 1988. Thank you."

The motion was then put by the Chair and carried, H.B. No. 1675, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (George).

H.B. No. 1149, H.D. 1, S.D. 1:

On motion by Senator McCartney, seconded by Senator Holt and carried, H.B. No. 1149, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 293:

By unanimous consent, action on H.B. No. 293 was deferred to the end of the calendar.

H.B. No. 1191, H.D. 1:

On motion by Senator Nakasato, seconded by Senator George and carried, H.B. No. 1191, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1669:

On motion by Senator Nakasato, seconded by Senator George and carried, H.B. No. 1669, entitled: "A BILL FOR AN ACT RELATING TO FISHING IN CERTAIN WATERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1702, H.D. 1:

On motion by Senator Nakasato, seconded by Senator George and carried, H.B. No. 1702, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE WEIGHT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1670, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1670, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 1721, H.D. 1, S.D. 1:

On motion by Senator Iwase, seconded by Senator Kanno and carried, H.B. No. 1721, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1161 (H.B. No. 187, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1161 was adopted and H.B. No. 187, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1162 (H.B. No. 1609, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1162 was adopted and H.B. No. 1609, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1163 (H.B. No. 1610, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1163 was adopted and H.B. No. 1610, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1164 (H.B. No. 1611, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1164 was adopted and H.B. No. 1611, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1165 (H.B. No. 1612, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1165 was adopted and H.B. No. 1612, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1166 (H.B. No. 1613, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1166 was adopted and H.B. No. 1613, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1167 (H.B. No. 1614, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1167 was adopted and H.B. No. 1614, H.D. 1, S.D. 1,

entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1168 (H.B. No. 1615, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1168 was adopted and H.B. No. 1615, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1169 (H.B. No. 1616, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1169 was adopted and H.B. No. 1616, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1170 (H.B. No. 1617, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1170 was adopted and H.B. No. 1617, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1171 (H.B. No. 1618, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1171 was adopted and H.B. No. 1618, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1172 (H.B. No. 1619, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1172 was adopted and H.B. No. 1619, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1173 (H.B. No. 1620, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1173 was adopted and H.B. No. 1620, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1174 (H.B. No. 1621, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1174 was adopted and H.B. No. 1621, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1175 (H.B. No. 1626, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1175 was adopted and H.B. No. 1626, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORDINARY DISABILITY RETIREMENT UNDER THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1176 (H.B. No. 1663, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1176 and H.B. No. 1663, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1177 (H.B. No. 2012, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1177 was adopted and H.B. No. 2012, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1178 (H.B. No. 2042, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1178 was adopted and H.B. No. 2042, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII STATE LIBRARY FOUNDATION TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1179 (H.B. No. 2060, H.D. 1, S.D. 2):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1179 be adopted and H.B. No. 2060, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Solomon rose to speak in support of the bill and said:

"Mr. President, I know that this bill has had its share of controversy. I will be voting in favor of this bill. The Big Island is always willing and ready for the further development of astronomy. I can appreciate the situation on the Manoa campus, where development has grown to such a point, that to house these institutions have become difficult. I want to encourage our Committee on Higher Education as well as our Committee on Ways and Means to be sure to look into the possibilities of relocation to the Big Island.

"Thank you very much, Mr. President."

Senator Holt also supported the measure and stated:

"Mr. President, to speak in support of the bill with a little bit of reservation, just to make sure that the University is fairly compensated for the loss of the land, if this bill is passed. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1179 was adopted and H.B. No. 2060, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1627, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1627, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1181 (H.B. No. 883, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1181 was adopted and H.B. No. 883, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEENAGE HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1182 (H.B. No. 2030, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1182 was adopted and H.B. No. 2030, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOND AUTHORITY FOR PUBLIC HEALTH FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1183 (H.B. No. 300, H.D. 2, S.D. 1):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1183 be adopted and H.B. No. 300, H.D. 2, S.D. 1,

having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Blair rose to speak against the measure and said:

"Mr. President, I rise to speak against this bill, the purpose of which is to authorize the Housing Finance and Development Corporation to issue bonds to purchase existing housing inventory which was financed partially by the federal government through tax incentives and possibly direct appropriations in some cases.

"My objection to the bill obviously is not to the preservation of low income and moderate income housing which is in extremely short supply in this jurisdiction. My concern is that we are foregoing a much greater opportunity, the opportunity to increase the inventory of housing. If we use our bonding powers to buy existing units, we don't increase the supply. Everybody who understands economics has told us, time and time again over the years, that we have a housing problem because we don't have a sufficient supply of housing to meet the demand.

"We'll be using our limited bonding authority without increasing the housing supply by even one unit. It would be so much better, instead of buying these existing units, to use the same bonds to build new units. Just using round figures, why buy 100 units, moving out the tenants currently in those buildings who don't qualify under whatever criteria are applied, for the purpose of moving somebody else in. For the same money we can buy a hundred new units, increasing the inventory by that number of units and providing those new units for people who meet the qualifications. This leaves the existing units in the market for other people. There are an awful lot of people out there who are feeling the housing pinch, but don't qualify for government assistance programs. Rather than hurting them, which I'm afraid this bill actually does if they don't qualify for government housing, let's try and help everybody by increasing the inventory.

"For that reason, I urge the members to oppose this bill. I believe this bill is well intentioned, the alternative which I hope is not the case, is that this is a political decision and that there are constituencies in these buildings to whom we are trying to pander, perhaps a harsh word, but whose good graces we wish to be in or to remain in, so that rather than looking at the real needs of the community we're looking at the political need of trying to take care of constituencies. I trust that this isn't the case and that this is merely a misdirected effort at being big-hearted. However, I hope that even at this late hour some people will consider the ramifications and will vote against the bill. Thank you."

Senator George spoke in support of the bill and remarked:

"Mr. President, I rise to speak in favor of this particular measure.

"This is to enable us to retain housing which was constructed under HUD strictures and with HUD money; to retain them as low-income housing. It isn't a question of displacing existing tenants but rather preserving the inventory of low-income housing. This would presumably revert to market housing were we not to acquire it and keep restrictions on the housing.

"I urge the members' support of this measure."

Senator Blair then added:

"Mr. President, we are told that this bill will preserve housing, but these buildings will not disappear. They will still be there. They will still be filled with residents of our state who need that housing desperately.

"If what we're really interested in doing is providing low-income housing, let's build low-income housing. The same money that will buy these units, which we will be purchasing at fair market value and some of which will be very expensive at fair market value, can be used to build new units. We don't need to preserve these buildings, because they will not disappear, and we can use these bonds for new buildings that will increase the inventory.

"I urge the members to vote 'no.'"

Senator Koki in support of Senator Blair, said:

"Mr. President, I find myself torn. I certainly agree with the philosophy espoused by Senator Blair and sort of don't know what to do when we have a Republican in support of this. But I think I'm going to cast my vote with Senator Blair because what he says is really correct. Thank you."

Senator B. Kobayashi spoke in support of the bill and stated:

"Mr. President, a prior speaker spoke of having a hundred buildings and then casting out the people living in those buildings and then filling them with someone else. This bill will do just the opposite. It will allow people in those hundred buildings to remain in those hundred buildings because those hundred buildings will stay low-income buildings.

"We're talking about two different things -- preserving housing units, number one; and number two, preserving low-income housing units.

"This bill enables us to preserve low-income housing units. It does so by allowing us to buy existing units at lower than market replacement cost. With that savings, we could build additional housing, and the program right now allows us to do that. And so, I think that if we focus on preserving low-income housing units we will put the bill in its proper perspective. Thank you."

Senator Blair then said:

"Mr. President, three points in rebuttal.

"First is that the previous speaker had indicated that this would be lower than replacement cost and there is no evidence that he is correct. The second point is that he indicates that current occupants will necessarily meet the criteria for low-income housing. My understanding is that, in many of these units, there are tenants who would not qualify under state housing programs. When these are converted from the federal program to the state program, some tenants will not qualify.

"The fundamental point that we need to keep in mind is that when we build the new units we can apply whatever criteria we want and nobody is displaced then and that is how we preserve low-income housing units and, at the same time, increase the inventory. Thank you."

Senator Chang in support of the measure then stated:

"Mr. President, like the Senator from Kaneohe, I find myself intrigued by the situation and the novelty presented by the Housing chairman, advocating this proposal. On that basis, I'm inclined to vote 'yes.'"

Senator Fernandes Salling rose to inquire if the chair of the Committee on Housing would yield to a question.

The President posed the question to the chair and the chair having answered in the affirmative, Senator Fernandes Salling asked:

"Madam Chair, is the federal government proposing to give up these units and to get out of the business of managing these units, and is that the necessity for the state to step in and purchase them?"

Senator George answered:

"I don't have the precise details because they vary from building to building, but the HUD strictures apply only for a limited period of time and these are due to expire. As these expire, we would be undertaking to take ownership and management back from HUD in order to preserve them in the existing use."

Senator Fernandes Salling further inquired:

"If the state chose not to take it from HUD, would ownership remain with the federal government?"

Senator George answered:

"No, it would not. One presumes they would be purchased and put into market housing. No one would purchase them, I believe, as a good investment. And they will be available for purchase. It would be unlikely that anyone would purchase them to retain them in low-income housing. They would be purchased, presumably, and rehabbed and put into market housing."

Senator Fernandes Salling thanked the chair of the Committee on Housing.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1183 was adopted and H.B. No. 300, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Blair, Fukunaga, Grauly, Koki, Mizuguchi, Solomon, Tanaka).

Stand. Com. Rep. No. 1184 (H.B. No. 1147, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1184 was adopted and H.B. No. 1147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Koki).

Stand. Com. Rep. No. 1185 (H.B. No. 1364, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1185 was adopted and H.B. No. 1364, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.



Stand. Com. Rep. No. 1186 (H.B. No. 1891, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1186 and H.B. No. 1891, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1187 (H.B. No. 1930, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1187 was adopted and H.B. No. 1930, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1188 (H.B. No. 2015, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1188 was adopted and H.B. No. 2015, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHOLAWE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1189 (H.B. No. 1017, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1189 was adopted and H.B. No. 1017, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF AN OUTREACH ASSISTANCE PILOT PROGRAM IN HONOLULU," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1190 (H.B. No. 2024, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1190 was adopted and H.B. No. 2024, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Reed).

Stand. Com. Rep. No. 1191 (H.B. No. 2014, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1191 was adopted and H.B. No. 2014, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1192 (H.B. No. 2019, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1192 was adopted and H.B. No. 2019, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1193 (H.B. No. 2050, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1193 was adopted and H.B. No. 2050, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS FOR HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1194 (H.B. No. 1799, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1194 was adopted and H.B. No. 1799, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PROCESSING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Reed).

Stand. Com. Rep. No. 1195 (H.B. No. 653, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1195 was adopted and H.B. No. 653, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE SAND ISLAND BUSINESS ASSOCIATION IN IMPROVING THE INFRASTRUCTURE OF THE SAND ISLAND INDUSTRIAL PARK," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1196 (H.B. No. 734, H.D. 1, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 1196 and H.B. No. 734, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1197 (H.B. No. 1376, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1197 was adopted and H.B. No. 1376, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1198 (H.B. No. 1600, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No.

1198 was adopted and H.B. No. 1600, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR ENERGY CONSERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1199 (H.B. No. 1606, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1199 was adopted and H.B. No. 1606, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1200 (H.B. No. 741, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1200 was adopted and H.B. No. 741, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Reed).

Stand. Com. Rep. No. 1201 (H.B. No. 924, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1201 was adopted and H.B. No. 924, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR A JUVENILE JUSTICE INFORMATION SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1202 (H.B. No. 925, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1202 was adopted and H.B. No. 925, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATUS OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Reed).

Stand. Com. Rep. No. 1203 (H.B. No. 1061, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1203 was adopted and H.B. No. 1061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING VIOLATIONS EXEMPTION FOR WITNESSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1204 (H.B. No. 1730, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1204 was adopted and H.B. No. 1730, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACCREDITATION IN INSURANCE REGULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1205 (H.B. No. 1208, H.D. 1, S.D. 2):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1205 be adopted and H.B. No. 1208, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Solomon rose to speak in support of the measure, as follows:

"Mr. President, I will be voting in support of this bill. However, for the record I would like to remind my colleagues that we've been studying biomass on the Big Island for the past ten years and I would rather see a Request for Proposal (RFP) for the Hamakua area as opposed to more research.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1205 was adopted and H.B. No. 1208, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BIOMASS RESEARCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1206 (H.B. No. 1424, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1206 was adopted and H.B. No. 1424, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1207 (H.B. No. 785, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1207 was adopted and H.B. No. 785, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1208 (H.B. No. 1771, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1208 was adopted and H.B. No. 1771, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1209 (H.B. No. 220, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1209 was adopted and H.B. No. 220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FIREFIGHTER'S CONTINGENCY FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1210 (H.B. No. 687, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1210 was adopted and H.B. No. 687, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALA WAI CANAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1211 (H.B. No. 694, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1211 was adopted and H.B. No. 694, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1212 (H.B. No. 1124, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1212 was adopted and H.B. No. 1124, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RECOVERY COSTS ASSOCIATED WITH HURRICANE INIKI," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1213 (H.B. No. 1126, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1213 was adopted and H.B. No. 1126, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR HURRICANE INIKI RELATED DAMAGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1214 (H.B. No. 16):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1214 was adopted and H.B. No. 16, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES,"

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

Ayes, 25. Noes, none.

H.B. No. 534, H.D. 1, S.D. 1:

On motion by Senator Levin, seconded by Senator Blair and carried, H.B. No. 534, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS WEAPONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 604, H.D. 1:

On motion by Senator Levin, seconded by Senator Blair and carried, H.B. No. 604, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 944, S.D. 1:

By unanimous consent, action on H.B. No. 944, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1218 (H.B. No. 1660, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1218 was adopted and H.B. No. 1660, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1219 (H.B. No. 1661, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1219 was adopted and H.B. No. 1661, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1220 (H.B. No. 1662, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1220 was adopted and H.B. No. 1662, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1221 (H.B. No. 1664, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1221 was adopted and H.B. No. 1664, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH VIOLATIONS," having been

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1222 (H.B. No. 1666, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1222 was adopted and H.B. No. 1666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1223 (H.B. No. 1690, H.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1223 was adopted and H.B. No. 1690, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1224 (H.B. No. 1639, H.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1224 was adopted and H.B. No. 1639, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 539, S.D. 1:

On motion by Senator Gaulty, seconded by Senator Fernandes Salling and carried, H.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1537, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1537, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1227 (H.B. No. 747, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1227 was adopted and H.B. No. 747, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1228 (H.B. No. 790, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1228 was adopted and H.B. No. 790, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," having been

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1229 (H.B. No. 948):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1229 was adopted and H.B. No. 948, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INSPECTION OF STATEMENTS REQUIRED BY THE LOBBYISTS LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1230 (H.B. No. 1538, H.D. 2, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1230 was adopted and H.B. No. 1538, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1231 (H.B. No. 1585, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1231 was adopted and H.B. No. 1585, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POULTRY INSPECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1232 (H.B. No. 1631, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1232 was adopted and H.B. No. 1631, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER AND AUTHORITY OF INVESTIGATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Gaulty).

Stand. Com. Rep. No. 1233 (H.B. No. 1641):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1233 was adopted and H.B. No. 1641, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1234 (H.B. No. 1665, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1234 was adopted and H.B. No. 1665, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1235 (H.B. No. 2051, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1235 was adopted and H.B. No. 2051, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1236 (H.B. No. 1738, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1236 was adopted and H.B. No. 1738, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITERACY AND LIFELONG LEARNING PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1237 (H.B. No. 1896, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1237 was adopted and H.B. No. 1896, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACTUARIAL ASSUMPTIONS OF THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1238 (H.B. No. 525, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1238 was adopted and H.B. No. 525, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1239 (H.B. No. 1146, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1239 was adopted and H.B. No. 1146, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL RELATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (George, Koki, Reed).

Stand. Com. Rep. No. 1240 (H.B. No. 1178, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1240 was adopted and H.B. No. 1178, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NATIVE HAWAIIAN-OWNED INDUSTRIAL ENTERPRISE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1241 (H.B. No. 2010, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1241 was adopted and H.B. No. 2010, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS REVIEW PANEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1242 (H.B. No. 2098, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1242 was adopted and H.B. No. 2098, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN SOVEREIGNTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1243 (H.B. No. 830, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1243 was adopted and H.B. No. 830, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII-HILO HALE KUAMO'O HAWAIIAN LANGUAGE CENTER AND THE HAWAIIAN STUDIES DEPARTMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1244 (H.B. No. 1363, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1244 was adopted and H.B. No. 1363, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1245 (H.B. No. 1370, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1245 was adopted and H.B. No. 1370, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1246 (H.B. No. 1703, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No.

1246 was adopted and H.B. No. 1703, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1247 (H.B. No. 2022, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1247 was adopted and H.B. No. 2022, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1248 (H.B. No. 1322, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1248 and H.B. No. 1322, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1249 (H.B. No. 1453, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1249 was adopted and H.B. No. 1453, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII CHILDREN'S TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:58 o'clock a.m.

Stand. Com. Rep. No. 1250 (H.B. No. 1327, H.D. 1, S.D. 1):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1250 be adopted and H.B. No. 1327, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Reed rose to speak against the bill and said:

"Mr. President, I'm inclined to vote against this. I'm wondering if the chair of Ways and Means would be willing to yield to a question?"

The President posed the question to the chair of the Ways and Means Committee and the chair having answered in the affirmative, Senator Reed asked:

"Senator, I did a little bit of research and have been unable to find any place in the U.S. where this company Encogen is registered to do business other than in Delaware. And I'm wondering if you've been able to determine whether Encogen Hawaii is registered to do business here and if so who the partners are?"

Senator A. Kobayashi answered:

"Mr. President, I don't know if they are registered to do business here. This is like enabling legislation. The Budget and Finance Department will look further before

bonds are to be issued, as we do with all other companies that come before the state."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1250 was adopted and H.B. No. 1327, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR ENERGY DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Reed).

Stand. Com. Rep. No. 1251 (H.B. No. 1330, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1251 was adopted and H.B. No. 1330, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A REVOLVING LOAN PROGRAM FOR BUSINESS OPPORTUNITIES ON MOLOKAI," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1252 (H.B. No. 1800, H.D. 1, S.D. 1):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1252 be adopted and H.B. No. 1800, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Reed spoke against the measure and said:

"Mr. President, I'll be voting against this. This is another measure appropriating, this time, \$10 million for another company not registered to do business in Hawaii and the make-up of whose board of directors or partnership I have not been able to ascertain."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1252 was adopted and H.B. No. 1800, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Reed).

Stand. Com. Rep. No. 1253 (H.B. No. 178, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1253 was adopted and H.B. No. 178, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1254 (H.B. No. 656, H.D. 1, S.D. 1):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1254 be adopted and H.B. No. 656, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Solomon rose to speak for the measure and said:

"Mr. President, I will be voting in favor of this bill, however, I feel compelled to insist that the Senate pursue a financial management audit of the Hawaii Visitors Bureau (HVB). I think it's long overdue and necessary.

"I remember a few years back, the Senate did pursue a financial audit of HVB and the HVB never complied. I'm urging our chairman of Tourism, Recreation and Transportation, in all of his wisdom, to be sure that this audit will be completed."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1254 was adopted and H.B. No. 656, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1255 (H.B. No. 1047, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1255 was adopted and H.B. No. 1047, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 125, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 125, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 1694, H.D. 1, S.D. 1:

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, H.B. No. 1694, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX REFUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1698, H.D. 1, S.D. 1:

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, H.B. No. 1698, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1259 (H.B. No. 82, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1259 and H.B. No. 82, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1260 (H.B. No. 241, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No.

1260 was adopted and H.B. No. 241, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1261 (H.B. No. 434, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1261 was adopted and H.B. No. 434, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1262 (H.B. No. 2071, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1262 was adopted and H.B. No. 2071, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ADD-ON, NON-PROFIT, LONG-TERM HEALTH CARE FACILITY TO POHAI NANI CARE CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1263 (H.B. No. 214, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1263 was adopted and H.B. No. 214, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1264 (H.B. No. 576, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1264 was adopted and H.B. No. 576, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF THE ADVERSE ECONOMIC IMPACT OF DIVORCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Reed).

Stand. Com. Rep. No. 1265 (H.B. No. 1589, H.D. 1, S.D. 2):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1265 be adopted and H.B. No. 1589, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Grauly then rose to ask:

"Mr. President, I would like the Clerk to mark me down as having abstained from voting on this measure,

for the reason that I stand to directly benefit from one of the settlements that the bill is going to fund."

The Chair ordered the Clerk to note that Senator Grauly abstained from voting on the measure.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1265 was adopted and H.B. No. 1589, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Abstained, 1 (Grauly).

Stand. Com. Rep. No. 1266 (H.B. No. 1773, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1266 was adopted and H.B. No. 1773, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PROGRAM OF REGIMENTAL DISCIPLINE FOR CORRECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1267 (H.B. No. 1992, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1267 was adopted and H.B. No. 1992, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A HAWAIIAN CONGRESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1268 (H.B. No. 1120, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1268 was adopted and H.B. No. 1120, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE AND EMERGENCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1269 (H.B. No. 1153, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1269 was adopted and H.B. No. 1153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF AND REHABILITATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1270 (H.B. No. 1449, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1270 was adopted and H.B. No. 1449, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION TO CONTROL MELASTOME PLANT PESTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1271 (H.B. No. 1906, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1271 and H.B. No. 1906, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1272 (H.B. No. 658, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1272 was adopted and H.B. No. 658, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1273 (H.B. No. 951, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1273 was adopted and H.B. No. 951, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 464, S.D. 1:

On motion by Senator Matsunaga, seconded by Senator Iwase and carried, H.B. No. 464, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Reed).

Stand. Com. Rep. No. 1275 (H.B. No. 251, H.D. 2, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1275 was adopted and H.B. No. 251, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1276 (H.B. No. 966, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1276 was adopted and H.B. No. 966, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CREDIT CARD OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.



Stand. Com. Rep. No. 1277 (H.B. No. 1062, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1277 was adopted and H.B. No. 1062, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1278 (H.B. No. 1667, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1278 was adopted and H.B. No. 1667, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE TRANSACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1279 (H.B. No. 2045, H.D. 1, S.D. 2):

Senator Levin moved that Stand. Com. Rep. No. 1279 be adopted and H.B. No. 2045, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Blair.

Senator Blair rose to speak in support of the measure, as follows:

"Mr. President, I rise to speak in favor but with reservations. I can accept the measure only because it has a 1995 repeal date. But, I have strong reservations, because I believe that the director is not the person to be administering this program for two reasons.

"The first reason is that to some degree he has a conflict of interest, due to his responsibility for management of the population. I'm concerned that he may not give adequate weight to the public interest in assuring that defendants are available for trial. The more appropriate location for this program would be somewhere in the Judiciary.

"A related concern is the separation of powers issue. This program belongs in the Judiciary rather than the Executive Branch, in order to preserve the appropriate functions of the executive and legislative branches.

"I'm hopeful that between now and 1995 the program will develop in such a way that it can be readily transferred to the Judiciary. It is in anticipation of such a transfer and because the results of the program will be beneficial that I am supporting it. Thank you."

Senator Solomon also supported the measure and stated:

"Mr. President, I too would like to vote 'yes, with reservation.'

"I would like to note for the record, the previous speaker's remarks as though they were my own. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1279 was adopted and H.B. No. 2045, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF PRETRIAL INMATES,"

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

Ayes, 23. Noes, 2 (Ikeda, Iwase).

Stand. Com. Rep. No. 1280 (H.B. No. 1338, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1280 was adopted and H.B. No. 1338, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1281 (H.B. No. 2040, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1281 was adopted and H.B. No. 2040, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS WASTE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1582, S.D. 1:

On motion by Senator Kanno, seconded by Senator Tanaka and carried, H.B. No. 1582, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAT INSPECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1584:

On motion by Senator Kanno, seconded by Senator Tanaka and carried, H.B. No. 1584, entitled: "A BILL FOR AN ACT RELATING TO EXPORTS OF FLOWERS AND FOLIAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1587:

On motion by Senator Kanno, seconded by Senator Tanaka and carried, H.B. No. 1587, entitled: "A BILL FOR AN ACT RELATING TO PESTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1851:

On motion by Senator Kanno, seconded by Senator Tanaka and carried, H.B. No. 1851, entitled: "A BILL FOR AN ACT RELATING TO FEED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 115, S.D. 1:

On motion by Senator Levin, seconded by Senator Blair and carried, H.B. No. 115, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO CHILD PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 673, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 673, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 1276, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1276, H.D. 2, S.D. 1, was deferred to the end of the calendar.

H.B. No. 2028, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 2028, H.D. 2, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1290 (H.B. No. 1739, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1290 and H.B. No. 1739, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1291 (H.B. No. 975, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1291 was adopted and H.B. No. 975, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CIVIL FINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1292 (H.B. No. 1500, H.D. 2, S.D. 2):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1292 be adopted and H.B. No. 1500, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Solomon rose to speak in support of the bill and said:

"Mr. President, I will be voting 'yes' on this bill with reservation.

"The reasons have been discussed in length with the chairman of the Government Operations, Environmental Protection and Hawaiian Affairs Committee. I feel strongly that the proper agencies for these Hawaiian homestead groups to obtain grants should be either Alu Like or the Office of Hawaiian Affairs. I do not think it appropriate that the Legislature set precedent dictating as to how the Hawaiian Homes Commission should spend their dollars. I know that over the past five years, the Hawaiian Homestead Associations have done a tremendous job networking within the Homestead areas. I support their causes. However, I feel that the DHHL budget is not the appropriate funding source to serve these kinds of grant requests.

"Thank you very much, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1292 was adopted and H.B. No. 1500, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1293 (H.B. No. 1563, H.D. 2, S.D. 2):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1293 be adopted and H.B. No. 1563, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Hagino rose to speak in support of the measure, as follows:

"Mr. President, I rise to speak in favor of this measure with reservation.

"Mr. President, my reservation is that currently we do have a group of people who are doing this, from Waimea Bay to Sunset Beach, my area. They have purchased a sampling kit with their own money, so if this bill goes to conference I would appreciate the possibility of having it looked at further.

"I would appreciate the chairman looking at it and reducing the amount from \$65,000 to \$45,000, and I would hope that they would continue to look at this amount and see if it could be further reduced. As I stated earlier, the volunteers in my area have purchased a sampling kit with their own money. And if the money is deemed necessary, then they should also include the residents in the North Shore area who are currently doing this. I hope these people will be included. Thank you very much."

Senator Solomon also in support of the measure then stated:

"Mr. President, in support of the previous speaker, I too will be voting 'yes' with reservations for the same reason. The Puako community on the Big Island, through their own efforts and working with the Department of Health, is in the process of conducting their own water quality sampling and water quality study.

"When this bill goes to conference, I would appreciate the chairman's consideration to include the Puako Community Association. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1293 was adopted and H.B. No. 1563, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT TO ESTABLISH A PILOT PROGRAM TO CREATE AND TEST A MODEL OF WATER QUALITY SURVEYING AND SAMPLING USING VOLUNTEERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1294 (H.B. No. 1374, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1294 was adopted and H.B. No. 1374, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DIALYSIS MACHINE TO SERVE THE NEEDS OF THE RESIDENTS OF NORTH HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1295 (H.B. No. 1592, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1295 was adopted and H.B. No. 1592, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1296 (H.B. No. 1121, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1296 was adopted and H.B. No. 1121, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX RELIEF FOR NATURAL DISASTER LOSSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1297 (H.B. No. 173, H.D. 3, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1297 and H.B. No. 173, H.D. 3, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1298 (H.B. No. 1055, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1298 was adopted and H.B. No. 1055, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1299 (H.B. No. 1885, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1299 was adopted and H.B. No. 1885, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 6, S.D. 1:

By unanimous consent, action on H.B. No. 6, S.D. 1, was deferred to the end of the calendar.

H.B. No. 247, H.D. 1:

On motion by Senator Kanno, seconded by Senator Tanaka and carried, H.B. No. 247, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1302 (H.B. No. 1897, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1302 and H.B. No. 1897, H.D. 1, S.D. 2, was deferred to the end of the calendar.

H.B. No. 1955, S.D. 1:

On motion by Senator Tungpalan, seconded by Senator Grauly and carried, H.B. No. 1955, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1152, H.D. 1, S.D. 1:

Senator A. Kobayashi moved that H.B. No. 1152, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator McCartney rose to speak in support of the bill, as follows:

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

"First of all, I would like to commend the chairman of the Ways and Means Committee and especially the staff for working so closely with the subject matter chairs. As we all know, putting the budget together is a very difficult task. The needs always exceed the resources we have available and we know how difficult those budget decisions are this year.

"What I'd like to speak on, Mr. President, and what I'm so proud about is what the Ways and Means Committee did on the Education budget. In these tight budget years we've made a decision to make education a priority. We not only included the \$5 million requested in the governor's message; we also put in an additional \$10 million and another \$1 million in the innovative fund. The budget is truly a lump sum budget which empowers schools and creates school-based budgets.

"There are some interesting provisos in the budget which insure that the money will go to the students rather than to the bureaucracy. For example, there's a proviso which states that no more than 7 percent of the money we appropriate to the DOE can be used for administrative purposes in the state or district offices. The provisos in the budget are very productive in insuring that the money will get to the students.

"This is a budget that we all worked hard on and that we can be very proud of in taking to conference. Thank you."

Senator Mizuguchi also rose to speak in support of the measure and remarked:

"Mr. President, I rise to speak in favor of the budget bill but with some reservations and some concerns about this bill.

"I agree with the Education Committee chair that the staff and the Senators in charge have worked very hard in putting together a very responsive budget in these times of budgetary constraints.

"But, as you well know, Mr. President, I have been a proponent for many years of the concept of encouraging and permitting the making of key education decisions by and at the individual school. One major set of those

decisions is the creation and implementation of a school's budget. In the 1977 and 1978 sessions, I was able to shepherd a change in the way the budget for regular education was displayed in the budget -- in a school-by-school format. For the first time, the cost of operating each school was shown in the General and Supplemental Appropriations Acts. While the allocation of those funds remained a top-down decision, and while each school had not truly had a chance to create its budget, at least the Legislature and the people of Hawaii had the opportunity to know what it was costing to operate each school.

"The lump sum budgeting that is currently being advocated remains, even on this 46th day of this session, something of a mystery. Whether it will shed some light on what is being spent in the schools, whether it will reveal to us and to the people of this state what kinds of emphases the schools are placing, whether a school's budget is truly a creature of principals, teachers, and parents -- all these remain mysterious. I see no indications that we will know, as we did in 1977 and 1978, what is being spent for each school. Can we truly approve a budget that contains, in a single sum of several hundred million dollars, and know what it means?

"Unfortunately, I come here today with a sense of 'deja vu.' In the late 1960s, the same kind of lump sum budgeting was granted to the Department of Education (DOE). The argument then was that an elected Board of Education should have the discretion to spend as it decided. The DOE was even given no position count ceiling. After four years, the innovation was abolished because DOE could not account for its funds or demonstrate students' progress. The advocates of lump sum budgeting swallowed hard and admitted that the experiment failed.

"The DOE and other advocates today argue that this is a different Board of Education and a different Department of Education. But I have seen no evidence that the schools are ready for lump sum budgeting. In fact, the recent state auditor's update report on DOE's Financial Management System, or FMS, revealed that FMS has not delivered on its promises. It has been a major source of frustration and demoralization at the schools. To blunt the criticism, DOE is changing its configuration and now claims that the system is still under development. In the meantime, school personnel are left to struggle and cope as best they can. I have been hearing from school personnel that they can hardly wait for an early retirement bill to be passed so they can get out from under intolerable working conditions at the schools. Is lump sum budgeting going to be imposed on this situation?

"Once again, DOE is testing a concept by subjecting the entire system to it. And where is the accountability going to lie? Ultimately, the buck will stop here. How will we answer the students, the parents, the taxpayers who ask, 'What learning did lump sum money buy?'

"As you vote on this bill, ask yourselves this question: 'What learning will lump sum budgeting buy?'

"Thank you, Mr. President, for this opportunity to speak."

Senator Solomon also supported the measure and said:

"Mr. President, I too will be voting for this bill but with reservations. Many of my reservations were expressed by the previous speaker.

"I would like to reiterate for the record; I too have chaired the committee on lower and higher education. In lower education, we had lump sum budgeting; especially in EDN 105 and it was very, very difficult for me as the

chair to make sense out of the budget. The unfortunate situation is that the schools that suffer are the rural district schools, primarily those located on the neighbor islands, especially those schools that include elementary, intermediate and high school levels on one campus. Lump sum budgeting confuses the issues because we cannot make sense of what dollars are going for what programs. I would like to caution the chairmen of the Committee on Education and on Ways and Means as they continue their deliberations.

"In reality, lump sum budgeting does not work. I have not seen any fiscal documents that will convince me otherwise.

"As we move into conference, we should consider these issues very, very seriously. Mr. President, unfortunately, the schools in the rural district, the farther away you are from the central district office, the less you get in lump sum budgeting. I leave you with that caution to my colleagues.

"Thank you very much."

Senator B. Kobayashi added his support of the measure and said:

"Mr. President, on the subject of lump sum budgeting, I note that in the budget on page 98, section 46, which speaks to the topic of school-based budgeting, says in part that the Department of Education during the fiscal biennium of 1993, upcoming, shall 'develop and implement a new operating budget preparation and allocation process which shall hereinafter be referred to as "school based budgeting", provided that the intent of school based budgeting is to simplify the budgeting process and ensure the maximum flexibility is extended to individual schools in the preparation and execution of their operating budgets;'

"Mr. President, as you know, there was last year a gubernatorial proposal that some sort of lump sum budgeting should begin. At that time when it was initiated by the governor, the Department of Education was unable to tell us how that goal might be achieved and told us privately that if they were forced to try to implement such a school by school budgeting effort that they could not do it, given the shortfalls of the current accounting system. In fact they could give us only an approximation, but the approximation would not be a very clear representation of what happened in the individual schools.

"And so, given that the department was not able to produce something last year, the attempt here is during the upcoming fiscal biennium to move toward that goal of a school based budgeting system. The department thinks that they can improve upon the current accounting and financial system and, hopefully, given time and the opportunity to systematically review how their current budget is put together, they can approach this long term goal of a better school based budgeting system. Thank you."

Senator Matsuura then rose to support the measure and said:

"Mr. President, although I don't sit on the education committee I'm sure that the chairman of that committee has done a lot of research in deciding the direction for this body to move.

"I don't think lump sum budgeting is the key factor in education ... I want to refocus that. The major factor in education begins at home at an early age. The student must want to learn; parents must encourage them to want

to learn; teachers must instill in the student optimism, enthusiasm and a commitment that they'll never give up. These are basic things that make students want to learn. I remember my days in India, a teacher teaching the students under the banyan tree. There was no building, just a chalkboard. But he was able to infuse into the students the challenge of the future. I have confidence in the Department of Education to do the right thing. Sometimes it only takes one person to move a country like Mahatma Gandhi did; like Martin Luther King did. Give the Department of Education the chance and I think that they will be able to improve things. Let's give them the flexibility! Thank you."

Senator Solomon then responded:

"Mr. President, if the previous speaker's remarks were accurate, I might feel comfortable with the concept of lump sum budgeting. Unfortunately, the bureaucratic administration cannot be compared to the philosophical commitment of Mahatma Gandhi.

"In response to the Senator from Kapahulu-Kaimuki concerning his remarks on school based budgeting, my thoughts include the following problems: first, school based budgeting is based on allocation formulas; secondly, allocations are based on student enrollment. These formulas serve to our disadvantage in the rural district areas. Many of our students are short-changed. It is through the acts of the Legislature that we in rural districts have been able to get our fair share.

"I'm hoping that during the committee deliberations language can be inserted so as to protect the educational delivery of services to the rural communities.

"Thank you very much, Mr. President."

Senator McCartney then responded:

"Mr. President, I'd like to thank all of the previous speakers for their remarks, especially the remarks from the Senator from Kohala and the Senator from Pearl City-Aiea. Those are very, very important concerns that are taken under consideration and will continue to be taken under consideration in conference. I think that's the essence of the debate on this whole issue of lump sum budgeting and I can assure you that the position of the Education Committee, and I assume and believe, the Ways and Means Committee, is that we want to get money out of the control of the Legislature, out of the control of the bureaucracy, out of the control of the board and directly to the schools with fewest strings attached and that is the goal to empower the school community.

"We also need to make sure that if we are going to give up control of prescribing methods and means in order to achieve greater policy results, we in the Legislature constitutionally are held responsible for raising revenue and we're held accountable for how it is spent. In this budget and in the education omnibus bill, we are making that affirmation but we're also saying that we want accountability in two forms. One is the fiscal one like the Senator from Aiea and Pearl City talked about -- where is the money going? We want a reporting system that comes back to us on where the money is actually being spent.

"Another area which I think is equally or even more important is educational outcome. What is actually happening and are schools improving and are our students' performance getting better? Those are provisos that we have in this bill and also within the educational omnibus bill -- very, very important. We need to become more outcome oriented and less process oriented and stop micro-managing.

"As the Senator from Hilo said this is not the end that is going to suddenly solve the problem; it's just the means to get to somewhere. But still what happens in the classroom is the most important and what this bill is all about is making sure that the money gets there and the schools are empowered to make sure that that happens.

"I want to also assure the Senator from Kohala that we are working with the DOE and the community on a formula to come up with a better formula than the one we have because I think nobody is comfortable with the existing allocation formula and we're asking them in a budget proviso to make a new proposal and weigh the pupil average. We're saying that being equitable doesn't necessarily mean giving equal funding because it's got to be based on educational needs not just numbers and that's very, very important.

"I think the debate today was very good and all the concerns are going to be taken into consideration. The real key is how do we start empowering school communities so that they can identify and meet their needs rather than have the bureaucracy control them. I think that's where we're all headed in this educational revolution. Thank you."

Senator A. Kobayashi rose to speak in support of the measure and stated:

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

"I would like to thank the staff for the tremendous job of putting this budget together. It's been a very difficult year. The staff was asked to justify all the expenditures in the budget. We were tight on money and so we wanted to make sure that dollars were spent wisely. Also the members of the committee were always available for signature. I'd like to thank them.

"We tried to run Ways and Means very openly, having open decision-making and even decision-making on the committee report. All members of the Senate have been truly wonderful. They've understood the tight economic times and everyone had needs and wishes in their district. We know the needs of Hamakua, of Kauai, of Kilohana School, of schools on this island. We've been aware of those needs and wishes and no one was really insistent; no one really pushed because they understood that times are hard, that dollars were short, and that we were doing the best we could.

"As we go into conference, I look forward to that same amount of cooperation. We're one body and we should work together and move together. I look forward to the budget being a true reflection of our hopes and goals for Hawaii. Thank you."

Senator Holt, also in support of the bill, said:

"Mr. President, I rise to speak in support of the bill and thank the chairman and staff and the rest of the members for their work on the bill.

"Following up on the discussion on education, I think it's good to have a discussion on how schools are funded but let's not forget that our schools are governed. Thank you."

The motion was then put by the Chair and carried, H.B. No. 1152, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 203, H.D. 1, S.D. 2:

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, H.B. No. 203, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1306 (H.B. No. 195, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1306 was adopted and H.B. No. 195, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 51, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Tanaka and carried, H.B. No. 51, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 435, H.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 435, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 928, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Levin and carried, H.B. No. 928, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT REFORM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 25, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 25, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 232, H.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 232, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRECIOUS AND SEMIPRECIOUS METAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 313, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 313, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 433, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 433, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 438, H.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 438, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCOUNTANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 446, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 446, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PHYSICIAN LICENSURE EXAMINATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 690, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 690, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 773, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 773, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 775, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 775, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1034, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1034, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF AND REHABILITATION," having

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

Ayes, 25. Noes, none.

H.B. No. 1583:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1583, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1624, H.D. 2, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1624, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1629, H.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1629, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE WARRANTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1638, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1638, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1732, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1732, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MISCELLANEOUS PERMITS FOR PHARMACY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1734, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1734, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1881, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1881, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE

REGULATION OF CHARITABLE ORGANIZATIONS, PROFESSIONAL FUND-RAISING COUNSEL, AND PROFESSIONAL SOLICITORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1883, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1883, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1971, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1971, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE SALES PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 603, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 603, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1889, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1889, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING REQUIREMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2008, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 2008, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1890, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1890, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 66, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 66, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT, CONTROL, DISTRIBUTION, AND SALE OF PETROLEUM PRODUCTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1628, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1628, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAWS AFFECTING FINANCIAL INSTITUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1736, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1736, H.D. 2, S.D. 1, was deferred to the end of the calendar.

H.B. No. 1880, H.D. 2, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1880, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (George, Koki, Reed).

H.B. No. 1754, H.D. 2:

On motion by Senator Ikeda, seconded by Senator B. Kobayashi and carried, H.B. No. 1754, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD HEALTH SUPERVISION SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 777, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 777, H.D. 2, S.D. 1, was deferred to the end of the calendar.

H.B. No. 628, H.D. 1, S.D. 1:

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, H.B. No. 628, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1340 (H.B. No. 759, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1340 and H.B. No. 759, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1341 (H.B. No. 1119, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1341 and H.B. No. 1119, H.D. 2, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1342 (H.B. No. 1473, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1342 and H.B. No. 1473, H.D. 2, S.D. 2, was deferred to the end of the calendar.

H.B. No. 1686, S.D. 1:

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, H.B. No. 1686, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1975, H.D. 2, S.D. 1:

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, H.B. No. 1975, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1345 (H.B. No. 2017, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1345 was adopted and H.B. No. 2017, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1346 (H.B. No. 2156, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1346 was adopted and H.B. No. 2156, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1347 (H.B. No. 179, H.D. 2, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1347 was adopted and H.B. No. 179, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1348 (H.B. No. 321, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1348 and H.B. No. 321, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1349 (H.B. No. 789, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1349 was adopted and H.B. No. 789, H.D. 1, S.D. 2, entitled: "A BILL



FOR AN ACT RELATING TO JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1088, H.D. 1, S.D. 1:

On motion by Senator Levin, seconded by Senator Blair and carried, H.B. No. 1088, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1351 (H.B. No. 1597, H.D. 1, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1351 was adopted and H.B. No. 1597, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1352 (H.B. No. 1630, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1352 was adopted and H.B. No. 1630, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR UNLICENSED ACTIVITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1353 (H.B. No. 1636, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1353 was adopted and H.B. No. 1636, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNREGISTERED MOTOR VEHICLE MECHANICS AND REPAIR DEALERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1354 (H.B. No. 1659, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1354 and H.B. No. 1659, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1355 (H.B. No. 1671, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1355 and H.B. No. 1671, H.D. 2, S.D. 2, was deferred to the end of the calendar.

H.B. No. 1988, H.D. 1, S.D. 1:

On motion by Senator Levin, seconded by Senator A. Kobayashi and carried, H.B. No. 1988, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed

Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1357 (H.B. No. 1990, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1357 was adopted and H.B. No. 1990, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1358 (H.B. No. 2026, H.D. 2, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1358 was adopted and H.B. No. 2026, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AIR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Reed).

H.B. No. 2116, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2116, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1360 (H.B. No. 1250 H.D. 1, S.D. 2):

Senator Levin moved that Stand. Com. Rep. No. 1360 be adopted and H.B. No. 1250, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Blair.

Senator Chang rose to speak in support of the bill and stated:

"Mr. President, I just want to register my reservation that the proposal contained in the bill goes beyond the scope of the bill's title."

By unanimous consent, action on Stand. Com. Rep. No. 1360 and H.B. No. 1250, H.D. 1, S.D. 2, was deferred to the end of the calendar.

H.B. No. 1594, S.D. 1:

On motion by Senator Levin, seconded by Senator Blair and carried, H.B. No. 1594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1362 (H.B. No. 625, H.D. 1, S.D. 2):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1362 be adopted and H.B. No. 625, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Blair spoke in support of the bill, as follows:

"Mr. President, as the author of the bill to repeal the calabash cousins in 1988, it is with some trepidation that I rise to speak in favor of this measure and I do so only with reservations.

"It is a much improved bill. There are, however, opportunities for improvement. I would like to suggest one publicly and that is, since the persons are indicated to be emissaries of the State of Hawaii, that senatorial advise and consent be added, to assure that only appropriate persons serve in this quasi-official capacity. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1362 was adopted and H.B. No. 625, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA SPIRIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (George, Reed).

Stand. Com. Rep. No. 1363 (H.B. No. 1296, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1363 was adopted and H.B. No. 1296, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS AND CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Blair, George, Reed).

Stand. Com. Rep. No. 1364 (H.B. No. 1505, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1364 was adopted and H.B. No. 1505, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSON DISPOSSESSED OR DISPLACED BY VOLCANIC ERUPTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1365 (H.B. No. 1653, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1365 was adopted and H.B. No. 1653, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1366 (H.B. No. 1765, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1366 and H.B. No. 1765, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1367 (H.B. No. 2032, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1367 was adopted and H.B. No. 2032, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1368 (H.B. No. 2034, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1368 was adopted and H.B. No. 2034, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMUNITY HOSPITALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1369 (H.B. No. 150, H.D. 2, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1369 was adopted and H.B. No. 150, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1370 (H.B. No. 1459, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1370 was adopted and H.B. No. 1459, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1371 (H.B. No. 1904, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1371 and H.B. No. 1904, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1372 (H.B. No. 1154, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1372 was adopted and H.B. No. 1154, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1373 (H.B. No. 1697, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1373 was adopted and H.B. No. 1697, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1374 (H.B. No. 1888, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1374 was adopted and H.B. No. 1888, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITY REGULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1375 (H.B. No. 1828, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1375 and H.B. No. 1828, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1376 (H.B. No. 1202, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1376 and H.B. No. 1202, H.D. 2, S.D. 2, was deferred to the end of the calendar.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:30 o'clock p.m.

#### **MATTERS DEFERRED FROM EARLIER ON THE CALENDAR**

#### **STANDING COMMITTEE REPORTS**

Stand. Com. Rep. No. 1378 (S.C.R. No. 53, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the joint report of the Committees was adopted and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION DIRECTING THE AUDITOR TO CONDUCT A STUDY OF MUTUAL BENEFIT SOCIETIES," was adopted.

Stand. Com. Rep. No. 1379 (S.C.R. No. 56):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE PROBABLE EFFECTS OF THE LICENSING OF CRANE OPERATORS AND THE REGISTRATION OF CRANES," was adopted.

Stand. Com. Rep. No. 1380 (S.R. No. 74, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE FORMATION OF AN ECONOMIC CONVERSION TASK FORCE TO PLAN FOR THE DOWNSIZING OF THE MILITARY IN HAWAII," was adopted.

Stand. Com. Rep. No. 1381 (S.C.R. No. 93, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF AN ECONOMIC CONVERSION TASK FORCE TO PLAN FOR THE DOWNSIZING OF THE MILITARY IN HAWAII," was adopted.

Stand. Com. Rep. No. 1382 (S.R. No. 84):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 84, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT TO THE LEGISLATURE ON THE IMPLICATIONS OF MODIFYING ITS CURRICULUM TO INCLUDE AMERICAN SIGN LANGUAGE AND DEAF STUDIES," was adopted.

Stand. Com. Rep. No. 1383 (S.C.R. No. 105):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 105, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT TO THE LEGISLATURE ON THE IMPLICATIONS OF MODIFYING ITS CURRICULUM TO INCLUDE AMERICAN SIGN LANGUAGE AND DEAF STUDIES," was adopted.

Stand. Com. Rep. No. 1384 (S.R. No. 136, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 136, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A JOINT STUDY ON THE ROLES OF THE UNIVERSITY OF HAWAII AND THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," was adopted.

Stand. Com. Rep. No. 1385 (S.C.R. No. 162, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 162, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A JOINT STUDY ON THE ROLES OF THE UNIVERSITY OF HAWAII AND THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," was adopted.

Stand. Com. Rep. No. 1386 (S.R. No. 213, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the joint report of the Committees was adopted and S.R. No. 213, S.D. 1, entitled: "SENATE RESOLUTION URGING A STUDY OF BARBERS POINT NAVAL AIR STATION AS THE SITE FOR THE UNIVERSITY OF HAWAII - WEST OAHU," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1387 (S.C.R. No. 248, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Reed and carried, the joint report of the Committees was adopted and S.C.R. No. 248, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A STUDY OF BARBERS POINT NAVAL AIR STATION AS THE SITE FOR THE UNIVERSITY OF HAWAII - WEST OAHU," was referred to the Committee on Legislative Management.

#### **THIRD READING**

H.B. No. 293:

On motion by Senator George, seconded by Senator Fernandes Salling and carried, H.B. No. 293, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Mizuguchi).

H.B. No. 1670, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 1670, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUARIUM FISH," was recommitted to the Committee on Tourism, Recreation and Transportation.

Stand. Com. Rep. No. 1176 (H.B. No. 1663, S.D. 1):

By unanimous consent, Stand Com. Rep. No. 1176 and H.B. No. 1663, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were recommitted to the Committee on Ways and Means.

H.B. No. 1627, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 1627, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT PAYMENTS," was recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1186 (H.B. No. 1891, H.D. 1, S.D. 1):

By unanimous consent, Stand Com. Rep. No. 1186 and H.B. No. 1891, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC BROADCASTING AUTHORITY," were recommitted to the Committee on Ways and Means.

H.B. No. 944, S.D. 1:

On motion by Senator Levin, seconded by Senator Blair and carried, H.B. No. 944, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Iwase).

H.B. No. 1537, H.D. 1, S.D. 1:

On motion by Senator Nakasato, seconded by Senator George and carried, H.B. No. 1537, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1248 (H.B. No. 1322, H.D. 2, S.D. 2):

By unanimous consent, Stand Com. Rep. No. 1248 and H.B. No. 1322, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," were recommitted to the Committee on Ways and Means.

H.B. No. 125, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 125, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," was recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1259 (H.B. No. 82, H.D. 1, S.D. 2):

By unanimous consent, Stand Com. Rep. No. 1259 and H.B. No. 82, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1271 (H.B. No. 1906, H.D. 1, S.D. 2):

By unanimous consent, Stand Com. Rep. No. 1271 and H.B. No. 1906, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," were recommitted to the Committee on Ways and Means.

At 3:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:33 o'clock p.m.

H.B. No. 673, H.D. 1, S.D. 1:

On motion by Senator Chang, seconded by Senator Kanno and carried, H.B. No. 673, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

H.B. No. 1276, H.D. 2, S.D. 1:

On motion by Senator Chang, seconded by Senator Fukunaga and carried, H.B. No. 1276, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEAD ACID BATTERY RECYCLING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

H.B. No. 2028, H.D. 2, S.D. 1:

On motion by Senator Chang, seconded by Senator Fukunaga and carried, H.B. No. 2028, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRE RECOVERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Stand. Com. Rep. No. 1290 (H.B. No. 1739, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1290 was adopted and H.B. No. 1739, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Blair, Hagino, Levin, Solomon). Excused, 1 (Holt).

Stand. Com. Rep. No. 1297 (H.B. No. 173, H.D. 3, S.D. 1):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1297 be adopted and H.B. No. 173, H.D. 3, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Fukunaga requested a ruling by the Chair, as follows:

"Mr. President, I request a ruling by the Chair on a potential conflict. I am a member of the board of directors."

The Chair ruled that Senator Fukunaga was not in conflict.

Senator Ikeda then rose to speak in support of the measure and stated:

"Mr. President, I rise to speak in favor of this bill but I do have some reservations.

"Mr. President, as far as I am concerned, the main reason why I would vote for this bill is because it would help the employees of Hawaiian Airlines. During discussions and committee hearings, management has said that they intend to eventually have the airlines owned by the employees through a stock option plan. Unfortunately, Mr. President, neither the committee report nor the bill reflects this intent and I would feel a lot more comfortable if some reference could be included in either the committee report or, preferably, the bill during conference. I will be voting in favor of this bill, however, to keep it alive."

Senator Matsuura also rose to speak in support of the bill and said:

"Mr. President, I concur with the previous speaker and I'm going to be voting for this bill, but with reservations.

"We have set a policy in this body when we loaned \$10 million to the Hamakua Sugar Company. However, at that time, Hamakua Sugar had collateral that was in excess of that \$10 million loan.

"In making this guarantee to Hawaiian Airlines, we must be assured that there is sufficient collateral to cover the loan. We will be setting a bad policy if we guarantee a loan in excess of the collateral. The airline industry worldwide is in trouble so we have to be extra careful in extending this loan guarantee. We will have to set aside \$20 million to assure the guarantee. So there is monies involved. I don't know where the money is going to come from.

"I think that in guaranteeing this loan, the officers and the board of directors of Hawaiian Airlines should also guarantee 50 percent of the loan. The state should have priority on the collaterals before the officers and board of directors. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1297 was adopted and H.B. No. 173, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Koki).

H.B. No. 6, S.D. 1:

On motion by Senator McCartney, seconded by Senator Holt and carried, H.B. No. 6, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Blair).

Stand. Com. Rep. No. 1302 (H.B. No. 1897, H.D. 1, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1302 was adopted and H.B. No. 1897, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 690, H.D. 1, S.D. 1:

Senator Ikeda moved that H.B. No. 690, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Iwase.

Senator B. Kobayashi rose to speak in support of the measure, as follows:

"Mr. President, I'll be voting for the bill with reservations.

"Currently the bill is much modified and some of the more onerous aspects of the bill have been eliminated. However, co-ops which represent only a small sector of the multi-unit housing community in the islands represent a form of governance quite different from that of condos. There are approximately 52 cooperatives on this Island of Oahu. Most of them are older units. They have certain kinds of memberships as well as buildings and governance patterns that make them very different animals from the condominiums.

"In particular, I think the bill attempts to bring the cooperatives into an operating mode similar to that of condos. However, one of the awkward aspects of the cooperation is that the cooperatives exist like a single company and one of the provisions in the bill has that all members of the board of directors of cooperatives shall be shareholders. In some instances, former shareholders have given up their shares and put their shares in the name of family members or in trust, and are not shareholders in the ordinary sense, but they serve as valuable members of board of directors. In a sense they have beneficial interest in the building and care as much about what happens with the cooperative as any other member who may be a shareholder.

"For these people there might be some extra special consideration or change in the bill. We would note that the bill itself has been in the works for approximately two years, having first gotten discussion during the Housing Congress of two years ago. However, members of the cooperative community have not been involved in this discussion until very, very recently and they feel that they have been left out of the process. In this regard, I would hope that efforts could be made to bring them in to the discussion at least at this late date and perhaps consideration might be made to pass a minimal bill that will have all points in agreement and have the more controversial elements of the bill held till next year. Thank you."

Senator Matsunaga also spoke in support of the bill and said:

"Mr. President, I too will be voting for this bill with reservations, for the reasons stated so eloquently by the Senator from Kaimuki. Thank you."

The motion was then put by the Chair and carried, H.B. No. 690, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1890, H.D. 1, S.D. 1:

Senator Ikeda moved that H.B. No. 1890, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator A. Kobayashi.

Senator Ikeda, in support of the measure, said:

"Mr. President, I rise to speak in favor of H.B. No. 1890, H.D. 1, S.D. 1, which embodies the Senate's efforts to deal with the problem of hurricane coverage for Hawaii's people.

"Mr. President, before I explain what this bill proposes to do and why the Senate has taken this particular position, I want to make one point very clear to everyone. If another hurricane the magnitude of Hurricane Iniki ever strikes this State, or even just the Island of Oahu, we will never recover all of our losses without the help of the federal government.

"What we are trying to accomplish with this bill is to afford bottom line protection to homeowners in Hawaii. The House sent us its proposal which would establish a State hurricane pool to provide hurricane coverage. We had serious concerns about this concept from the outset because the State would be assuming full liability for all hurricane losses and totally relieving the private sector from any liability. This is tantamount to a bail out of the insurance industry and, therefore, totally unacceptable.

"Mr. President, after several meetings with the private sector, I could not get firm assurances that the insurance companies would continue to write homeowners policies even if the hurricane pool was established. It was only when passage of the House version was in question, that one company said it would be willing to keep premiums at existing rates for one year and continue to renew policies.

"Mr. President, Our original Senate proposal sought to ensure that the State would not have to directly assume responsibility for hurricane losses, and would instead provide reinsurance for insurance companies. However, the insurance companies were unwilling to use this proposed reinsurance facility, a facility that would have been a partnership between the State and the industry. We searched for other proposals and I think we are close to what we want to accomplish. Once again I want to emphasize that we are not trying to provide full coverage, but protection that is fair, practical, and realistic under the circumstances.

"As this bill was being considered, the City and County of Honolulu proposed to provide basic homeowners and hurricane coverage to its residents through the assessment of real property taxes and/or a fee for insurance premiums. I commend the City and County for its efforts.

"I feel that hurricane coverage is an appropriate undertaking for the counties because it is within the scope of services that they are already authorized to provide. The counties are given broad power to protect the health, welfare, and property of their people. Providing hurricane coverage is consistent with this power because it protects residents from massive and irrecoverable losses. Additionally, the counties are almost totally dependent on real property taxes for the revenue that pays for the services they provide and therefore, they must be able to safeguard their revenue base.

"Our bill includes enabling legislation to allow the counties to provide homeowners insurance. We have also made the language sufficiently broad to permit captive insurance companies to sell homeowners insurance in the event that they may desire to assume the responsibility that some carriers have seen fit to abandon.

"Mr. President, the bill before you proposes among other things to ensure that the counties are able to provide homeowners insurance. If a county like the City and County of Honolulu wishes to provide its own insurance program, it should be given the freedom to do so. However, the Senate version also contemplates the

provision of homeowners insurance through a State and county partnership.

"First, the counties will have to choose whether to provide their own insurance program or become a part of the State program. If a county chooses the latter, the state program would require the county to establish two separate trusts, one trust to provide regular homeowners' policies, and the other trust to provide only hurricane coverage. The county would contract the Hawaii Reinsurance Assistance Corporation, which is established by the Senate's version of the bill for insurance coverage. Premiums collected through fees or real property taxes would be used to purchase this coverage.

"The Hawaii Reinsurance Assistance Corporation would be a non-profit corporation within the Department of Budget and Finance. The Corporation would have two major components, the first component being a reinsurance pool. This reinsurance pool would involve the State in a partnership with the private sector to provide reinsurance for regular homeowners coverage, excluding hurricane coverage. The second component would establish a hurricane trust which would provide funds for hurricane losses.

"Mr. President, the bill your Committee approved still needs to be worked on and discussed, but I think its essential components are workable. The State will now be filling the gap left by the private sector by providing reinsurance to the counties, since as I mentioned earlier, the private sector was not interested in participating in our reinsurance facility. Second, the City and County of Honolulu will be given clear authorization to enter into the insurance business. Third, we intend to leave areas open for private sector participation such as coverage for contents within a home or additional coverage beyond a specified amount.

"Mr. President, I want to emphasize once again that only through a federal program will we feel fully protected against losses from another Hurricane Iniki. In view of this, I think that the Senate's version has gone about as far as it can go in reaching a fair and realistic solution to the homeowner's insurance problem and I urge my colleagues to support it."

Senator Fernandes Salling also rose to speak in support of the bill and remarked:

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

"With approximately 70,000 homeowners statewide and a good number of them on the Island of Kauai facing non-renewal or cancellation of their homeowner's policy, I believe this bill is a viable solution to the problems before us. Some people have said that the insurance companies are badly over-reacting to Iniki, that they shouldn't be surprised when there's a hurricane in Hawaii. After all, knowing hurricanes do hit our state, insurance companies set their prices based on this expectation, and they collect for an estimated catastrophe based on long term averages spread over the years and between states.

"The business of insurance is rooted in taking risks and what insurance companies sell us is their promise to pay -- their promise to pay when such a risk occurs. Yet, people pay premiums for years and years, then along comes a hurricane and some insurance companies such as HIG, First Insurance, Pacific Insurance 'run like a dog with its tail between its legs.'

"Hurricanes can happen in places like Hawaii, but you just don't abandon the market after one such event. And you don't increase your rates by 55 percent to almost immediately recoup your losses. On March 28 of this

year the Hawaii Insurance Bureau announced that in November of this year the industry would be seeking a 55 percent increase in premiums.

"The insurance industry's losses should be spread out over a longer period of time so that, for example, if Hurricane Iniki was forecasted as a 30- to 50-year hurricane the losses should be spread out that long. And let us not forget the reserves the industry sets aside for risk, and the income earned on those reserves.

"According to data from the National Insurance Consumer Advocate's office in Washington, D.C., nationwide, property casualty insurance companies collected \$223 billion of premiums in 1991, and held monies beyond reserve for claims in unearned premiums of \$159 billion at the end of 1991.

"It's not surprising then for this body to insist on something better for the people of Hawaii than a 55 percent increase in premium and difficulty in renewing and securing homeowner's insurance. The bill before us proposes to offer homeowner's insurance to all resident homeowners of this state and, we hope, at pre-Iniki rate levels. We shouldn't settle for less for the people of Hawaii."

Senator Gaulty also spoke in support of the bill and said:

"Mr. President, I speak in support of this bill.

Mr. President, I wish to commend the chairman of the Senate Committee on Consumer Protection for coming up with such a 'gutsy' bill as this to take on the insurance industry in the State of Hawaii as it relates to homeowner's insurance. It's always been my feeling, Mr. President, from the beginning, that the homeowner's insurance crisis in our state is a manufactured crisis and I think that this bill confronts the insurance industry head-on. For that, I wish to congratulate the chairperson of the committee and the members of the committee.

"My only concern is that if we are to have a mandatory program, knowing that the insurance coverage is going to be purchased by property taxes, that we need to be concerned about those on fixed incomes who are going to be paying a 40 percent increase, if we are to believe what we read in the papers. My concern is that it may impact disproportionately upon senior citizens and others who are on fixed incomes. What we would want to see would be some way of relieving this additional burden that we are going to be placing on these populations, if this program is to be a mandatory one.

"The other side of the coin, Mr. President, as I am well aware, is that if we don't make it a mandatory program then we will probably experience a greater than 40 percent increase in property taxes. So I understand that there is a balancing that the committee, particularly those that are going to be on conference, are going to have to undertake to try to come up with the best possible solution for the most number of people in our state. Thank you, Mr. President."

Senator Ikeda then added her support and stated:

"Mr. President, in response to the previous speaker's remarks, his points are very well taken. I believe that it's a policy decision; however, it's a policy decision that would have to be made by the counties.

"And I would like to emphasize the fact that this bill is an enabling legislation to allow the counties to address the homeowners' problem. It does not dictate to them, however, how to address the problem. It enables them to

set up a trust or get into insurance, whichever way they prefer, and it also allows or permits the state to be a partner in and assist in providing this coverage. In essence, it provides an umbrella for the counties under which the counties can operate. It also does expand the ability for captive insurance companies to also provide personal line coverages.

"It's far from perfect. There's still a lot of work that we need to do, but certainly the message from the members of this body is clear to this chair. We will continue to take this issue head-on and our primary purpose in developing any legislation is that it benefits the people of this state and not private interest."

The motion was then put by the Chair and carried, H.B. No. 1890, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAWS AFFECTING INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1736, H.D. 2, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Iwase and carried, H.B. No. 1736, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE LAWS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 777, H.D. 2, S.D. 1:

By unanimous consent, H.B. No. 777, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," was recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1340 (H.B. No. 759, H.D. 2, S.D. 2):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1340 be adopted and H.B. No. 759 H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi

Senator Blair rose to speak in support of the bill and said:

"Mr. President, I am supporting this bill only to encourage the chairman to continue his innovative thought process. I don't wish my vote to be construed as endorsing this draft as the final version. Thank you."

Senator Tungpalan also supported the measure and stated:

"Mr. President, I rise for the same purpose as the previous speaker, and to allow the committee chair, who's done a very able job, to continue to work through with the House on this measure and, hopefully, we can come up with a measure that we can all vote for. Thank you."

Senator McCartney, in support of the bill, said:

"Mr. President, I would like to assure my colleagues in the Senate that we will work hard to put together a bill that everybody can live with. The whole purpose of the bill is to look at down-sizing government, reducing costs, and coming up with innovative mechanisms for us to get over this budget crisis. And we want that to be the overriding public policy and not to give people special

breaks or consideration. We will work hard in conference to try and address all the needs. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1340 was adopted and H.B. No. 759, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1341 (H.B. No. 1119, H.D. 2, S.D. 1):

By unanimous consent, Stand Com. Rep. No. 1341 and H.B. No. 1119, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1342 (H.B. No. 1473, H.D. 2, S.D. 2):

Senator A. Kobayashi moved that Stand. Com. Rep. No. 1342 be adopted and H.B. No. 1473, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Matsuura rose to speak in support of the bill and said:

"Mr. President, this is another bill that I will be voting for but with reservations.

I think that we all know that companies that are under the Public Utilities Commission are allowed to take up to 12 percent profit on their invested capital. I don't want the utility companies to think that they can be assured of a profit but when a disaster strikes that they can rely on all the ratepayers to pick up the cost of all the risk that was involved in their business, such as the telephone company. We have one segment of the telephone company that is regulated and we have another segment of the telephone company that is non-regulated. When you purchase a telephone instrument, the profit goes to the non-regulated side. Before all the ratepayers are assessed a surcharge for that cost of the repair on Kauai, the PUC should examine the regulated and unregulated activities of the company including the parent company, to make sure, before they assess all the surcharges to the rest of the people, that the PUC completes an audit of the companies. In the case of GTE Hawaiian Tel, it has not been audited for eight years!

"I can understand the plight of the residents of Kauai. We do have people in the Kona district and the Puna district with telephone services that are perhaps worse off than those being experienced on Kauai.

"In the case of Kauai Electric Company, we do have a different problem. Kauai Electric is an independent utility company providing electricity. They have no affiliation with the rest of the HEI utility companies that are servicing the other islands. However, we are asking those people to share in the cost of the repairs. We should make sure that the PUC examines Citizens Electric and their parent company's profit to see that their contribution can also be assessed before the surcharge is passed on to the rest of the residents that live in the State of Hawaii. Thank you very much."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1342 was adopted and H.B. No. 1473, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE ELECTRIC AND

TELEPHONE RATE INCREASES TO ASSIST KAUAI'S ELECTRIC AND TELEPHONE RATEPAYERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1348 (H.B. No. 321, S.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1348 was adopted and H.B. No. 321, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1354 (H.B. No. 1659, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Blair and carried, Stand. Com. Rep. No. 1354 was adopted and H.B. No. 1659, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1355 (H.B. No. 1671, H.D. 2, S.D. 2):

Senator Levin moved that Stand. Com. Rep. No. 1355 be adopted and H.B. No. 1671, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Blair.

Senator Ikeda spoke in support of the measure and said:

"Mr. President, I rise in favor of this bill, however, I do have some serious reservations.

"As I read it, the bill does address some good points. However, it does relax the current law regarding the taking of fish for aquariums. And I believe we have the chair's assurance that this bill will go into conference and that it will be strengthened rather than weakened. Thank you."

Senator Levin also spoke in support of the measure and stated:

"I'd like to thank the previous speaker. I too rise to speak in favor of the bill.

"There are some good parts in the bill. It does need to be strengthened and we do have a commitment that it will be going into conference where we will try to either tighten it or it will not pass. The intention is to protect our aquatic fish as much as possible. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1355 was adopted and H.B. No. 1671, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2116, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2116, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO



DIVORCE," was recommitted to the Committee on Judiciary.

Stand. Com. Rep. No. 1360 (H.B. No. 1250, H.D. 1, S.D. 2):

By unanimous consent, Stand Com. Rep. No. 1360 and H.B. No. 1250, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING OF EDUCATION WORKERS," were recommitted to the Committee on Judiciary.

Stand. Com. Rep. No. 1366 (H.B. No. 1765, H.D. 2, S.D. 2):

By unanimous consent, Stand Com. Rep. No. 1366 and H.B. No. 1765, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIANS," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1371 (H.B. No. 1904, H.D. 1, S.D. 1):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1371 was adopted and H.B. No. 1904, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF EMPLOYEE BENEFIT PLANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1375 (H.B. No. 1828, H.D. 2, S.D. 2):

By unanimous consent, Stand Com. Rep. No. 1375 and H.B. No. 1828, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CONVENTION CENTER," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 1376 (H.B. No. 1202, H.D. 2, S.D. 2):

On motion by Senator A. Kobayashi, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 1376 was adopted and H.B. No. 1202, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CONVENTION CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President re-referred the following Senate concurrent resolutions that were offered:

Senate Concurrent Resolution	Referred to:
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No. 127	Jointly to the Committee on Ways and Means and the Committee on Legislative Management
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No. 210	Committee on Public Safety and Corrections
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#### RE-REFERRAL OF SENATE RESOLUTION

The President re-referred the following Senate resolution that was offered:

Senate Resolution	Referred to:
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No. 180	Committee on Public Safety and Corrections
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Senator Matsuura then rose to speak on a point of personal privilege, as follows:

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

"I read the morning Advertiser with great interest. The disagreement was between the Senator who represents Nuuanu and the Senator who represents part of Maui. It appears that the disagreement is based on the constitutionality of giving procurement contracts to local vendors, provided that the difference does not exceed five percent. In regard to the procurement bill that the Senate passed over to the House, this problem is being addressed as follows:

'The Department of Accounting and General Services shall implement a small business opportunity program to insure that at least 15 percent of the state annual purchasing expenditures are awarded to small businesses.'

"We also specify the geographics too. In other words, we can say that some of these contracts can be given to the vendors on the Big Island.

"This concept has already stood constitutional muster because this is being done in other states. They use this same language to get around the constitutionality of being unfair.

"I have another point of personal privilege, Mr. President.

"Today I had a telephone call from Washington, D.C., that could change Hawaii. It wasn't from President Clinton, but from the American Petroleum Institute. As you know, I've been corresponding with 284 largest multi-national companies in the U.S. concerning their interest in telecom free-trade zones in Hawaii. Each of these multi-national companies has annual revenue in excess of one billion dollars and has affiliates in the Asia/Pacific Region.

"Today's call was in response to my letters, to tell me that the premises of the Senate telecom free-trade zone bill are correct, that it's exactly what the largest oil companies in the world are looking for as they make their decisions to locate telecom-intensive operations. The chief executive officers of the countries' largest oil companies had referred my letter to their trade association, the American Petroleum Institute. Today, American Petroleum Institute members in Washington and Houston called to learn more about Hawaii's telecom free-trade zone legislation so that they may develop a formal response. Senators, these experts confirmed what Senator Matsunaga, your Science, Technology and Economic Development Committee chairman has been saying: multi-nationals will immediately consider Hawaii as a site for telecom intensive operations, but only if we meet their minimum criteria: competitive digital networks with advanced digital services that connect to international satellite and fiber optic circuits. They told me how they could see telecom operations in Hawaii fitting in with their operations in China and Indonesia. With hotel occupancy at record lows, with military and agriculture revenues disappearing, can Hawaii afford to ignore the new jobs and businesses that the telecom free-trade zones will bring?

"Mr. President, I cite these examples because many people know that Oahu Sugar, maybe Waialua Sugar, may be closing after 1996. If you don't want another Hamakua experience these are the kinds of bills we must pass now! If S.B. 1595 passes we will be in the forefront of telecommunication in the Pacific rim.

"Coincidentally, I have received phone calls from DuPont Corporation and Johnson and Johnson Company expressing a somewhat similar view. I got a letter today and another group will be coming to Hawaii to evaluate the possibilities of a telecom facility being established in Hawaii.

"I took the liberty of writing to these companies because Hawaiian Tel was telling me that they don't have the customers for ISDN and in the short period of two days, I've gotten four companies to respond. So far, the response has been very good. I have received one negative response but other than that one, I had four that were on the positive side.

"I want to make sure that the House members understand that they have a bill that will open up economic development for the entire state!

"Thank you very much."

Senator Blair also rose to speak on a point of personal privilege, as follows:

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

"I had intended to request a ruling from the chair regarding a possible conflict of interest on Standing Committee Report 1245 (House Bill No. 1370, S.D. 2). Since there is a zero dollar figure in the bill, it really doesn't matter at this stage. It's hard to have a conflict of interest when there is no money involved. But I want the record to reflect that, should the matter come out of the conference, I will ask for a ruling on the issue of a possible conflict. My wife is a partner in the law firm that represents the current owner of the property, which the firm's client is willing to sell to the state for preservation."

#### ADJOURNMENT

At 4:08 o'clock p.m., on motion by Senator Ikeda, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 14, 1993.