

**JOURNAL**  
**of the**  
**SENATE OF THE**  
**TWENTIETH LEGISLATURE**  
**of the**  
**STATE OF HAWAII**

---

**Regular Session of 2000**

**Convened Wednesday, January 19, 2000**

**Adjourned Tuesday, May 2, 2000**

## **OFFICERS OF THE SENATE**

### **President**

**HONORABLE NORMAN MIZUGUCHI.....Honolulu, Hawaii**

### **Vice President**

**HONORABLE AVERY CHUMBLEY.....Honolulu, Hawaii**

### **Clerk**

**PAUL T. KAWAGUCHI.....Honolulu, Hawaii**

### **Assistant Clerk**

**CAROL T. TANIGUCHI.....Honolulu, Hawaii**

### **Sergeant at Arms**

**BIENVENIDO C. VILLAFLORES.....Honolulu, Hawaii**

### **Assistant Sergeant at Arms**

**ABRAHAM PACHECO.....Honolulu, Hawaii**



**LIST OF MEMBERS**  
  
of the  
**SENATE OF THE TWENTIETH LEGISLATURE**  
  
of the  
**STATE OF HAWAII**

DISTRICT	NAME	ADDRESS
First	INOUE, LORRAINE (D)	The Senate State Capitol Honolulu, Hawaii 96813
Second	MATSUURA, DAVID (D)	The Senate State Capitol Honolulu, Hawaii 96813
Third	LEVIN, ANDREW (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fourth	BUEN, JAN YAGI (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fifth	TANAKA, JOE (D)	The Senate State Capitol Honolulu, Hawaii 96813
Sixth	CHUMBLEY, AVERY (D)	The Senate State Capitol Honolulu, Hawaii 96813
Seventh	CHUN, JONATHAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eighth	SLOM, SAM (R)	The Senate State Capitol Honolulu, Hawaii 96813
Ninth	MATSUNAGA, MATT (D)	The Senate State Capitol Honolulu, Hawaii 96813
Tenth	IHARA, LES, JR. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eleventh	TANIGUCHI, BRIAN (D)	The Senate State Capitol Honolulu, Hawaii 96813

DISTRICT	NAME	ADDRESS
Twelfth	FUKUNAGA, CAROL (D)	The Senate State Capitol Honolulu, Hawaii 96813
Thirteenth	TAM, ROD (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fourteenth	CHUN OAKLAND, SUZANNE (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fifteenth	MIZUGUCHI, NORMAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Sixteenth	SAKAMOTO, NORMAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Seventeenth	IGE, DAVID (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eighteenth	IWASE, RANDY (D) * MENOR, RON (D)	The Senate State Capitol Honolulu, Hawaii 96813
Nineteenth	KAWAMOTO, CAL (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twentieth	KANNO, BRIAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-First	HANABUSA, COLLEEN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Second	BUNDA, ROBERT (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Third	NAKATA, BOB (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Fourth	IGE, MARSHALL (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Fifth	ANDERSON, WHITNEY (R)	The Senate State Capitol Honolulu, Hawaii 96813

\* The Governor appointed Ron Menor to the Eighteenth Senatorial District on May 16, 2000, to fill the vacancy created by the resignation of Randy Iwase from the State Senate.

## STANDING COMMITTEES

### COMMERCE AND CONSUMER PROTECTION

Senator Brian Kanno, Co-Chair  
Senator Brian Taniguchi, Co-Chair

Senator Robert Bunda  
Senator Colleen Hanabusa  
Senator Les Ihara, Jr.

Senator Lorraine R. Inouye  
Senator David Matsuura  
Senator Sam Slom

### ECONOMIC DEVELOPMENT

Senator Lorraine R. Inouye, Chair  
Senator Jan Yagi Buen, Vice Chair

Senator Marshall Ige  
Senator Cal Kawamoto

Senator Brian Taniguchi  
Senator Sam Slom

### EDUCATION AND TECHNOLOGY

Senator David Ige, Chair  
Senator Norman Sakamoto, Vice Chair

Senator Robert Bunda  
Senator Avery Chumbley  
Senator Matt Matsunaga

Senator Rod Tam  
Senator Sam Slom

### GOVERNMENT OPERATIONS AND HOUSING

Senator Rod Tam, Chair  
Senator David Matsuura, Vice Chair

Senator Jonathan Chun  
Senator Colleen Hanabusa  
Senator Andrew Levin  
Senator Matt Matsunaga

Senator Norman Sakamoto  
Senator Joe Tanaka  
Senator Whitney Anderson

### HEALTH AND HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair  
Senator Randy Iwase, Vice Chair  
\*Senator Ron Menor, Vice Chair

Senator Carol Fukunaga  
Senator Andrew Levin

Senator Whitney Anderson

### JUDICIARY

Senator Avery Chumbley, Co-Chair  
Senator Matt Matsunaga, Co-Chair

Senator Suzanne Chun Oakland  
Senator Les Ihara, Jr.  
Senator Norman Sakamoto

Senator Joe Tanaka  
Senator Whitney Anderson

### LABOR AND ENVIRONMENT

Senator Bob Nakata, Chair  
Senator Marshall Ige, Vice Chair

Senator Avery Chumbley  
Senator Suzanne Chun Oakland  
Senator Carol Fukunaga

Senator Les Ihara, Jr.  
Senator Brian Kanno  
Senator Sam Slom

**TRANSPORTATION AND INTERGOVERNMENTAL AFFAIRS**

Senator Cal Kawamoto, Chair  
Senator Robert Bunda, Vice Chair

Senator Jan Yagi Buen  
Senator David Ige  
Senator Lorraine Inouye  
Senator Randy Iwase

\*Senator Ron Menor  
Senator Brian Taniguchi  
Senator Sam Slom

**WATER, LAND, AND HAWAIIAN AFFAIRS**

Senator Colleen Hanabusa, Chair  
Senator Joe Tanaka, Vice Chair

Senator Jonathan Chun  
Senator Brian Kanno  
Senator David Matsuura

Senator Bob Nakata  
Senator Whitney Anderson

**WAYS AND MEANS**

Senator Carol Fukunaga, Co-Chair  
Senator Andrew Levin, Co-Chair

Senator Jan Yagi Buen  
Senator Jonathan Chun  
Senator Suzanne Chun Oakland  
Senator David Ige  
Senator Marshall Ige  
Senator Randy Iwase

Senator Cal Kawamoto  
\*Senator Ron Menor  
Senator Bob Nakata  
Senator Rod Tam  
Senator Brian Taniguchi  
Senator Whitney Anderson

\* Upon the resignation of Senator Randy Iwase from the State Senate, the President, on May 31, 2000, appointed Senator Ron Menor as Vice Chair of the Committee on Health and Human Services, and as a member of the Committee on Ways and Means and the Committee on Transportation and Intergovernmental Affairs.

**MEMBERS OF THE SENATE  
TWENTIETH LEGISLATURE  
STATE OF HAWAII  
REGULAR SESSION OF 2000**



**NORMAN MIZUGUCHI**  
15th Senatorial District  
President



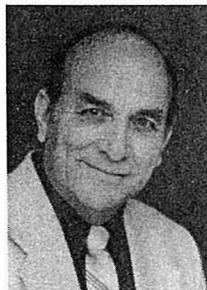
**AVERY CHUMBLEY**  
6th Senatorial District  
Vice President  
Co-Chair: Judiciary



**LES IHARA, JR.**  
10th Senatorial District  
Majority Leader



**JONATHAN CHUN**  
7th Senatorial District  
Majority Floor Leader



**WHITNEY ANDERSON**  
25th Senatorial District  
Minority Leader



**SAM SLOM**  
8th Senatorial District  
Minority Floor Leader



**BRIAN KANNO**  
20th Senatorial District  
Co-Chair: Commerce and  
Consumer Protection



**BRIAN TANIGUCHI**  
11th Senatorial District  
Co-Chair: Commerce and  
Consumer Protection



**LORRAINE R. INOUE**  
1st Senatorial District  
Chair: Economic  
Development



**DAVID IGE**  
17th Senatorial District  
Chair: Education and  
Technology



**ROD TAM**  
13th Senatorial District  
Chair: Government  
Operations and Housing



**SUZANNE CHUN OAKLAND**  
14th Senatorial District  
Chair: Health and  
Human Services



**MATT MATSUNAGA**  
9th Senatorial District  
Co-Chair: Judiciary



**BOB NAKATA**  
23rd Senatorial District  
Chair: Labor and  
Environment



**CAL KAWAMOTO**  
19th Senatorial District  
Chair: Transportation and  
Intergovernmental Affairs



**COLLEEN HANABUSA**  
21st Senatorial District  
Chair: Water, Land, and  
Hawaiian Affairs



**CAROL FUKUNAGA**  
12th Senatorial District  
Co-Chair: Ways and Means



**ANDREW LEVIN**  
3rd Senatorial District  
Co-Chair: Ways and Means



**JAN YAGI BUEN**  
4th Senatorial District



**ROBERT BUNDA**  
22nd Senatorial District



**MARSHALL IGE**  
24th Senatorial District



**RANDY IWASE**  
18th Senatorial District



**DAVID MATSUURA**  
2nd Senatorial District



**RON MENOR\***  
18th Senatorial District



**NORMAN SAKAMOTO**  
16th Senatorial District



**JOE TANAKA**  
5th Senatorial District



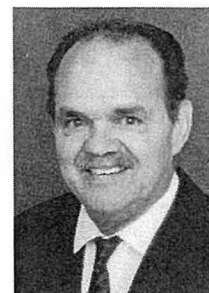
**PAUL T. KAWAGUCHI**  
Clerk



**CAROL T. TANIGUCHI**  
Assistant Clerk



**BIENVENIDO C. VILLAFLORES**  
Sergeant at Arms



**ABRAHAM PACHECO**  
Assistant Sergeant at Arms

\*The Governor appointed Ron Menor to the Eighteenth Senatorial District on May 16, 2000, to fill the vacancy created by the resignation of Randy Iwase from the State Senate.

# TABLE OF CONTENTS

## PAGE

First Day, Wednesday, January 19, 2000.....	1
Second Day, Thursday, January 20, 2000.....	11
Third Day, Friday, January 21, 2000.....	16
Fourth Day, Monday, January 24, 2000.....	33
Fifth Day, Tuesday, January 25, 2000.....	51
Sixth Day, Wednesday, January 26, 2000.....	69
Seventh Day, Thursday, January 27, 2000.....	78
Eighth Day, Monday, January 31, 2000.....	96
Ninth Day, Tuesday, February 1, 2000.....	103
Tenth Day, Wednesday, February 2, 2000.....	105
Eleventh Day, Thursday, February 3, 2000.....	109
Twelfth Day, Friday, February 4, 2000.....	111
Thirteenth Day, Monday, February 7, 2000.....	115
Fourteenth Day, Tuesday, February 8, 2000.....	119
Fifteenth Day, Wednesday, February 9, 2000.....	129
Sixteenth Day, Thursday, February 10, 2000.....	133
Seventeenth Day, Friday, February 11, 2000.....	137
Eighteenth Day, Monday, February 14, 2000.....	140
Nineteenth Day, Tuesday, February 15, 2000.....	146
Twentieth Day, Wednesday, February 16, 2000.....	148
Twenty-First Day, Thursday, February 17, 2000.....	152
Twenty-Second Day, Friday, February 18, 2000.....	159
Twenty-Third Day, Tuesday, February 22, 2000.....	180
Twenty-Fourth Day, Wednesday, March 1, 2000.....	182
Twenty-Fifth Day, Thursday, March 2, 2000.....	189
Twenty-Sixth Day, Friday, March 3, 2000.....	193
Twenty-Seventh Day, Tuesday, March 7, 2000.....	221
Twenty-Eighth Day, Thursday, March 9, 2000.....	287
Twenty-Ninth Day, Friday, March 10, 2000.....	311
Thirtieth Day, Monday, March 13, 2000.....	315
Thirty-First Day, Tuesday, March 14, 2000.....	321
Thirty-Second Day, Wednesday, March 15, 2000.....	326
Thirty-Third Day, Thursday, March 16, 2000.....	336
Thirty-Fourth Day, Friday, March 17, 2000.....	342
Thirty-Fifth Day, Monday, March 20, 2000.....	347
Thirty-Sixth Day, Tuesday, March 21, 2000.....	348
Thirty-Seventh Day, Wednesday, March 22, 2000.....	352
Thirty-Eighth Day, Thursday, March 23, 2000.....	355
Thirty-Ninth Day, Friday, March 24, 2000.....	358
Fortieth Day, Tuesday, March 28, 2000.....	373
Forty-First Day, Wednesday, March 29, 2000.....	380
Forty-Second Day, Thursday, March 30, 2000.....	382
Forty-Third Day, Friday, March 31, 2000.....	384
Forty-Fourth Day, Monday, April 3, 2000.....	386
Forty-Fifth Day, Tuesday, April 4, 2000.....	408
Forty-Sixth Day, Wednesday, April 5, 2000.....	413
Forty-Seventh Day, Thursday, April 6, 2000.....	416
Forty-Eighth Day, Friday, April 7, 2000.....	419
Forty-Ninth Day, Tuesday, April 11, 2000.....	438
Fiftieth Day, Thursday, April 13, 2000.....	474
Fifty-First Day, Friday, April 14, 2000.....	495
Fifty-Second Day, Monday, April 17, 2000.....	505
Fifty-Third Day, Wednesday, April 19, 2000.....	530
Fifty-Fourth Day, Thursday, April 20, 2000.....	536
Fifty-Fifth Day, Monday, April 24, 2000.....	544
Fifty-Sixth Day, Tuesday, April 25, 2000.....	551
Fifty-Seventh Day, Wednesday, April 26, 2000.....	562
Fifty-Eighth Day, Thursday, April 27, 2000.....	571
Fifty-Ninth Day, Friday, April 28, 2000.....	587
Sixtieth Day, Tuesday, May 2, 2000.....	603

Note: In accordance with Article III, Section 10, of the Constitution of the State of Hawai'i, the mandatory (five days) recess was held on February 23, 24, 25, 28 and 29, 2000; other recesses were held on January 28, March 6, 8, April 10, 12, 18, and May 1, 2000.



Communications received after adjournment:

Governor's Messages.....	666
House Communications.....	698

Appendix:

Rules of the Senate.....	700
Conference Committee Reports.....	721
Standing Committee Reports.....	823

History:

Senate Bills.....	1530
Senate Concurrent Resolutions.....	1674
Senate Resolutions.....	1701
House Bills.....	1714
House Concurrent Resolutions.....	1762

THE  
TWENTIETH LEGISLATURE  
STATE OF HAWAII  
REGULAR SESSION OF 2000  
JOURNAL OF THE SENATE

## FIRST DAY

Wednesday, January 19, 2000

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, was called to order at 10:02 o'clock a.m., by the Honorable Norman Mizuguchi, President of the Senate.

At this time, the members of the Senate, guests and audience rose to sing the National Anthem and "Hawaii Pono'i," led by Ms. Nohelani Cypriano, Ms. Loyal Garner, Ms. Carole Kai and Ms. Melveen Leed of the "Four Divas."

The Divine Blessing was then invoked by the Reverend Christopher Eng of the Waipahu United Church of Christ, who was escorted to the rostrum by Senators Chun Oakland, Kanno, Kawamoto, Matsuura and Anderson.

The President then directed the Senate Clerk to call the Roll. The Clerk called the Roll showing all Senators present.

At this time, the President introduced his wife, Harriet, his son, Reid, and daughter-in-law, Hayley.

The President then addressed the members of the Senate and guests as follows:

"Governor Cayetano, Lt. Governor Hirono, Chief Justice Moon, former Governor and Mrs. Waihee, United States Senator Inouye, United States Senator Akaka, Mayor Yamashiro, Mayor Apana, honored guests from here and abroad, members of the Senate, people of Hawaii:

"Welcome to the convening of the Senate of the Year 2000 Session of the Twentieth State Legislature.

"For the past several sessions, in what has become a Senate tradition, we have used the occasion of Opening Day to pay tribute to one or more of our citizens for their outstanding contributions.

"Today, we honor two citizens. One has become a household name in just a short year. The other is not yet a household name but deserves no less to be honored.

"The household name, of course, is Coach June Jones. His love for Hawaii brought him back to the islands as coach of the University of Hawaii Rainbow Warriors. His job was to turn around a football program deeply in trouble, and he has succeeded beyond anyone's wildest dreams: from 0 wins, 12 losses a year ago to a 9-4 record, the biggest comeback in college football history; winner of the WAC championship; winner of the Oahu Bowl.

"More importantly, Coach June Jones instilled faith in his players and encouraged them to believe in themselves. He, his fellow coaches, and his players have brought admiration, pride, and respect to our university and our state. Coach June Jones has been recognized as WAC Coach of the Year, the national Coach of the Year of Sporting News as well as CNN/Sports Illustrated, and Honolulu Magazine's Islander of the Year. To

these honors we humbly add our personal tribute. Coach June Jones, please stand so that we may show our gratitude and aloha for you. (Coach Jones rose to be recognized and received a resounding round of applause.)

"The second person we honor is Margaret 'Maggie' Ulm, not yet a household name but you'll soon agree that she should be. We all know that many of our teachers dig into their own pockets to buy classroom supplies and other items which the schools don't provide. They make these sacrifices out of concern and love for their students. Maggie Ulm recognized this and wanted to help. She decided to adopt Louise Nagata, a first grade teacher at Gus Webling Elementary in Aiea, and provided supplies for her classroom.

"From that gem of an idea, Maggie Ulm used her energy, resourcefulness, and ingenuity to form the Adopt A Teacher Foundation. Today, after just a short time, scores of teachers have been adopted by many caring and concerned citizens, but there are hundreds of teachers waiting to be adopted. Maggie Ulm reminds us that by adopting a teacher, we also adopt all of the teacher's children. I am in the process of adopting a teacher, and I hope many of you will do the same and spread the word about this noteworthy program. Maggie Ulm, may your generous spirit spread throughout the islands and reach into every classroom. Please stand so that we may thank you on behalf of the teachers and children of Hawaii. (Maggie Ulm rose to be recognized and also received a round of applause. The President then introduced her husband, Mike Ulm, who also rose to be recognized.)

"As we begin the session, let us quickly get down to legislative business. Earlier, I offered the advice that the Legislature should not try to cover the entire landscape and stretch itself thin. Instead, the Legislature could be more productive by concentrating on a limited number of issues. I now share with you my thoughts about a preliminary agenda.

"One of our first actions should be to meet with the House of Representatives as soon as possible to reappoint Marion Higa as State Auditor. She has served with distinction and she has shown the professionalism, independence, integrity, and fearlessness required for the office. We need her to continue as the State Auditor and we are fortunate that she is willing to serve.

"There are other important positions that should receive early consideration. We expect the Governor to formally submit his nominations to fill key positions in his cabinet. As executive departments require the certainty of stable leadership, I recommend that the respective Senate committees schedule early hearings on the nominations and report the matters for consideration and action by the full Senate.

"Another priority is to put the fireworks issue behind us. This issue has been fully debated in past sessions and there is little need to gather more facts. We know that there is a great cultural divide on the issue, but the public demands that we make a decision. My position is that the public's health and safety requires a statewide ban on fireworks, except for religious and cultural events. Some of you may not agree, but

let's work together with the House of Representatives to move a fireworks bill from the conference committee to the floor and vote the bill up or down.

"In spite of the substantial changes that have recently been made to reform our procurement laws, I believe that more should be done to restore the public's confidence in how government does business. The need is especially apparent in the award of nonbid contracts for professional services, such as architects and engineers. I propose that we strengthen ethical conduct in the award of personal service contracts by requiring full public disclosure. The routine disclosure may include such details as the principal officers of the firm awarded the contract, any relationship of the principals to the official making the award, and identification of the other finalists. The disclosure should be placed on the internet or published in our newspapers.

"In our continuing efforts to improve the economy, we must capitalize fully on the opportunity presented by the Navy's relinquishment of Barbers Point Naval Air Station. We have long visualized Kapolei and the Ewa plain emerging as Oahu's second city. With the addition of Barbers Point, the potential is there to build a powerful economic engine and the formation of a 'Silicon Valley West,' a vital center to create jobs and new economic opportunities.

"We should assign the existing Hawaii Community Development Authority the responsibility for the development of Barbers Point. At the same time, I believe that jurisdiction over Kakaako should be returned to the City and County of Honolulu which can then integrate the preservation, enhancement, and development of the entire waterfront area from Waikiki to Kakaako.

"Another aspect of the local economy which can be expanded is agriculture. We must assist agricultural producers in the areas of product development and marketing. We also need to create greater demand for Hawaii products and forge partnerships with large institutional buyers, such as the military. For example, we can work with the Hawaii Coffee Association and determine whether building a freeze-dried coffee processing plant would open up new opportunities to sell Hawaii's coffee to military bases -- here and abroad.

"Turning to the management and personnel policies of government, the state administration has moved civil service reform to the top of its legislative agenda and we should keep an open mind on most of the items in the 'Governor's Civil Service Reform Agenda.' I would be less than candid if I were not to declare, here and now, my opposition to the proposal to eliminate binding arbitration for public employee unions and 'go back to giving the unions the right to strike.'

"My goal has always been to ensure the continuation of government services regardless of the nature or duration of labor disputes. I first worked with the fire fighters and then the police officers, and both agreed that the public interest required relinquishing the right to strike and accept, instead, binding arbitration. Other unions followed. Now, we are being asked to return to an earlier time and expose ourselves to government strikes and the disruption of services. Be warned. I oppose strikes by public employees when binding arbitration is available to settle disputes.

"I also believe that while the personnel system should include incentives to improve performance by employees and managers, there must be a means to hold managers accountable for their operations. That is why I am proposing that the State Auditor conduct managerial accountability audits to determine how well managers in the executive departments and the judiciary are performing.

"While most government employees are hardworking and competent, management and the public unions need to refine the process to quickly take corrective action, or if necessary,

expedite the removal of managers and employees that fall below established job performance standards.

"While government efficiency and accountability, service to the public, and fairness will guide our decisions on civil service reform, let us improve the conduct of our own legislative affairs. Session after session we drown ourselves in a sea of paper -- thousands of bills, many of which will never be read again. It is time to impose a strict limitation on the introduction of bills. I am proposing a statutory requirement for both houses to limit the number of bills each member can introduce, and I am calling for quick action on this issue.

"I would now like to devote my remaining remarks to an urgent issue in public education. For as long as I've been in the Legislature, our most enduring -- but elusive -- goal has been the attainment of a quality public school system. Over the years, programs in the name of educational reform have come, and most of them have gone. Few reforms have shown results, and it is too early to tell what impact the more recent innovations, such as charter schools, will have on student achievement.

"When the present State Superintendent of Education came on board, he proposed that the Hawaii public school system join the nationwide reform movement which proposes that rigorous and specific standards be set for educational content as well as student performance. The premise is that strict standards will bring about higher achievement and greater accountability.

"Our Legislature has backed the Superintendent's initiative, and I personally support it. Standards based education is now the centerpiece of the effort to improve Hawaii's public schools. Therefore, it is critical for us to know whether the Hawaii effort is on track.

"The Fordham Foundation conducts a continuing study on the development of educational standards by the states. The report on Hawaii is alarming. If we are to believe the results, the overall grade for Hawaii is 'D-minus,' ranking Hawaii number 44 in its standards for English, History, Geography, Science and Math.

"As legislators, what are we to make of this? The alarm bells have sounded, and the issues are too urgent and the stakes too high for us to ignore. Therefore, I am recommending that the State Auditor review and assess DOE's development of educational standards to ensure they meet national standards for competency in the basic educational skills and report her findings to the Legislature.

"In addition, I propose to include the remaining legislative service agencies in educational reform. With the concurrence of the House of Representatives, our legislative service agencies can help us lay the groundwork to fully understand and possibly implement a controversial concept aimed at improving the educational system.

"Twenty-four years ago, I had a radical idea that in order to improve the public school system in Hawaii, competition amongst the schools would have to be introduced. This became the basis of my philosophy for advocating school choice.

"We must first have an understanding as to why families seek geographic exceptions and choose to enroll their children in specific schools outside their neighborhoods. I am requesting that the Office of the Ombudsman be the repository for requests for geographic exceptions and to report to the Legislature basic information relating to shifts in enrollment and why.

"I am also requesting that the Legislative Reference Bureau design a school choice system that encourages and enables competition to occur among schools for both resources and students. This system would allow families other options

besides charter schools. This system could make the school-community-based management movement more meaningful, and schools could configure themselves to attract students and families.

"Radical concepts have little chance of passing within the next sixty days, but I intend to open a full discussion on these issues with hopes of continuing dialogue and action in the coming year. We owe our children nothing less.

"So, from simple and clear-cut issues, like fireworks, to far-reaching and complex matters, like educational standards and school choice, let us quickly come to grips with the issues and move forward.

"Senators, let us work together to make this a very productive session.

"Mahalo and aloha!"

Senator Anderson, Minority Leader of the Senate, then responded as follows:

"Mr. President, distinguished guests, colleagues, family and friends, people of Hawaii -- Aloha.

"Today is a very historic landmark in our legislative history. It is the first legislative day of the twenty-first century. It is also the first legislative day in the new millennium for our colleagues here. I hope that we will have a fresh start.

"Let us not dwell on the past failures, but move forward with not just a vision and dreams, but with plans and priorities and, most of all, the courage to act on them. We cannot and we must not just react or procrastinate on issues; we must set a course of action that makes for drastic change for both financial stability and growth. Only then will we have a prosperous future.

"There is little that I can disagree with that the President has said. But the only way to make this happen is with strong effective leadership -- leadership that can make decisions based on principles and facts, not on friendships and party lines. Our leaders must be willing to meet challenges head on.

"My fellow colleagues, the people of Hawaii are counting on us to lead them into the next century. You and I, their elected officials, have failed in the past to provide true reform. We have failed to make the tough decisions that we know were based on what was right for all of the people of Hawaii. Many of those decisions were made right here in this chamber, but they were not based on what was right and what was good for the people, but what was good for the Democratic Party or individuals running for re-election. This happens every two, four and six years, and those are election years . . . depending on the kinds of legislation that we pass. This is fact, not fiction, ladies and gentlemen.

"The administration and the Majority leaders, because of recent Council of Revenues' reports, have stated that our economy has turned around. Things are going to go back to normal -- at least that is what the Majority is saying in our different committee meetings. However, the Council's report (and I checked) is based on indicators of economic improvements that are very small. After reviewing the recovery figures, it is also based on the payroll lag, user fees deposited into the general funds, and selling of lands and homes beneath the regular cost that the people want to sell them for. Also, holiday spending is in there.

"Look around you. Talk to the people who are unemployed. How about the stores you used to frequent that are now closed. We have bankruptcies and foreclosures that far exceed what they should. This is the real Hawaii and it's going to take creativity, imagination and priorities that are well planned out,

but most of all it will take decisive action from us right here in the Legislature to bring economic stability to Hawaii.

"All 25 of us will introduce legislation this year and most of it, I expect, will be good legislation -- thoughtful and beneficial to the people of Hawaii. Unfortunately, if things continue as in the past century, many of the good bills will not be heard -- some of it because of partisan discrimination and others maybe because the Democrats have fallen out of step with the leaders in the Democratic Party and consequently they are closed out.

"Senator Slom and I honestly believe that many of the bills that we are introducing this year, either as a Senate package or as individuals, are critical and will be good for economic stimulation. Some of the solutions to help improve our state's economy include:

- Helping small business, the backbone of our communities;
- More tax relief such as removing the general excise tax (GET) from food and over-the-counter drugs;
- Utilizing state lands -- the people's lands;
- Encouraging more diversified agriculture and forestry;
- Promoting ecotourism;
- Cultural parks that work with all communities and all of the ethnic Chambers of Commerce; build large ethnic parks, primarily on the neighbor islands working with the Japanese Chamber, the Chinese Chamber, the Portuguese, the Hawaiians, the Filipinos, every Chamber of Commerce. This would put all the businesses to work -- architects, construction, landscape, restaurants, just to name a few. We could be a better attraction than anywhere else in the Pacific Rim if we do something like this. And when it's completed, we could then take our children. The educators could take them and let them see how all of the ethnic people, each one, lives. If we are the 'melting pot,' why not bring our children up to understand all of the cultures.

"These are just a few solutions to help improve our state and our economy. This year, the Senate Minority will continue to push for a unicameral legislature, and as I said before, the bill that we have introduced is only for 51 members. That means it's going to be cost effective. That means less bills. That means that your department heads and all of the people that work in their departments don't have to spend a lot of time hanging off the rails here waiting for one committee after the other, and this state comes to a complete stop. It's an important bill, but it will never work unless we have dialogue and unless the bill is heard.

"Hawaii is one of only two states that doesn't have some type of legalized gaming, and I am going to propose that again this year. When I brought it up, everybody said, 'It's the wrong year, Whitney. It's an election year. The people will be upset.' Well let me tell you, ladies and gentlemen, that bill will have a referendum and it took us 20 years to find it. It was last used in 1934. It's an advisory referendum. It allows you, the people, to vote. We don't want to hear what each legislator feels or doesn't feel because that's not fair to the people of Hawaii. So we will be introducing the bill, and I'm hoping that it will have a hearing. We're also going to have in that bill a provision that allows support to problem gamblers. We're also going to have a cap on winnings -- we don't want to make millionaires out of everybody. We'd like to have a lot of prizes so that everybody benefits.

"People of our state can't afford continuous tax and fee increases. I want to hear what the people have to say, not just what the members of this good Legislature think about legalized gaming as a potential source of much needed and significant revenue to our state. And if you, the people, are truly in favor of any types of gaming, we must listen to you. Our elected representatives must follow the wishes of their constituents, not just the special interest groups who come flocking to us telling us why gaming is wrong. If we open our

minds to the possibility of gaming in Hawaii, we will have a viable solution to the never ending need for general funds.

"Some might say, 'Why don't you take your own advice. You didn't listen last year when your constituents talked to you.' My vote was a vote resulting from years of working with someone. It could not be compiled into a document that I could fax, such as the gaming bill or any other document that you might wish.

"These same issues and concerns that I repeatedly voiced are now before the courts because the Attorney General's Office sat on them in an investigation from 1992 to 1997 until the governor finally felt it politically expedient to act and it was purposely timed for maximum political benefit. These and other issues that I have spoken on are now costing you and me valuable tax dollars that could have been spent elsewhere.

"We must take action to reform our collective bargaining laws. I believe that unions are needed and necessary, but when it comes to bargaining, it should not be for across-the-board raises. Why should those who are good union people that work hard not get the raise that they deserve and someone that just leans on the shovel gets the same amount. But when it comes to medical, retirement, insurance, those types of collective bargaining issues, I believe that this is what the union should do and make it a necessary type of raise that they get. But ladies and gentlemen, the cost is just rising and we cannot afford everybody to get the same wage.

"Because the general funds are low, the administration is again asking us to look at legislation to divert monies from the employees' retirement fund for investment in high risk ventures. Let me be absolutely clear, Senator Slom and I are opposed to this type of legislation. There is already enabling legislation that allows the board to go ahead and make these decisions if they so desire.

"This session, we must consider where to build a new prison. We can no longer delay, and as you well know, our prisons are well overcrowded. It is poor economic planning, to say the least, to even consider a mainland option. A new prison should be built here at home; it will help our economy. Twenty-five short years from now, if we go ahead and build on the mainland, all we'll have left is an expired lease. Building here in Hawaii means we'll have the building and the infrastructure right here in our islands.

"Mr. President, I want to say that I am very proud of my ancestry -- Portuguese, Hawaiian, Norwegian, English, Irish and Scotch. But Mr. President, as I stand here today, I am the only member left of Hawaiian ancestry. Yes, there are other single ethnic groups, but it was the Hawaiians who said, 'Hui, E Komo Mai.' And what has happened? Our colleagues in both houses, as well as other individuals, believe that we have too many Hawaiian programs. Well let me tell you, they're not funded, and even worse, over the years we have gotten rid of a lot of them. They've been completely eliminated.

"We need everyone's help to protect these programs. We must, once and for all, address the native Hawaiian rights claims. The current executive leadership has continually denied or tried to undermine claims and settlements to avoid fiscal responsibility to the Hawaiian people. For example, a recent auditor's report noted that the Department of Land and Natural Resources and the Department of Hawaiian Homes still fail to give adequate attention to the revenue entitlement for sugar cane lands and water leases.

"Don't let leadership fool you when they offer a song and dance that native Hawaiian claims are responsible for the economic state that we're now in. We must let everyone know that the government of Hawaii has the fiduciary duty to native Hawaiians to process the Hawaiian individual claims in a timely manner, complete an inventory of our lands, and to follow through as the administration's act so provided.

"Disputes over ceded lands is nothing new to the Hawaiian community. Land has always had a deep symbolic meaning. In the apology resolution from Congress it was noted that the health and welfare of the native Hawaiians are tied deep to the feelings and attachment to their lands.

"Mr. President, my family home has been on the windward side for the past 54 years. The plantation in Waimanalo was running when we first moved there. I quit an English standard school to graduate from Waimanalo Intermediate. But I have taught my children and grandchildren to respect the past, to live in the present, and to prepare for the future.

"In conclusion, Mr. President, I have been told many times, 'Whitney, just don't make waves.' But without waves, Mr. President, all our people would have never been able to surf. (Laughter.) The bigger the waves, the better the competition. This leads me to believe that those that don't want us to make waves really don't believe in competition.

"Mr. President, the Senate Republicans, both of us, (laughter) will continue to make waves not only this session, but well into the new century and millennium.

"Mahalo nui loa. Malama pono. A hui hou."

At 10:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair. The members of the Senate and their guests were then entertained by the "Four Divas" and the "Society of Seven."

The Senate reconvened at 11:57 o'clock a.m.

The President thanked the ladies of the "Four Divas" and the gentlemen of the "Society of Seven" for their performances during the recess and Richard China for handling the sound system.

## INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried, the following bills passed First Reading by title and were referred to committees:

### Senate Bill

No. 2001 "A BILL FOR AN ACT RELATING TO COUNTY TORT LIABILITY."

Introduced by: Senator Inouye.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Judiciary.

No. 2002 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT."

Introduced by: Senator Inouye.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means.

No. 2003 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS."

Introduced by: Senator Inouye.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means.

No. 2004 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH."

Introduced by: Senator Inouye.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means.

No. 2005 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Inouye.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means.

No. 2006 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."

Introduced by: Senator Inouye.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means.

No. 2007 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH."

Introduced by: Senator Inouye.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means.

No. 2008 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Inouye.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means.

No. 2009 "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS."

Introduced by: Senator Matsuura.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means.

No. 2010 "A BILL FOR AN ACT RELATING TO CONSENT OF PARENTS AND GUARDIANS."

Introduced by: Senator Matsuura.

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

No. 2011 "A BILL FOR AN ACT RELATING TO RIGHTS OF PARENTS AND GUARDIANS."

Introduced by: Senator Matsuura.

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

No. 2012 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES."

Introduced by: Senator Matsuura.

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

No. 2013 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Senator Matsuura.

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

No. 2014 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSULTING AND MARKETING SERVICES FOR NEW TENANTS AT UNIVERSITY PARK."

Introduced by: Senator Matsuura.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means.

No. 2015 "A BILL FOR AN ACT RELATING TO SURVEYING."

Introduced by: Senator Tam.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

No. 2016 "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF A MULTI-PURPOSE SPORTS COMPLEX AND WORLD TRADE CENTER."

Introduced by: Senator Tam.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means.

No. 2017 "A BILL FOR AN ACT RELATING TO ARTIFICIAL TURF."

Introduced by: Senator Tam.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means.

No. 2018 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Tam.

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

No. 2019 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF ALL REPRESENTATIVE DISTRICTS IN THE STATE."

Introduced by: Senator Tam.

Referred to: Committee on Ways and Means.

No. 2020 "A BILL FOR AN ACT RELATING TO KAKAOKO."

Introduced by: Senator Tam.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to Committee on Ways and Means.

No. 2021 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Tam.

Referred to: Committee on Government Operations and Housing, then to the Committee on Ways and Means.

No. 2022 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AGRICULTURAL LOAN PROGRAM."

Introduced by: Senator Tam.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means.

No. 2023 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senator Chun Oakland.

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

No. 2024 "A BILL FOR AN ACT MEDICAL RESEARCH ON CANCER STUDIES."

Introduced by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services.

No. 2025 "A BILL FOR AN ACT RELATING TO PAROLE."

Introduced by: Senator Chun Oakland.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means.

No. 2026 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS."

Introduced by: Senator Chun Oakland.

Referred to: Committee on Judiciary.

No. 2027 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DENTAL SERVICES FOR ADULTS."

Introduced by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means.

No. 2028 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senator Chun Oakland.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means.

No. 2029 "A BILL FOR AN ACT RELATING TO QUARANTINE."

Introduced by: Senator Chun Oakland.

Referred to: Jointly to the Committee on Economic Development and the Committee on Health and Human Services, then to the Committee on Ways and Means.

No. 2030 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means.

No. 2031 "A BILL FOR AN ACT RELATING TO BICYCLES."

Introduced by: Senators Buen, Kawamoto.

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

No. 2032 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Matsuura.

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

No. 2033 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Matsuura.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means.

No. 2034 "A BILL FOR AN ACT RELATING TO THE INCOME TAX CREDIT FOR CHILD AND DEPENDENT CARE EXPENSES."

Introduced by: Senator Tam.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means.

No. 2035 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Tam.

Referred to: Committee on Judiciary.

No. 2036 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."

Introduced by: Senator Tam.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

No. 2037 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Senator Tam.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means.

No. 2038 "A BILL FOR AN ACT RELATING TO LEGISLATIVE FISCAL IMPACT STATEMENTS."

Introduced by: Senator Slom.

Referred to: Committee on Ways and Means.

No. 2039 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICINE BANK."

Introduced by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means.

No. 2040 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 1 to 6) were read by the Clerk and were adopted or deferred:

##### Senate Concurrent Resolution

No. 1 "SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION FOR THE STATE OF THE JUDICIARY ADDRESS."

Offered by: Senators Ihara, Anderson.

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, S.C.R. No. 1 was adopted.

No. 2 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE KAWAEWAE HEIAU IN KANEOHE, OAHU."

Offered by: Senator Nakata.

No. 3 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A SYSTEM TO IDENTIFY AND PROVIDE SERVICES AND SUPPORT FOR CHILDREN OF INCARCERATED PARENTS."

Offered by: Senators Chun Oakland, Fukunaga, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara.

No. 4 "SENATE CONCURRENT RESOLUTION SUPPORTING CONTINUED FUNDING OF HAWAII HEALTHY START WITH GENERAL FUND APPROPRIATIONS."

Offered by: Senators Chun Oakland, Fukunaga, Buen, Taniguchi, Chumbley, Kanno, Nakata, Ihara.

No. 5 "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS."

Offered by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 6 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A DOMESTIC VIOLENCE COURT."

Offered by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 1 to 4) were read by the Clerk and were deferred:

##### Senate Resolution

No. 1 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE KAWAEWAE HEIAU IN KANEOHE, OAHU."

Offered by: Senator Nakata.

No. 2 "SENATE RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A SYSTEM TO IDENTIFY AND PROVIDE SERVICES AND SUPPORT FOR CHILDREN OF INCARCERATED PARENTS."

Offered by: Senators Chun Oakland, Buen, Matsunaga, Chumbley, Kanno.

No. 3 "SENATE RESOLUTION SUPPORTING CONTINUED FUNDING OF HAWAII HEALTHY START WITH GENERAL FUND APPROPRIATIONS."

Offered by: Senators Chun Oakland, Fukunaga, Buen, Chumbley, Kanno.

No. 4 "SENATE RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A DOMESTIC VIOLENCE COURT."

Offered by: Senators Chun Oakland, Matsunaga, Kanno, Ihara.

At this time, the President directed the Senate Clerk to return to respective committees all 1999 bills that were returned to the Clerk's desk after the Regular Session of 1999.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:59 o'clock a.m., the following bills passed First Reading by title and were deferred:

##### Senate Bill

No. 2041 "A BILL FOR AN ACT RELATING TO ELECTRONIC COMMERCE."

Introduced by: Senators Ige, D., Fukunaga.

No. 2042 "A BILL FOR AN ACT RELATING TO SCHOOL RECORDS."

Introduced by: Senator Ige, D.

No. 2043 "A BILL FOR AN ACT RELATING TO BODY PIERCING."

Introduced by: Senator Ige, D.

No. 2044 "A BILL FOR AN ACT RELATING TO THE CONFISCATION OF FIREARMS."

Introduced by: Senator Ige, D., by request.

No. 2045 "A BILL FOR AN ACT RELATING TO EARLY RETIREMENT."

Introduced by: Senator Ige, D., by request.

No. 2046 "A BILL FOR AN ACT RELATING TO SALARY PERIODS."

Introduced by: Senator Tam.



No. 2047 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senator Anderson.

No. 2048 "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION."

Introduced by: Senator Nakata, by request.

No. 2049 "A BILL FOR AN ACT RELATING TO THE INCOME TAX."

Introduced by: Senators Nakata, Taniguchi.

No. 2050 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Nakata, by request.

No. 2051 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Nakata, Chun Oakland.

No. 2052 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TRAINING."

Introduced by: Senators Nakata, Chun, Hanabusa, Levin, Taniguchi.

No. 2053 "A BILL FOR AN ACT RELATING TO KANEOHE BAY."

Introduced by: Senator Nakata.

No. 2054 "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS."

Introduced by: Senators Nakata, Hanabusa, Kawamoto, Taniguchi.

No. 2055 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

Introduced by: Senators Nakata, Fukunaga, Hanabusa, Kanno, Taniguchi.

No. 2056 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2057 "A BILL FOR AN ACT RELATING TO LIVING WAGES."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2058 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2059 "A BILL FOR AN ACT RELATING TO WELFARE REFORM."

Introduced by: Senators Fukunaga, Chun Oakland, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2060 "A BILL FOR AN ACT RELATING TO EMPLOYMENT DISCRIMINATION."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2061 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2062 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2063 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara.

No. 2064 "A BILL FOR AN ACT REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2065 "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2066 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2067 "A BILL FOR AN ACT RELATING TO AWARDING CUSTODY AND VISITATION."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Kanno, Nakata, Ihara, Taniguchi.

No. 2068 "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS OF DOMESTIC VIOLENCE."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2069 "A BILL FOR AN ACT RELATING TO PROBATION."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2070 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Kanno, Nakata, Ihara, Taniguchi.

No. 2071 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2072 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2073 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara.

No. 2074 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senators Chun Oakland, Fukunaga, Buen, Kanno, Nakata, Ihara.

No. 2075 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE."

Introduced by: Senators Chun Oakland, Fukunaga, Buen, Matsunaga, Kanno, Nakata, Taniguchi, Ihara.

No. 2076 "A BILL FOR AN ACT RELATING TO COMMERCIAL SEXUAL EXPLOITATION OF A MINOR."

Introduced by: Senators Chun Oakland, Fukunaga, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2077 "A BILL FOR AN ACT RELATING TO SEX OFFENDERS."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Chumbley, Matsunaga, Kanno, Nakata, Ihara, Taniguchi.

No. 2078 "A BILL FOR AN ACT RELATING TO THE USE OF FORCE IN SELF-PROTECTION."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Chumbley, Kanno, Nakata, Ihara.

No. 2079 "A BILL FOR AN ACT RELATING TO USE OF FORCE."

Introduced by: Senators Chun Oakland, Fukunaga, Chumbley, Kanno, Nakata, Ihara.

No. 2080 "A BILL FOR AN ACT RELATING TO STALKING."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Matsunaga, Kanno, Nakata, Ihara, Taniguchi.

No. 2081 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2082 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators Chun Oakland, Fukunaga, Hanabusa, Buen, Matsunaga, Chumbley, Kanno, Nakata, Ihara, Taniguchi.

No. 2083 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Chun Oakland.

No. 2084 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Chun Oakland.

No. 2085 "A BILL FOR AN ACT RELATING TO ASSISTIVE TECHNOLOGY."

Introduced by: Senator Chun Oakland.

No. 2086 "A BILL FOR AN ACT RELATING TO ASSISTIVE TECHNOLOGY."

Introduced by: Senator Chun Oakland.

No. 2087 "A BILL FOR AN ACT RELATING TO ASSISTIVE TECHNOLOGY."

Introduced by: Senator Chun Oakland.

No. 2088 "A BILL FOR AN ACT RELATING TO SHORT-TERM INVESTMENT OF STATE MONEYS."

Introduced by: Senators Fukunaga, Levin.

No. 2089 "A BILL FOR AN ACT RELATING TO CORPORATE INCOME TAX."

Introduced by: Senator Slom.

No. 2090 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY."

Introduced by: Senator Slom.

No. 2091 "A BILL FOR AN ACT RELATING TO FLUORIDATION OF HAWAII'S WATER SUPPLY."

Introduced by: Senator Slom.

No. 2092 "A BILL FOR AN ACT RELATING TO PERIODIC MOTOR VEHICLE INSPECTION."

Introduced by: Senator Slom.

No. 2093 "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS."

Introduced by: Senators Kawamoto, Bunda.

No. 2094 "A BILL FOR AN ACT RELATING TO REPAIR AND MAINTENANCE."

Introduced by: Senators Kawamoto, Ige, D., Kanno, Sakamoto, Tam.

No. 2095 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ADDRESS THE \$260,000,000 BACKLOG IN REPAIR AND MAINTENANCE PROJECTS FOR THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Kawamoto, Fukunaga, Ige, D.,  
Levin, Sakamoto.

No. 2096 "A BILL FOR AN ACT RELATING TO MOTOR  
VEHICLE DRIVER LICENSING."

Introduced by: Senators Kawamoto, Buen, Bunda, Chun  
Oakland.

No. 2097 "A BILL FOR AN ACT RELATING TO THE  
GENERAL EXCISE TAX."

Introduced by: Senator Slom.

No. 2098 "A BILL FOR AN ACT RELATING TO  
FRAUDULENT CLAIMS AGAINST THE STATE."

Introduced by: Senator Slom.

No. 2099 "A BILL FOR AN ACT RELATING TO PLANT  
AND NON-DOMESTIC ANIMAL QUARANTINE."

Introduced by: Senator Slom.

No. 2100 "A BILL FOR AN ACT RELATING TO  
PARKING STRUCTURES."

Introduced by: Senator Tam.

No. 2101 "A BILL FOR AN ACT RELATING TO  
ESTABLISHING A COMPREHENSIVE MASTERPLAN  
FOR OAHU'S WATERFRONT AND RESTORATION OF  
THE EXISTING HISTORIC STREET-LEVEL IRWIN  
MEMORIAL PARK."

Introduced by: Senator Tam.

No. 2102 "A BILL FOR AN ACT MAKING AN  
APPROPRIATION FOR HAWAIIAN STUDIES PROGRAM  
POSITIONS."

Introduced by: Senator Tam.

No. 2103 "A BILL FOR AN ACT RELATING TO  
TAXATION."

Introduced by: Senator Tam.

No. 2104 "A BILL FOR AN ACT RELATING TO  
FINANCING OF AFFORDABLE HOUSING."

Introduced by: Senator Tam.

No. 2105 "A BILL FOR AN ACT RELATING TO LOW  
INCOME HOUSING MORTGAGES."

Introduced by: Senator Tam.

No. 2106 "A BILL FOR AN ACT RELATING TO  
FEDERAL FUNDING."

Introduced by: Senator Tam.

No. 2107 "A BILL FOR AN ACT RELATING TO  
MEDICAL INSURANCE COVERAGE."

Introduced by: Senator Tam.

#### ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30  
o'clock a.m., Thursday, January 20, 2000.

## SECOND DAY

Thursday, January 20, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:33 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Charles Carpenter, District Superintendent of Missionary Churches of Hawaii, after which the Roll was called showing all Senators present with the exception of Senator Kawamoto who was excused.

The President announced that he had read and approved the Journal of the First Day.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 1, transmitting H.C.R. No. 1, which was adopted by the House of Representatives on January 19, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2000," was adopted.

Hse. Com. No. 2, transmitting H.C.R. No. 2, which was adopted by the House of Representatives on January 19, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

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

The Senate reconvened at 11:45 o'clock a.m.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Wednesday, January 19, 2000:

Senate Bill                      Referred to:

No. 2041                      Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 2042                      Committee on Education and Technology, then to the Committee on Judiciary

No. 2043                      Committee on Judiciary

No. 2044                      Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 2045                      Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 2046                      Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2047                      Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2048                      Committee on Judiciary

No. 2049                      Committee on Ways and Means

No. 2050                      Committee on Ways and Means

No. 2051                      Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2052                      Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2053                      Committee on Economic Development, then to the Committee on Ways and Means

No. 2054                      Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2055                      Committee on Economic Development, then to the Committee on Commerce and Consumer Protection

No. 2056                      Committee on Ways and Means

No. 2057                      Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2058                      Committee on Ways and Means

No. 2059                      Committee on Health and Human Services, then to the Committee on Ways and Means

No. 2060                      Committee on Labor and Environment, then to the Committee on Judiciary

No. 2061                      Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2062                      Committee on Health and Human Services, then to the Committee on Ways and Means

No. 2063                      Committee on Health and Human Services, then to the Committee on Judiciary

No. 2064                      Committee on Health and Human Services, then to the Committee on Judiciary

No. 2065                      Committee on Judiciary

No. 2066                      Committee on Judiciary

No. 2067                      Committee on Judiciary

No. 2068                      Committee on Judiciary

No. 2069                      Committee on Judiciary

No. 2070                      Committee on Judiciary

No. 2071                      Committee on Judiciary

No. 2072                      Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2073                      Committee on Judiciary

No. 2074                      Committee on Judiciary

No. 2075                      Committee on Health and Human Services, then to the Committee on Ways and Means

No. 2076	Committee on Judiciary
No. 2077	Committee on Judiciary
No. 2078	Committee on Judiciary
No. 2079	Committee on Judiciary
No. 2080	Committee on Judiciary
No. 2081	Committee on Judiciary, then to the Committee on Ways and Means
No. 2082	Committee on Judiciary, then to the Committee on Ways and Means
No. 2083	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2084	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 2085	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2086	Committee on Economic Development, then to the Committee on Ways and Means
No. 2087	Committee on Labor and Environment, then to the Committee on Ways and Means

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Wednesday, January 19, 2000:

Senate Concurrent Resolution	Referred to:
No. 2	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 3	Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means
No. 4	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 5	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 6	Committee on Judiciary, then to the Committee on Ways and Means

#### REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Wednesday, January 19, 2000:

Senate Resolution	Referred to:
No. 1	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2	Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 3 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 4 Committee on Judiciary, then to the Committee on Ways and Means

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, on September 2nd of last year, I attended a ceremony at the National Cemetery of the Pacific at Punchbowl. It was the 50th anniversary of the rededication of Punchbowl, and at that time there were representatives from our congressional delegation, the Governor, from the State House, from the Mayor's Office, and it seemed that there were representatives from everywhere else except the State Senate. So I know my colleagues would have wanted me to do what I did and that is to represent the entire State Senate and receive a plaque that was given to the State Senate in appreciation from the Department of Veteran Affairs. So, Mr. President, I'm very happy to now turn over this plaque to you and to my colleagues in the State Senate.

"Thank you."

The Chair responded:

"I'm sure the Senate was well represented at the ceremony."

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

Senator Anderson then rose and stated:

"Mr. President, I understand that some of my remarks from my opening day speech seemed to be traditional GOP concerns such as the economy, eliminating G.E.T. off of food and over the counter drugs, and proposing gaming bills to stimulate the economy.

"I would like people to know that when I was elected to the House representing Kailua, I conducted a survey. The results showed about 76 percent in my district wanted gaming. As a State Senator, I now have the referendum attached to gaming bills I've introduced. It's an advisory referendum.

"In 1999, I conducted another survey. It was one of the best we've ever done. I think I received about 18 percent return. The people surveyed paid for the return postage. About 80 or 82 percent of the people noted that even if they don't like gambling, they wanted a chance to vote. So I don't think that it's just traditional if you propose different ideas to help the economy.

"What makes me laugh, though, is that for 30 years we've been having education second to none, and everybody says, 'Oh, the Democratic Party wants to move forward with education.' That's not traditional. That seems to be we're going to have a new start.

"Well, I want my colleagues, Mr. President, and everybody else to remember, if we don't move this economy forward with the types of innovative things that we mentioned yesterday, such as eliminating rules and regulations (we have a bill in -- all rules will drop dead in two years unless the departments can justify the rules that they want to keep), we'll never help businesses and we'll never move forward. We'll continue to sit in the middle of the ocean treading water. And that's not what we want to do. We want to swim. We want to make sure that we move forward.

"Yesterday I said 'waves.' Today I'm wearing a tie with sailboats on it. I get a lot of hot air, but I don't get anybody doing anything. So, I'm not mad at anybody. I'm going to try

harder this new year since this is a new millennium. I'm not going to attack and get angry or frustrated, but I will stand and I will make the comments that I hope will help us move forward, because that's what we have to do, ladies and gentlemen.

"And when things become controversial, I want you to know I don't mind. I have put in bills for castration for rape in the first degree because it was needed. And everybody told me your bill won't go because it's too controversial. And yet the young people of Hawaii that came into these chambers and took these seats said they wanted a bill on such and such and we didn't have the guts to do it.

"We don't move forward because we just don't desire to do so. So I do thank you, Mr. President. And it's not attacking. It's just understanding what we're not doing.

"Mahalo."

### INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:52 o'clock a.m., the following bills passed First Reading by title and were deferred:

#### Senate Bill

No. 2108 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Matsuura, Tam, Tanaka.

No. 2109 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT."

Introduced by: Senators Hanabusa, Matsuura, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Nakata, Tam, Tanaka, Taniguchi.

No. 2110 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Matsuura, Nakata, Tam, Tanaka.

No. 2111 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS SALARY COMMISSION."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Matsuura, Nakata, Tam, Tanaka.

No. 2112 "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2113 "A BILL FOR AN ACT RELATING TO THE UTILIZATION OF FEDERAL FUNDS."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2114 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun Oakland, Ige, M., Kawamoto, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2115 "A BILL FOR AN ACT RELATING TO FALSE CLAIMS."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kawamoto, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2116 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING A SECOND AMBULANCE TO SERVICE THE WAIANAE COAST."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Matsuura, Nakata, Tam, Tanaka, Taniguchi.

No. 2117 "A BILL FOR AN ACT RELATING TO PROJECT FAITH."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Matsuura, Nakata, Tam, Tanaka.

No. 2118 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Hanabusa, Anderson, Buen, Chun, Chun Oakland, Ige, M., Kanno, Levin, Matsuura, Tam, Tanaka.

No. 2119 "A BILL FOR AN ACT RELATING TO IDENTIFICATION CARDS."

Introduced by: Senator Mizuguchi.

No. 2120 "A BILL FOR AN ACT RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999."

Introduced by: Senator Mizuguchi, by request.

No. 2121 "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS."

Introduced by: Senator Mizuguchi, by request.

No. 2122 "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2123 "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE."

Introduced by: Senators Sakamoto, Bunda, Inouye, Kawamoto.

No. 2124 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."

Introduced by: Senator Bunda.

No. 2125 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Bunda.

No. 2126 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."

Introduced by: Senator Bunda.

No. 2127 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Bunda, by request.

No. 2128 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."

Introduced by: Senator Bunda.

No. 2129 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Kawamoto, Bunda, Ige, D., Sakamoto.

No. 2130 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ADD AN ADDITIONAL NONVOTING MEMBER TO THE BOARD OF EDUCATION."

Introduced by: Senators Kawamoto, Ige, D., Sakamoto.

No. 2131 "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION."

Introduced by: Senators Kawamoto, Bunda, Hanabusa, Sakamoto.

No. 2132 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senators Kawamoto, Bunda, Hanabusa.

No. 2133 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROMOTE A STRONG PARTNERSHIP BETWEEN THE MILITARY AND THE STATE OF HAWAII."

Introduced by: Senators Kawamoto, Bunda, Sakamoto.

No. 2134 "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS."

Introduced by: Senators Kawamoto, Bunda, Sakamoto.

No. 2135 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION."

Introduced by: Senators Kawamoto, Buen, Bunda, Mizuguchi, Slom, Taniguchi.

No. 2136 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Mizuguchi, by request.

No. 2137 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senators Sakamoto, Kawamoto, Fukunaga.

No. 2138 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES."

Introduced by: Senator Sakamoto.

No. 2139 "A BILL FOR AN ACT RELATING TO PARTIAL-BIRTH ABORTIONS."

Introduced by: Senators Sakamoto, Buen, Bunda, Kawamoto.

No. 2140 "A BILL FOR AN ACT RELATING TO THE DUPLICATION OF GOVERNMENTAL SERVICES."

Introduced by: Senators Sakamoto, Anderson, Bunda, Chun, Ihara.

No. 2141 "A BILL FOR AN ACT RELATING TO LIENS."

Introduced by: Senators Sakamoto, Ihara.

No. 2142 "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS."

Introduced by: Senator Slom.

No. 2143 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Buen, Kawamoto.

No. 2144 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2145 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2146 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2147 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Chumbley, Matsunaga.

No. 2148 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2149 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2150 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2151 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Matsunaga, Kanno, Ihara, Hanabusa, Iwase, Inouye, Taniguchi.

No. 2152 "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2153 "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2154 "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2155 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Chumbley, Matsunaga.

No. 2156 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senator Fukunaga.

No. 2157 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Fukunaga.

No. 2158 "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII."

Introduced by: Senator Fukunaga.

No. 2159 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Fukunaga, Ige, D.

No. 2160 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Fukunaga, Kawamoto.

No. 2161 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Mizuguchi, Fukunaga, Levin.

No. 2162 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL ENFORCEMENT."

Introduced by: Senator Levin.

No. 2163 "A BILL FOR AN ACT RELATING TO AEROMEDICAL SERVICES."

Introduced by: Senators Levin, Inouye, Matsuura.

No. 2164 "A BILL FOR AN ACT RELATING TO THE ORGANIC AGRICULTURE INDUSTRY."

Introduced by: Senator Levin.

No. 2165 "A BILL FOR AN ACT RELATING TO NATUROPATHIC PHYSICIANS."

Introduced by: Senators Levin, Chun Oakland.

No. 2166 "A BILL FOR AN ACT RELATING TO WIND FARMS."

Introduced by: Senators Levin, Inouye.

No. 2167 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PURCHASE PROPERTY AT PUNALU'U BEACH IN KA'U IN THE COUNTY OF HAWAII TO ESTABLISH A STATE PARK."

Introduced by: Senators Levin, Inouye.

No. 2168 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senators Levin, Matsuura, Inouye.

No. 2169 "A BILL FOR AN ACT RELATING TO ALCOHOL CONCENTRATION LEVELS."

Introduced by: Senator Levin.

#### ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Friday, January 21, 2000.



## THIRD DAY

Friday, January 21, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Leelamma Palazzotto, Program Director, Office for Social Ministry, St. Stephen's Diocesan Center, after which the Roll was called showing all Senators present with the exception of Senators Bunda, D. Ige and Tanaka who were excused.

The President announced that he had read and approved the Journal of the Second Day.

Senator Matsuura introduced Charlie and Lucy Wedemeyer in recognition of Charlie's indomitable courage and commended them for their inspiring message of love and hope.

The President then stated:

"All of us were really thrilled and inspired by Charlie Wedemeyer's performance on the football field while he was an athlete at Punahou and also a football player at Michigan State. So at this time, Senators, with your indulgence, may I ask Charlie, through his wife Lucy, to again give us some words of inspiration."

Charlie and Lucy Wedemeyer addressed the members of the Senate as follows:

Lucy: Good morning, Mr. President and honorable members.

Charlie: I would like to thank you so very much for this opportunity that you have given us to speak, to share, this morning.

Lucy: In fact, it's quite amazing, because in the '60s, Charlie was part of the construction crew that built this building. And many of you remember his brother, Herman, who was in the House of Representatives years ago and, of course, Hawaii Five-O and, for those of you who are really old, when he played at St. Mary's as an All-American back in the late '40s.

What Charlie just wants to share with you this morning is that we basically believe we were living the American dream. Charlie and I were high school sweethearts at Punahou. He had to leave Kamehameha Schools to come to Punahou to meet me. That shows you how "akamai" he was. He was coaching and teaching in a little town in California. We were blessed with two young children -- Carri, our daughter, and our son Matthew. We really felt we had the world by the tail. Everything was going well -- we had bought a little house, we had one of those station wagons with the wood panel on the side -- when all of a sudden our perfect world was turned upside down, and this terminal diagnosis came.

At that point, Charlie said it would have been easy to give up, especially for an athlete as talented as Charlie.

Charlie: In fact, at one point I saw the physical and emotional drain that was happening to my family. I told my wife that maybe, perhaps it would be better if I just died. And I will never forget her response that day.

Lucy: And that was, that we would much rather have you like this than not at all. And Charlie is still coaching football, speaking all over the world. He said those words gave him the encouragement to keep going.

Charlie: I chose life.

Lucy: And in 1985, two years after he had made that statement to me, Charlie stopped breathing. The nurse had to perform mouth-to-mouth resuscitation to bring him back. For those of you who can't see, he was giving the eyebrows on that. (Laughter.) Oh, you wish you could remember that. (More laughter.) We had to rush him to the hospital, perform a tracheotomy, and there Charlie hovered between life and death for the next three days. Then a nurse came to us and said, "Do you realize that you can go on life-support?" And Charlie and I had said, "Of course, we explained this to the doctor that that's what we wanted." She said, "You are a no code." And I didn't know what that meant, and of course, Charlie teases me, "Oh well, you're a blond, of course not." Thank you.

We had to beg the doctor to allow Charlie to go on a ventilator. The doctor said, "Why bother? You'll last maybe two weeks. You'll get pneumonia. You'll have all kinds of infection. Why bother?" And Charlie said, "You know what, I'll take two weeks. I want that machine." And for the first time in months, Charlie was able to breathe, to fill his lungs with air.

The next dilemma was that he couldn't eat, because what happens is the disease does not allow you to swallow. The doctor explained he was going to put a tube directly into Charlie's "opu."

Charlie: I told the doctors I wanted a wide mouth tube so I could put a plate lunch inside. (Laughter.) I told the doctors that we Hawaiians eat until we're tired, not until we're full.

Lucy: Once that happened, Charlie's next dilemma was how to coach the games. He expressed the need to maybe jump in an ambulance to go to coach this high school all-star game that he was coaching. The doctor, again, just had a fit. Charlie had to settle for a little monitor and a telephone to coach from the hospital room.

The next dilemma was how to get out of the hospital. We planned a trip home here to Hawaii -- and we still consider it home -- to visit his father who has ailing from cancer. When the doctor got wind of this, he came into the room. Now, Charlie, mind you, was on this giant machine that was breathing for him. He had all these tubes coming out of him. The doctor said, "Charlie, don't you realize you have a very serious disease." And Charlie, with that sweet face, looked around at the tubes, looked at him and said, "Gosh, I guess I forgot." So we promised that we were just going to go home.

We got out of the hospital on Wednesday and on Friday we hopped on a plane here to Honolulu. And when we landed, Charlie -- he's so thoughtful -- he had us go get one of those

postcards that say "Wish you were here," and mailed it to the doctor. (Laughter.)

Charlie firmly believes that each one of us has a plan and a purpose that God has given us -- gifts -- and that he has that plan. He couldn't imagine, now, how he could be used. You know, Charlie didn't pray to be healed -- he prayed to be used. And at that point in time, he was asked to come and speak to a group of teenagers. His response was, "What do I have to say? I made a commitment to Christ. I don't know what to tell them."

He goes to this camp and these kids line up, hundreds of them, sharing stories of not physical problems, but emotional, of all kinds of abuse, of disappointment, of betrayals, of abandonment. These perfectly healthy looking teenagers were dying inside. In fact, one young man came up to us afterwards. He came up to Charlie and said, "Charlie, I'm a quarterback on my team. I have won awards. I'm on the student council. I've been in the honor society. But you know what? I can't do anything to make my dad happy. And until you came today to share your story, I planned to kill myself." And he thanked Charlie -- it was such an emotional time -- for sharing his story.

We received a letter from a man, a Canadian man, who had flown to Seattle to end his life -- he had lost his whole business; his wife had left him. For some reason, he turned on the television and there was a documentary about Charlie. This man just cried, and he sat down and he wrote Charlie a thank you letter. He said, 'I didn't even think about all the things that I still can do. I have my children. I'm completely healthy.' And I'm telling you, we receive more of those kinds of letters and cards from people with nothing physically wrong with them.

Charlie, these past few years, has been invited to speak all over the world. He's been in four countries in Europe, in four different languages -- try that. In fact, his last trip was to Holland. On the flight over, he's sitting there saying, 'Isn't Holland number one in euthanasia in the world?' Then he looks at me and he says, 'Am I coming home? (Laughter.) Do I get to come back? What is going on?'

You would not believe the reception that Charlie had, speaking to people about attitude, about how you look at life, about turning your disabilities into abilities.

Charlie: There are so many people in Europe, as well as all over the country, that had lost hope. In fact, in Italy, they don't tell patients with this disease that they are terminal. They give them no option for being on this machine. And the handicapped people all over Europe are literally sequestered in back rooms and not allowed to be in public. Most societies believe that you're less of a person if you're not completely whole.

Lucy: In fact, when we were in Holland, a couple had us come to their home to thank us. This man had been diagnosed with ALS in the small town of Maastricht in Holland. He was given no hope. But as he was dying, his wife, who happened to be a Cuban from New Jersey -- I'm not sure how that works, but she was on fire -- she literally screamed and made the doctor put him on this

machine because she had seen an American movie about a man who lived on this machine. So they just wanted us to come and visit them and thank us.

And we just thank all of you for this opportunity, because our lives, today, have more joy than we ever imagined, that we ever had when Charlie was perfectly healthy. In fact, our daughter runs an outreach to other ALS patients, worldwide. Our son is in his second year of medical school. He may become a neurologist and a researcher to discover what causes this disease.

Charlie: At first, all I wanted was to live long enough to see our son graduate from high school. Then in college . . .

Lucy: Now, never mind, he did get to all of his football games.

Charlie: But we are planning, in two and a half years, to be at that graduation from medical school.

Lucy: And I do think Charlie is going to be able to raise his arms about that time.

Thank you so very much. We appreciate all of this time that you have allowed us. It means so much.

Charlie: And I wish that God would touch each heart here in this room to understand the gift that he has for all of us to get through any adversity, any difficulty, and realize how precious life is, that nobody really knows when their time is up. We often don't appreciate all that we have until we lose it. In fact, have you ever thought about the last breath that you have taken? Have you ever thanked God for the ability to walk or talk, or even breathe?

Lucy: We travel so much. We go to hospitals to see terminal patients and through Charlie's encouragement, people choose life.

Charlie: I feel that all of us, if not already, will be confronted with some circumstance, some adversity, some difficulty that may seem insurmountable, and when that time comes, we have to remember that God has given us the power of choice. And we can choose to feel sorry for ourselves, be miserable and cause everyone around us to be miserable, or we can choose, with God's help, to go through it, knowing that we will become a better and stronger person for it. So always remember, pain and suffering is inevitable -- we will all experience it -- but misery is optional. And we make that choice.

Lucy: Again, Charlie just wants to thank you so very much. For someone who cannot speak, he has a lot to say. And we are just so thankful and appreciative. Mahalo nui loa. Aloha ke akua ia 'oe. Thank you so very much.

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 o'clock p.m.

## HOUSE COMMUNICATION

Hse. Com. No. 3, returning S.C.R. No. 1, which was adopted by the House of Representatives on January 20, 2000, was read by the Clerk and was placed on file.

**SENATE CONCURRENT RESOLUTION**

The following concurrent resolution (S.C.R. No. 7) was read by the Clerk and was deferred:

**Senate Concurrent Resolution**

No. 7 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION TO RELOCATE MAILI ELEMENTARY SCHOOL TO A SAFER, HEALTHIER LOCATION."

Offered by: Senators Hanabusa, Matsuura, Nakata.

**ORDER OF THE DAY****REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Wednesday, January 19, 2000, and Thursday, January 20, 2000:

Senate Bill	Referred to:
No. 2088	Committee on Ways and Means
No. 2089	Committee on Ways and Means
No. 2090	Committee on Judiciary
No. 2091	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2092	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2093	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2094	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2095	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2096	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2097	Committee on Ways and Means
No. 2098	Committee on Judiciary, then to the Committee on Ways and Means
No. 2099	Committee on Economic Development, then to the Committee on Ways and Means
No. 2100	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2101	Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2102	Jointly to the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2103	Committee on Ways and Means
No. 2104	Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection

No. 2105	Committee on Commerce and Consumer Protection
No. 2106	Committee on Ways and Means
No. 2107	Committee on Commerce and Consumer Protection
No. 2108	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2109	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2110	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2111	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2112	Committee on Economic Development, then to the Committee on Ways and Means
No. 2113	Committee on Ways and Means
No. 2114	Committee on Transportation and Intergovernmental Affairs
No. 2115	Committee on Judiciary, then to the Committee on Ways and Means
No. 2116	Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2117	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2118	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2119	Committee on Judiciary, then to the Committee on Ways and Means
No. 2120	Committee on Judiciary
No. 2121	Committee on Judiciary
No. 2122	Committee on Judiciary
No. 2123	Committee on Economic Development, then to the Committee on Ways and Means
No. 2124	Committee on Commerce and Consumer Protection
No. 2125	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2126	Committee on Economic Development, then to the Committee on Ways and Means
No. 2127	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2128	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2129	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2130	Committee on Education and Technology, then to the Committee on Judiciary

No. 2131 Committee on Ways and Means

No. 2132 Jointly to the Committee on Transportation and Intergovernmental Affairs, the Committee on Government Operations and Housing and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2133 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2134 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2135 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2136 Committee on Ways and Means

No. 2137 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

### INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 10:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 12:10 o'clock p.m., the following bills passed First Reading by title and were deferred:

#### Senate Bill

No. 2170 "A BILL FOR AN ACT RELATING TO TELEMARETERS."

Introduced by: Senators Kanno, Taniguchi.

No. 2171 "A BILL FOR AN ACT RELATING TO DISASTER RELIEF."

Introduced by: Senators Kanno, Nakata.

No. 2172 "A BILL FOR AN ACT RELATING TO SCHOOL SAFETY."

Introduced by: Senator Tanaka, by request.

No. 2173 "A BILL FOR AN ACT RELATING TO SCHOOL SAFETY."

Introduced by: Senator Tanaka, by request.

No. 2174 "A BILL FOR AN ACT RELATING TO THE LAND COURT."

Introduced by: Senators Hanabusa, by request, Matsuura.

No. 2175 "A BILL FOR AN ACT RELATING TO CONSERVATION."

Introduced by: Senators Hanabusa, Matsuura, Nakata.

No. 2176 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."

Introduced by: Senators Chun Oakland, Iwase.

No. 2177 "A BILL FOR AN ACT RELATING TO BATS."

Introduced by: Senator Matsunaga.

No. 2178 "A BILL FOR AN ACT RELATING TO PERSONAL WATERCRAFT."

Introduced by: Senator Matsunaga.

No. 2179 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION AND COASTAL AREAS."

Introduced by: Senator Matsunaga.

No. 2180 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Matsunaga.

No. 2181 "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST."

Introduced by: Senators Hanabusa, Anderson, Chun, Kanno, Nakata.

No. 2182 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER."

Introduced by: Senators Hanabusa, Anderson, Chun, Kanno, Nakata.

No. 2183 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Senators Kanno, Chun Oakland.

No. 2184 "A BILL FOR AN ACT RELATING TO HOSPITAL VIOLENCE."

Introduced by: Senators Kanno, Chun Oakland.

No. 2185 "A BILL FOR AN ACT RELATING TO HANDGUNS."

Introduced by: Senator Kanno.

No. 2186 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Kanno, Taniguchi.

No. 2187 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Bunda.

No. 2188 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."

Introduced by: Senator Bunda.

No. 2189 "A BILL FOR AN ACT RELATING TO PARKING CITATIONS."

Introduced by: Senator Bunda.

No. 2190 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Senators Bunda, Sakamoto, Matsuura, Chun.

No. 2191 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Bunda.

No. 2192 "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWER PROTECTION ACT."

Introduced by: Senators Kanno, Chumbley, Matsunaga, Nakata.

No. 2193 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS IN SCHOOL ZONES."

Introduced by: Senators Kanno, Kawamoto, Buen, Hanabusa, Matsunaga, Nakata, Tam.

No. 2194 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."

Introduced by: Senators Kanno, Buen, Chun, Chun Oakland, Hanabusa, Nakata, Taniguchi.

No. 2195 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY."

Introduced by: Senator Slom.

No. 2196 "A BILL FOR AN ACT RELATING TO PARI-MUTUEL HORSE RACING."

Introduced by: Senator Anderson.

No. 2197 "A BILL FOR AN ACT RELATING TO SHIPBOARD GAMING."

Introduced by: Senator Anderson.

No. 2198 "A BILL FOR AN ACT RELATING TO A STATE LOTTERY."

Introduced by: Senator Anderson.

No. 2199 "A BILL FOR AN ACT RELATING TO LIMITED CASINO GAMING."

Introduced by: Senator Anderson.

No. 2200 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Taniguchi, Ihara, Fukunaga.

No. 2201 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."

Introduced by: Senator Ihara.

No. 2202 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."

Introduced by: Senator Ihara, by request.

No. 2203 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senator Ihara, by request.

No. 2204 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LITTER CONTROL AND BEAUTIFICATION."

Introduced by: Senator Ihara.

No. 2205 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS."

Introduced by: Senator Ihara.

No. 2206 "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Senator Ihara.

No. 2207 "A BILL FOR AN ACT RELATING TO CANDIDATES FOR ELECTIVE OFFICE."

Introduced by: Senator Ihara.

No. 2208 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Senator Ihara.

No. 2209 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Ihara.

No. 2210 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Ihara.

No. 2211 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Ihara.

No. 2212 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Senator Ihara.

No. 2213 "A BILL FOR AN ACT RELATING TO FUNDS."

Introduced by: Senator Ihara.

No. 2214 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."

Introduced by: Senator Ihara.

No. 2215 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."

Introduced by: Senator Ihara.

No. 2216 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."

Introduced by: Senator Ihara.

No. 2217 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."

Introduced by: Senator Ihara.

No. 2218 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."

Introduced by: Senators Chumbley, Ige, D.

No. 2219 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES."

Introduced by: Senators Chumbley, Ige, D.

No. 2220 "A BILL FOR AN ACT RELATING TO THE REMOVAL OF NUISANCE SEAWEED."

Introduced by: Senator Chumbley.

No. 2221 "A BILL FOR AN ACT RELATING TO ETHANOL."

Introduced by: Senators Chumbley, Matsunaga.

No. 2222 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Chumbley.

No. 2223 "A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATIONS."

Introduced by: Senators Chumbley, Tanaka.

No. 2224 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Chumbley.

No. 2225 "A BILL FOR AN ACT RELATING TO PERSONAL PROPERTY APPRAISERS."

Introduced by: Senator Tam.

No. 2226 "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE."

Introduced by: Senator Tam.

No. 2227 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING NEGOTIATIONS."

Introduced by: Senator Tam.

No. 2228 "A BILL FOR AN ACT RELATING TO SCHOOL REGISTRARS."

Introduced by: Senator Tam.

No. 2229 "A BILL FOR AN ACT RELATING TO FINANCIAL AUDITS OF THE DEPARTMENT OF EDUCATION."

Introduced by: Senator Tam.

No. 2230 "A BILL FOR AN ACT RELATING TO MINIMUM WAGE."

Introduced by: Senator Tam.

No. 2231 "A BILL FOR AN ACT RELATING TO A TASK FORCE AND MASTER PLAN ON COMPUTER UTILIZATION IN PUBLIC SCHOOLS."

Introduced by: Senator Tam.

No. 2232 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Tam.

No. 2233 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INSTALLATION OF BICYCLE LOCKERS AT THE UNIVERSITY OF HAWAII AT MANOA."

Introduced by: Senator Tam.

No. 2234 "A BILL FOR AN ACT RELATING TO PROCUREMENT OF PROFESSIONAL SERVICES."

Introduced by: Senator Tam.

No. 2235 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."

Introduced by: Senator Ige, M.

No. 2236 "A BILL FOR AN ACT RELATING TO TRUSTEES."

Introduced by: Senator Ige, M.

No. 2237 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senator Ihara.

No. 2238 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW."

Introduced by: Senator Ihara.

No. 2239 "A BILL FOR AN ACT RELATING TO COMPENSATION LAW."

Introduced by: Senator Ihara.

No. 2240 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING."

Introduced by: Senator Ihara.

No. 2241 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senator Ihara.

No. 2242 "A BILL FOR AN ACT RELATING TO FOREST RESERVES."

Introduced by: Senator Inouye.

No. 2243 "A BILL FOR AN ACT RELATING TO PUBLICATION OF NOTICE."

Introduced by: Senator Inouye.

No. 2244 "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT."

Introduced by: Senators Nakata, Slom.

No. 2245 "A BILL FOR AN ACT RELATING TO MEDICAL FEE SCHEDULES."

Introduced by: Senator Nakata, by request.

No. 2246 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Senator Nakata.

No. 2247 "A BILL FOR AN ACT RELATING TO FERAL ANIMALS."

Introduced by: Senator Nakata, by request.

No. 2248 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Nakata, by request.

No. 2249 "A BILL FOR AN ACT RELATING TO SALARY PERIODS."

Introduced by: Senator Nakata, by request.

No. 2250 "A BILL FOR AN ACT RELATING TO MEAL BREAKS."

Introduced by: Senators Nakata, Hanabusa, Kanno, Taniguchi.

No. 2251 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Senators Nakata, Anderson, Chun, Hanabusa, Levin, Matsuura.

No. 2252 "A BILL FOR AN ACT RELATING TO FREE SPEECH."

Introduced by: Senator Nakata.

No. 2253 "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION."

Introduced by: Senator Nakata.

No. 2254 "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION."

Introduced by: Senator Nakata, by request.

No. 2255 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senator Nakata.

No. 2256 "A BILL FOR AN ACT RELATING TO MEAL BREAKS."

Introduced by: Senator Nakata.

No. 2257 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Nakata, by request.

No. 2258 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Nakata.

No. 2259 "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION DISCRIMINATION IN EMPLOYMENT AND INSURANCE."

Introduced by: Senator Nakata.

No. 2260 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT SECURITY LAW."

Introduced by: Senator Nakata, by request.

No. 2261 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Chun Oakland, Tam.

No. 2262 "A BILL FOR AN ACT RELATING TO THE STUDENT CRIMESTOPPERS PROGRAMS."

Introduced by: Senators Ige, D., Sakamoto, Chun Oakland, Tam.

No. 2263 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Sakamoto, Chun Oakland, Tam.

No. 2264 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Sakamoto, Chun Oakland, Tam.

No. 2265 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Sakamoto, Chun Oakland, Tam.

No. 2266 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Sakamoto, Chun Oakland, Tam.

No. 2267 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Sakamoto, Chun Oakland, Tam.

No. 2268 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senators Ige, D., Sakamoto.

No. 2269 "A BILL FOR AN ACT MAKING A GRANT-IN-AID TO THE CENTER FOR STRATEGIC ADVANCEMENT OF TELEMATICS AND INFORMATICS."

Introduced by: Senator Matsuura.

No. 2270 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Matsuura, Hanabusa.

No. 2271 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Senators Matsuura, Hanabusa.

No. 2272 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Slom.

No. 2273 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Slom.

No. 2274 "A BILL FOR AN ACT RELATING TO BRIBES."

Introduced by: Senator Slom.

No. 2275 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH."

Introduced by: Senator Slom.

No. 2276 "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9-SECURED TRANSACTIONS."

Introduced by: Senators Taniguchi, Kanno.

No. 2277 "A BILL FOR AN ACT RELATING TO THE LAND COURT."

Introduced by: Senators Taniguchi, Kanno, Chumbley, Matsunaga.

No. 2278 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."

Introduced by: Senators Taniguchi, Kanno.

No. 2279 "A BILL FOR AN ACT RELATING TO UTILITY LINES."

Introduced by: Senators Taniguchi, Kanno, Fukunaga, Ihara.

No. 2280 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO QUANTIFY BENEFITS OF UNDERGROUNDING UTILITY LINES."

Introduced by: Senators Taniguchi, Kanno, Fukunaga, Ihara.

No. 2281 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senators Taniguchi, Kanno, Fukunaga, Ihara.

No. 2282 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Taniguchi, Kanno, Fukunaga, Ihara.

No. 2283 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Taniguchi, Kanno, Fukunaga, Ihara.

No. 2284 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Taniguchi, Kanno, Fukunaga, Ihara.

No. 2285 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Taniguchi, Kanno, Fukunaga, Ihara.

No. 2286 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Taniguchi, Kanno, Fukunaga, Ihara.

No. 2287 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Taniguchi, Kanno, Fukunaga, Ihara.

No. 2288 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Taniguchi, Kanno.

No. 2289 "A BILL FOR AN ACT RELATING TO PREPAID TELEPHONE CALLING SERVICE."

Introduced by: Senators Taniguchi, Kanno.

No. 2290 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PRO BOWL EXPENSES."

Introduced by: Senator Taniguchi.

No. 2291 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Senator Taniguchi, by request.

No. 2292 "A BILL FOR AN ACT RELATING TO INSURANCE CODE."

Introduced by: Senators Taniguchi, Kanno.

No. 2293 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Taniguchi, Kanno.

No. 2294 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Taniguchi.

No. 2295 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS."

Introduced by: Senators Taniguchi, Kanno.

No. 2296 "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT."

Introduced by: Senator Taniguchi.

No. 2297 "A BILL FOR AN ACT RELATING TO GAMBLING TO BENEFIT NONPROFIT ENTITIES."

Introduced by: Senator Tam.

No. 2298 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Tam, Chun Oakland.

No. 2299 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Kawamoto, Buen, Bunda, Slom.

No. 2300 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Kawamoto, Buen, Bunda, Iwase, Slom.

No. 2301 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Kawamoto, Buen, Bunda.

No. 2302 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Kawamoto, Buen, Bunda, Slom.

No. 2303 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Kawamoto, Buen, Bunda, Slom.

No. 2304 "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW."

Introduced by: Senator Kawamoto.

No. 2305 "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."

Introduced by: Senator Kawamoto.

No. 2306 "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."



Introduced by: Senator Kawamoto.

No. 2307 "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."

Introduced by: Senator Kawamoto.

No. 2308 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Kawamoto, Bunda, Fukunaga, Levin.

No. 2309 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Senators Kawamoto, Buen, Bunda, Slom.

No. 2310 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Senator Kawamoto.

No. 2311 "A BILL FOR AN ACT RELATING TO MANDATORY USE OF SEATBELTS."

Introduced by: Senators Kawamoto, Buen, Bunda, Taniguchi.

No. 2312 "A BILL FOR AN ACT RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND."

Introduced by: Senators Kawamoto, Bunda, Taniguchi.

No. 2313 "A BILL FOR AN ACT RELATING TO WAGES AND TIPS OF EMPLOYEES."

Introduced by: Senators Kawamoto, Nakata.

No. 2314 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senators Kawamoto, Buen, Bunda, Slom.

No. 2315 "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBERS."

Introduced by: Senators Kawamoto, Bunda.

No. 2316 "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSES."

Introduced by: Senators Kawamoto, Buen, Bunda, Slom, Taniguchi.

No. 2317 "A BILL FOR AN ACT RELATING TO BOARDS OF WATER SUPPLY."

Introduced by: Senator Kawamoto.

No. 2318 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSES."

Introduced by: Senator Kawamoto.

No. 2319 "A BILL FOR AN ACT RELATING TO HOSPITALS."

Introduced by: Senator Mizuguchi, by request.

No. 2320 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE COMMISSION."

Introduced by: Senator Mizuguchi, by request.

No. 2321 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2322 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Slom.

No. 2323 "A BILL FOR AN ACT RELATING TO CEDED LAND REVENUES."

Introduced by: Senator Hanabusa.

No. 2324 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Hanabusa, by request.

No. 2325 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Kanno, Taniguchi.

No. 2326 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE BENEFITS."

Introduced by: Senators Kanno, Taniguchi.

No. 2327 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Kanno, Taniguchi.

No. 2328 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Kanno, Nakata, Taniguchi.

No. 2329 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL-TO-WORK COORDINATOR/COUNSELORS."

Introduced by: Senators Kanno, Kawamoto.

No. 2330 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Kanno.

No. 2331 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Kanno, Taniguchi.

No. 2332 "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES."

Introduced by: Senators Kanno, Taniguchi.

No. 2333 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS PROPERTY REGIMES."

Introduced by: Senator Kanno.

No. 2334 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator Kanno.

No. 2335 "A BILL FOR AN ACT RELATING TO PARIMUTUEL WAGERING."

Introduced by: Senators Bunda, Kawamoto, Tam.

No. 2336 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Nakata, by request.

No. 2337 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senator Nakata.

No. 2338 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Senator Nakata.

No. 2339 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."

Introduced by: Senator Nakata, by request.

No. 2340 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."

Introduced by: Senator Nakata, by request.

No. 2341 "A BILL FOR AN ACT RELATING TO RESIDENTIAL MORTGAGE FORECLOSURES."

Introduced by: Senator Chumbley, by request.

No. 2342 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES."

Introduced by: Senator Chumbley.

No. 2343 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senators Buen, Anderson, Bunda, Fukunaga, Ihara, Levin, Nakata, Tam.

No. 2344 "A BILL FOR AN ACT RELATING TO THE MAUI REGIONAL HEALTH SYSTEMS CORPORATION."

Introduced by: Senators Buen, Bunda, Kawamoto, Matsuura, Nakata, Tam.

No. 2345 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES."

Introduced by: Senators Fukunaga, Ihara, Chumbley, Kanno, Taniguchi.

No. 2346 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITY LINES."

Introduced by: Senators Fukunaga, Ihara, Kanno, Taniguchi.

No. 2347 "A BILL FOR AN ACT RELATING TO LIQUOR COMMISSIONS."

Introduced by: Senators Fukunaga, Ihara, Kawamoto.

No. 2348 "A BILL FOR AN ACT RELATING TO MUNICIPAL SERVICES."

Introduced by: Senators Fukunaga, Ihara, Tam, Chumbley.

No. 2349 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senators Fukunaga, Ihara, Tam, Chumbley.

No. 2350 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Fukunaga, Ihara, Tam.

No. 2351 "A BILL FOR AN ACT RELATING TO UTILITY LINES."

Introduced by: Senators Fukunaga, Ihara.

No. 2352 "A BILL FOR AN ACT RELATING TO COMPUTER OFFENSES."

Introduced by: Senators Chumbley, Ihara, Inouye, Ige, D., Iwase, Levin.

No. 2353 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."

Introduced by: Senators Chumbley, Fukunaga, Inouye, Ige, D., Iwase, Chun Oakland, Levin, Ihara.

No. 2354 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."

Introduced by: Senators Ihara, Fukunaga, Ige, D., Inouye, Levin, Iwase.

No. 2355 "A BILL FOR AN ACT RELATING TO WATERSHED MANAGEMENT."

Introduced by: Senators Nakata, Hanabusa.

No. 2356 "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Nakata.

No. 2357 "A BILL FOR AN ACT RELATING TO MARIJUANA ERADICATION."

Introduced by: Senator Levin.

No. 2358 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Levin.

No. 2359 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAIIAN ORGANIC AGRICULTURE."

Introduced by: Senator Levin.

No. 2360 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO THE COUNTING OF VOTES."

Introduced by: Senator Levin.

No. 2361 "A BILL FOR AN ACT RELATING TO BLANK VOTES."

Introduced by: Senators Levin, Fukunaga.

No. 2362 "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE."

Introduced by: Senator Levin.

No. 2363 "A BILL FOR AN ACT RELATING TO THE CENTER FOR CHILD AND ADOLESCENT TRAUMA RECOVERY."

Introduced by: Senator Levin.

No. 2364 "A BILL FOR AN ACT RELATING TO PROFESSIONAL SERVICES."

Introduced by: Senator Levin.

No. 2365 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A NAVY JUNIOR ROTC PROGRAM AT WAIAKEA HIGH SCHOOL."

Introduced by: Senator Levin.

No. 2366 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senators Levin, Inouye.

No. 2367 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senators Levin, Inouye.

No. 2368 "A BILL FOR AN ACT RELATING TO GIFT GIVING BY COURT REPORTERS."

Introduced by: Senator Levin.

No. 2369 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Levin, Bunda, Chun Oakland, Ige, D., Inouye, Iwase, Matsunaga, Sakamoto.

No. 2370 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY AMBULANCE SERVICE ON THE ISLAND OF HAWAII."

Introduced by: Senator Levin.

No. 2371 "A BILL FOR AN ACT RELATING TO INCOMPETENT PERSONS."

Introduced by: Senators Chun Oakland, Anderson, Iwase, Kawamoto, Nakata, Tam.

No. 2372 "A BILL FOR AN ACT RELATING TO PAIN MANAGEMENT."

Introduced by: Senators Chun Oakland, Levin, Nakata, Tam.

No. 2373 "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES."

Introduced by: Senators Chun Oakland, Anderson, Kawamoto, Nakata, Tam.

No. 2374 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senators Chun Oakland, Tam, Anderson, Buen, Kawamoto, Nakata.

No. 2375 "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION."

Introduced by: Senators Chun Oakland, Iwase, Levin, Tam.

No. 2376 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Chun Oakland, Tam, Buen, Nakata.

No. 2377 "A BILL FOR AN ACT RELATING TO REGISTRARS FOR ADULT COMMUNITY SCHOOLS."

Introduced by: Senators Buen, Chun.

No. 2378 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."

Introduced by: Senator Nakata.

No. 2379 "A BILL FOR AN ACT RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION."

Introduced by: Senator Sakamoto.

No. 2380 "A BILL FOR AN ACT RELATING TO TEACHER COMPENSATION."

Introduced by: Senator Sakamoto.

No. 2381 "A BILL FOR AN ACT RELATING TO SCHOOL SAFETY."

Introduced by: Senator Sakamoto.

No. 2382 "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS FOR TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators Hanabusa, Chun, Nakata.

No. 2383 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII REGENTS."

Introduced by: Senator Hanabusa, by request.

No. 2384 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa, by request.

No. 2385 "A BILL FOR AN ACT RELATING TO THE UNIFORM COMPUTER INFORMATION TRANSACTIONS ACT."

Introduced by: Senators Ige, D., Iwase, Chun Oakland, Levin, Inouye, Ihara, Fukunaga, Chumbley, Sakamoto.

No. 2386 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE RENOVATION OF STATE OWNED PUBLIC HOUSING."

Introduced by: Senator Tam.

No. 2387 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Tam.

No. 2388 "A BILL FOR AN ACT RELATING TO ENHANCING THE ENVIRONMENT OF PUBLIC EDUCATION."

Introduced by: Senators Tam, Bunda, Ihara, Matsuura, Slom.

No. 2389 "A BILL FOR AN ACT RELATING TO A VOTING STUDENT ON THE BOARD OF EDUCATION."

Introduced by: Senators Tam, Bunda, Ihara, Matsuura, Slom.

No. 2390 "A BILL FOR AN ACT RELATING TO SCHOOL SECURITY ATTENDANTS."

Introduced by: Senators Tam, Bunda, Ihara, Iwase, Matsuura, Slom.

No. 2391 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE STUDENT COUNCIL."

Introduced by: Senators Tam, Bunda, Ihara, Iwase, Matsuura, Slom.

No. 2392 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF COMPUTERS FOR PUBLIC HIGH SCHOOLS STATEWIDE."

Introduced by: Senators Tam, Bunda, Ihara, Matsuura.

No. 2393 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Tam, Bunda, Ihara, Slom.

No. 2394 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HIGH SCHOOL ATHLETIC SAFETY TRAINING EQUIPMENT AND SUPPLIES."

Introduced by: Senators Tam, Bunda, Ihara, Iwase, Matsuura, Slom.

No. 2395 "A BILL FOR AN ACT RELATING TO TEACHER EVALUATION BY STUDENTS."

Introduced by: Senators Tam, Bunda, Ihara, Matsuura, Slom.

No. 2396 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senators Tam, Bunda.

No. 2397 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII REGENTS."

Introduced by: Senators Tam, Bunda, Slom.

No. 2398 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Tam.

No. 2399 "A BILL FOR AN ACT RELATING TO THE GOVERNOR."

Introduced by: Senator Tam.

No. 2400 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Tam.

No. 2401 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 4, OF THE STATE CONSTITUTION TO ESTABLISH LEGISLATIVE TERM LIMITS."

Introduced by: Senator Chun.

No. 2402 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW."

Introduced by: Senator Chun.

No. 2403 "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES."

Introduced by: Senator Chun.

No. 2404 "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS."

Introduced by: Senators Chun, Chun Oakland.

No. 2405 "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSE."

Introduced by: Senator Chun.

No. 2406 "A BILL FOR AN ACT RELATING TO PARENTAL CONSENT FOR ABORTIONS."

Introduced by: Senator Chun.

No. 2407 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Senator Chun.

No. 2408 "A BILL FOR AN ACT RELATING TO LICENSING OF PSYCHOLOGISTS."

Introduced by: Senator Hanabusa.

No. 2409 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi.

No. 2410 "A BILL FOR AN ACT RELATING TO FORFEITURE."

Introduced by: Senator Mizuguchi.

No. 2411 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES."

Introduced by: Senator Mizuguchi.

No. 2412 "A BILL FOR AN ACT RELATING TO THE AUDITOR."

Introduced by: Senator Mizuguchi.

No. 2413 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Mizuguchi.

No. 2414 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senator Mizuguchi, by request.

No. 2415 "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE."

Introduced by: Senator Mizuguchi.

No. 2416 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."

Introduced by: Senators Ihara, Fukunaga, Chun Oakland, Chumbley.

No. 2417 "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS."

Introduced by: Senators Ihara, Fukunaga, Chun Oakland, Chumbley.

No. 2418 "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES."

Introduced by: Senators Ihara, Fukunaga, Chun Oakland, Chumbley.

No. 2419 "A BILL FOR AN ACT RELATING TO CAPITAL ACCESS PROGRAM."

Introduced by: Senators Ihara, Fukunaga, Chun Oakland, Chumbley.

No. 2420 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Senators Fukunaga, Chumbley, Inouye, Iwase, Levin, Ihara, Ige, D., Chun Oakland, Sakamoto.

No. 2421 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Fukunaga.

No. 2422 "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION."

Introduced by: Senator Fukunaga.

No. 2423 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Fukunaga.

No. 2424 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senator Fukunaga.

No. 2425 "A BILL FOR AN ACT RELATING TO APPOINTED COUNSEL."

Introduced by: Senators Matsunaga, Chumbley.

No. 2426 "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION."

Introduced by: Senators Matsunaga, Chumbley.

No. 2427 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS."

Introduced by: Senator Chumbley.

No. 2428 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CRIME PREVENTION THROUGH THE REHABILITATION OF YOUTH GANG MEMBERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2429 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senators Matsunaga, Chumbley.

No. 2430 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senator Chumbley.

No. 2431 "A BILL FOR AN ACT RELATING TO SEX OFFENDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2432 "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL."

Introduced by: Senators Matsunaga, Chumbley.

No. 2433 "A BILL FOR AN ACT RELATING TO PRISONS."

Introduced by: Senators Chumbley, Matsunaga, Chun Oakland, Ihara, Fukunaga, Inouye, Sakamoto, Ige, D., Iwase.

No. 2434 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Senators Matsunaga, Chumbley, Chun Oakland, Levin, Buen, Bunda, Chun, Hanabusa, Ige, D., Inouye, Iwase, Kanno, Kawamoto, Matsuura, Nakata, Sakamoto, Tam, Taniguchi.

No. 2435 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Senators Matsunaga, Chumbley, Chun Oakland.

No. 2436 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senators Matsunaga, Chumbley.

No. 2437 "A BILL FOR AN ACT RELATING TO ANTITRUST."

Introduced by: Senators Matsunaga, Chumbley.

No. 2438 "A BILL FOR AN ACT RELATING TO JUDGMENTS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2439 "A BILL FOR AN ACT RELATING TO PROTECTION OF HEALTH INFORMATION BY PROPERTY AND CASUALTY INSURERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2440 "A BILL FOR AN ACT RELATING TO INFORMATIONAL PRIVACY."

Introduced by: Senators Chumbley, Matsunaga.

No. 2441 "A BILL FOR AN ACT RELATING TO DANGEROUS DOGS."

Introduced by: Senators Matsunaga, Chumbley.

No. 2442 "A BILL FOR AN ACT RELATING TO CAREGIVERS."

Introduced by: Senators Chun Oakland, Anderson, Buen, Kawamoto, Nakata, Tam.

No. 2443 "A BILL FOR AN ACT RELATING TO FAMILIES."

Introduced by: Senators Chun Oakland, Tam, Anderson, Buen, Chumbley, Iwase, Kanno, Kawamoto, Nakata.

No. 2444 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TREATMENT OF VICTIMS OF INTRAFAMILIAL CHILD SEXUAL ABUSE."

Introduced by: Senators Chun Oakland, Tam, Buen, Chumbley, Iwase, Kanno, Kawamoto, Nakata.

No. 2445 "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND."

Introduced by: Senators Chun Oakland, Buen, Chumbley, Iwase, Kanno, Kawamoto, Nakata, Tam.

No. 2446 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES."

Introduced by: Senators Chun Oakland, Tam, Buen, Chumbley, Iwase, Kanno, Kawamoto, Nakata.

No. 2447 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD."

Introduced by: Senators Chun Oakland, Tam, Buen, Chun, Chumbley, Iwase, Kanno, Kawamoto, Nakata.

No. 2448 "A BILL FOR AN ACT RELATING TO AUTISM."

Introduced by: Senators Chun Oakland, Tam, Kanno, Levin.

No. 2449 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Fukunaga, Chumbley, Inouye.

No. 2450 "A BILL FOR AN ACT RELATING TO BODY PIERCING."

Introduced by: Senators Chun Oakland, Inouye.

No. 2451 "A BILL FOR AN ACT RELATING TO STUDENTS WITH DISABILITIES."

Introduced by: Senator Chun Oakland.

No. 2452 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE COVERAGE."

Introduced by: Senators Chun Oakland, Fukunaga.

No. 2453 "A BILL FOR AN ACT RELATING TO TATTOOS."

Introduced by: Senator Chun Oakland.

No. 2454 "A BILL FOR AN ACT RELATING TO SCHOOL SECURITY ATTENDANTS."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Inouye, Ige, D.

No. 2455 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chun Oakland, Kanno, Tam, Iwase, Inouye, Ige, D., Kawamoto.

No. 2456 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BLUEPRINT FOR CHANGE."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Fukunaga, Chumbley, Inouye, Ige, D.

No. 2457 "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT MONEYS."

Introduced by: Senators Chun Oakland, Kanno, Tam, Iwase, Chumbley, Fukunaga, Levin, Inouye.

No. 2458 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Inouye.

No. 2459 "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS."

Introduced by: Senators Chun Oakland, Nakata, Tam, Fukunaga.

No. 2460 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Chumbley, Fukunaga, Ihara, Inouye, Ige, D.

No. 2461 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Fukunaga, Ihara.

No. 2462 "A BILL FOR AN ACT RELATING TO IMMUNIZATIONS."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Fukunaga, Ihara.

No. 2463 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senators Chun Oakland, Iwase.

No. 2464 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY."

Introduced by: Senators Chun Oakland, Iwase, Ihara.

No. 2465 "A BILL FOR AN ACT RELATING TO PORNOGRAPHY."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase.

No. 2466 "A BILL FOR AN ACT RELATING TO COMPUTER ACCESS BY MINORS."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Chumbley, Ihara.

No. 2467 "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS."

Introduced by: Senators Sakamoto, Kawamoto, Slom, Taniguchi.

No. 2468 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Senator Sakamoto.

No. 2469 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 2470 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 2471 "A BILL FOR AN ACT RELATING TO GOVERNMENT EFFICIENCY."

Introduced by: Senators Sakamoto, Chumbley, Chun Oakland, Fukunaga, Ige, D., Ihara, Iwase.

No. 2472 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Sakamoto, Chumbley, Chun Oakland, Ige, D., Ihara, Iwase.

No. 2473 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS DEFENDER."

Introduced by: Senators Sakamoto, Chumbley, Chun Oakland, Ige, D., Ihara, Iwase.

No. 2474 "A BILL FOR AN ACT RELATING TO FEDERAL AID."

Introduced by: Senators Sakamoto, Chumbley, Chun Oakland, Fukunaga, Ige, D., Ihara, Iwase.

No. 2475 "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS."

Introduced by: Senators Sakamoto, Chumbley, Chun Oakland, Fukunaga, Ige, D., Ihara, Iwase.

No. 2476 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Sakamoto, Chumbley, Chun Oakland, Ige, D., Ihara, Iwase.

No. 2477 "A BILL FOR AN ACT RELATING TO THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa, by request.

No. 2478 "A BILL FOR AN ACT RELATING TO THE ELECTION OF THE OFFICE OF HAWAIIAN AFFAIRS' BOARD OF TRUSTEES."

Introduced by: Senator Hanabusa, by request.

No. 2479 "A BILL FOR AN ACT RELATING TO THE ELECTION OF THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Hanabusa, by request.

No. 2480 "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION."

Introduced by: Senators Hanabusa, Buen.

No. 2481 "A BILL FOR AN ACT RELATING TO ABORTION."

Introduced by: Senator Chun.

No. 2482 "A BILL FOR AN ACT RELATING TO TECHNOLOGY BUSINESS TAXATION."

Introduced by: Senators Chun, Buen.

No. 2483 "A BILL FOR AN ACT RELATING TO BURIAL SITES."

Introduced by: Senator Chun.

No. 2484 "A BILL FOR AN ACT RELATING TO MEDICAID RECOVERY."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Chumbley, Fukunaga, Ihara, Inouye, Ige, D.

No. 2485 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR END-OF-LIFE CARE EDUCATION OF PHYSICIANS."

Introduced by: Senator Chun Oakland.

No. 2486 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Chun Oakland, Levin, Fukunaga, Matsunaga, Chumbley, Ihara, Inouye, Iwase.

No. 2487 "A BILL FOR AN ACT RELATING TO ELDER ABUSE."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Chumbley, Fukunaga.

No. 2488 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER."

Introduced by: Senators Chun Oakland, Chumbley, Fukunaga.

No. 2489 "A BILL FOR AN ACT RELATING TO BRAIN INJURY."

Introduced by: Senators Chun Oakland, Fukunaga.

No. 2490 "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE."

Introduced by: Senators Chun Oakland, Kanno, Tam, Kawamoto, Iwase, Chumbley, Fukunaga, Ihara, Inouye, Ige, D.

No. 2491 "A BILL FOR AN ACT RELATING TO DIVORCE."

Introduced by: Senator Chun Oakland.

No. 2492 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Chun Oakland.

No. 2493 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE TREATMENT SERVICES."

Introduced by: Senator Chun Oakland.

No. 2494 "A BILL FOR AN ACT RELATING TO EMPOWERMENT OF THE BLIND."

Introduced by: Senator Chun Oakland.

No. 2495 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

Introduced by: Senator Chun Oakland.

No. 2496 "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT MONEYS."

Introduced by: Senator Chun Oakland.

No. 2497 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Ihara.

No. 2498 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Ihara.

No. 2499 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES."

Introduced by: Senator Ihara.

No. 2500 "A BILL FOR AN ACT RELATING TO FERAL ANIMALS."

Introduced by: Senator Chumbley.

No. 2501 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."

Introduced by: Senator Chumbley.

No. 2502 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN STUDIES PROGRAM."

Introduced by: Senator Tam.

No. 2503 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Tam.

No. 2504 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."

Introduced by: Senator Tam.

No. 2505 "A BILL FOR AN ACT RELATING TO TEACHERS' RIGHTS REGARDING STUDENT DISCIPLINE."

Introduced by: Senator Tam.

No. 2506 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Tam.

No. 2507 "A BILL FOR AN ACT RELATING TO TEACHER TRAINING."

Introduced by: Senator Tam.

No. 2508 "A BILL FOR AN ACT RELATING TO PLATINUM JEWELRY."

Introduced by: Senator Tam.

No. 2509 "A BILL FOR AN ACT RELATING TO PROCUREMENT PRACTICES."

Introduced by: Senator Tam.

No. 2510 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Tam.

No. 2511 "A BILL FOR AN ACT RELATING TO NAPS FOR STATE EMPLOYEES."

Introduced by: Senator Tam.

No. 2512 "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION."

Introduced by: Senator Tam.

No. 2513 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."

Introduced by: Senator Nakata.

No. 2514 "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION."

Introduced by: Senator Nakata.

No. 2515 "A BILL FOR AN ACT RELATING TO BUSINESS OR DEVELOPMENT-RELATED PERMITS, LICENSES, OR APPROVALS."

Introduced by: Senator Nakata.

No. 2516 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senator Nakata, by request.

No. 2517 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE TWENTY-THIRD SENATORIAL DISTRICT."

Introduced by: Senator Nakata.

No. 2518 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL"

Introduced by: Senator Chun.

No. 2519 "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS."

Introduced by: Senator Mizuguchi.

No. 2520 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEGISLATIVE INTERNAL COMPUTER NETWORK."

Introduced by: Senator Mizuguchi.

No. 2521 "A BILL FOR AN ACT RELATING TO PROFESSIONAL SERVICE CONTRACTS."

Introduced by: Senators Mizuguchi, Tam.

No. 2522 "A BILL FOR AN ACT RELATING TO OFFICE OF INFORMATION PRACTICES."

Introduced by: Senator Ihara.

No. 2523 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Senator Ihara.

No. 2524 "A BILL FOR AN ACT RELATING TO A JOINT COMMITTEE ON LEGISLATIVE ETHICS."

Introduced by: Senator Ihara, by request.

No. 2525 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senator Ihara.

No. 2526 "A BILL FOR AN ACT RELATING TO PROCUREMENT."



Introduced by: Senator Ihara.

No. 2527 "A BILL FOR AN ACT RELATING TO  
CONDOMINIUMS."

Introduced by: Senator Ihara.

**ADJOURNMENT**

At 10:00 o'clock p.m., the Senate adjourned until 9:30  
o'clock a.m., Monday, January 24, 2000.

## FOURTH DAY

Monday, January 24, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 9:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Masatoki Hamada, Jodo Mission of Hawaii, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Third Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 4) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 1, submitting for consideration and confirmation to the Office of Hawaiian Affairs Salary Commission, the nominations of GLADYS A. BRANDT, KEOLAHOU DAVIDSON-COLEMAN, ZACHARY HELM, CLARA KAKALIA, KAMAKI KANAHELE, JOSEPH PAPALIMU and JAMES KAPULE TORIO, terms to expire no later than February 17, 2000, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 2, submitting for consideration and confirmation as Adjutant General, the nomination of EDWARD L. CORREA, JR., term to expire December 2, 2002, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 3, submitting for consideration and confirmation as Attorney General, the nomination of EARL I. ANZAI, term to expire December 2, 2002, was referred to the Committee on Judiciary.

Gov. Msg. No. 4, submitting for consideration and confirmation as Director of Finance, the nomination of NEAL H. MIYAHIRA, term to expire December 2, 2002, was referred to the Committee on Ways and Means.

## SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 8) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 8 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE OFFICE OF THE GOVERNOR."

Offered by: Senator Tam.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Thursday, January 20, 2000, and Friday, January 21, 2000:

Senate Bill	Referred to:
No. 2138	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2139	Committee on Health and Human Services, then to the Committee on Judiciary

No. 2140	Jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
----------	--

No. 2141	Committee on Government Operations and Housing, then to the Committee on Judiciary
----------	--

No. 2142	Committee on Judiciary
----------	------------------------

No. 2143	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
----------	--

No. 2144	Committee on Judiciary, then to the Committee on Ways and Means
----------	---

No. 2145	Jointly to the Committee on Judiciary and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
----------	---

No. 2146	Committee on Judiciary
----------	------------------------

No. 2147	Committee on Judiciary
----------	------------------------

No. 2148	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
----------	--

No. 2149	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
----------	--

No. 2150	Committee on Judiciary
----------	------------------------

No. 2151	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs
----------	---

No. 2152	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
----------	--

No. 2153	Committee on Judiciary
----------	------------------------

No. 2154	Committee on Judiciary
----------	------------------------

No. 2155	Committee on Judiciary
----------	------------------------

No. 2156	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
----------	--

No. 2157	Committee on Ways and Means
----------	-----------------------------

No. 2158	Committee on Education and Technology, then to the Committee on Ways and Means
----------	--

No. 2159	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means
----------	--

No. 2160	Committee on Ways and Means
----------	-----------------------------

No. 2161	Committee on Ways and Means
----------	-----------------------------

No. 2162	Jointly to the Committee on Judiciary and the Committee on Labor and Environment, then to the Committee on Ways and Means
----------	---

No. 2163	Jointly to the Committee on Health and Human Services and the Committee on Transportation and
----------	---

Intergovernmental Affairs, then to the Committee on Ways and Means	No. 2188 Protection	Committee on Commerce and Consumer Protection
No. 2164            Committee on Economic Development, then to the Committee on Ways and Means	No. 2189	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2165            Committee on Commerce and Consumer Protection	No. 2190	Committee on Judiciary
No. 2166            Jointly to the Committee on Economic Development and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2191	Committee on Transportation and Intergovernmental Affairs
No. 2167            Committee on Economic Development, then to the Committee on Ways and Means	No. 2192	Committee on Labor and Environment, then to the Committee on Judiciary
No. 2168            Committee on Education and Technology, then to the Committee on Ways and Means	No. 2193	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2169            Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 2194	Committee on Ways and Means
No. 2170            Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2195	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2171            Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2196	Committee on Judiciary, then to the Committee on Ways and Means
No. 2172            Committee on Education and Technology, then to the Committee on Ways and Means	No. 2197	Committee on Judiciary, then to the Committee on Ways and Means
No. 2173            Committee on Education and Technology, then to the Committee on Judiciary	No. 2198	Committee on Judiciary, then to the Committee on Ways and Means
No. 2174            Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary	No. 2199	Committee on Judiciary, then to the Committee on Ways and Means
No. 2175            Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2200	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2176            Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2201	Committee on Judiciary
No. 2177            Committee on Economic Development	No. 2202	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 2178            Committee on Economic Development, then to the Committee on Ways and Means	No. 2203	Committee on Judiciary
No. 2179            Committee on Economic Development	No. 2204	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2180            Committee on Education and Technology, then to the Committee on Ways and Means	No. 2205	Committee on Commerce and Consumer Protection
No. 2181            Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2206	Committee on Judiciary
No. 2182            Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2207	Committee on Judiciary
No. 2183            Committee on Health and Human Services, then to the Committee on Judiciary	No. 2208	Committee on Economic Development
No. 2184            Committee on Health and Human Services, then to the Committee on Judiciary	No. 2209	Committee on Government Operations and Housing
No. 2185            Committee on Judiciary, then to the Committee on Ways and Means	No. 2210	Committee on Government Operations and Housing
No. 2186            Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2211	Committee on Transportation and Intergovernmental Affairs
No. 2187            Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means	No. 2212	Committee on Ways and Means
	No. 2213	Committee on Ways and Means
	No. 2214	Committee on Labor and Environment
	No. 2215	Committee on Labor and Environment
	No. 2216	Committee on Labor and Environment
	No. 2217	Committee on Labor and Environment

- No. 2218 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2219 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2220 Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2221 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2222 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 2223 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2224 Committee on Judiciary
- No. 2225 Committee on Commerce and Consumer Protection
- No. 2226 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2227 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2228 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2229 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2230 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2231 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2232 Committee on Judiciary
- No. 2233 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2234 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2235 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2236 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2237 Committee on Labor and Environment
- No. 2238 Committee on Labor and Environment
- No. 2239 Committee on Labor and Environment
- No. 2240 Committee on Labor and Environment
- No. 2241 Committee on Labor and Environment
- No. 2242 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2243 Committee on Government Operations and Housing, then to the Committee on Judiciary
- No. 2244 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 2245 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2246 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2247 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2248 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2249 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2250 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2251 Committee on Economic Development, then to the Committee on Judiciary
- No. 2252 Committee on Judiciary
- No. 2253 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2254 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 2255 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2256 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2257 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2258 Jointly to the Committee on Labor and Environment and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2259 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 2260 Committee on Labor and Environment
- No. 2261 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2262 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2263 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2264 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2265 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2266 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2267 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2268 Committee on Education and Technology, then to the Committee on Judiciary
- No. 2269 Committee on Education and Technology, then to the Committee on Ways and Means

No. 2270	Jointly to the Committee on Judiciary and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2294	Committee on Commerce and Consumer Protection
No. 2271	Jointly to the Committee on Judiciary and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2295	Committee on Judiciary, then to the Committee on Ways and Means
No. 2272	Committee on Ways and Means	No. 2296	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 2273	Committee on Ways and Means	No. 2297	Committee on Judiciary, then to the Committee on Ways and Means
No. 2274	Committee on Judiciary	No. 2298	Jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2275	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2299	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2276	Committee on Commerce and Consumer Protection	No. 2300	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2277	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 2301	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2278	Committee on Commerce and Consumer Protection	No. 2302	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2279	Committee on Commerce and Consumer Protection	No. 2303	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2280	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2304	Committee on Commerce and Consumer Protection
No. 2281	Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection	No. 2305	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
No. 2282	Committee on Commerce and Consumer Protection	No. 2306	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
No. 2283	Committee on Commerce and Consumer Protection	No. 2307	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection
No. 2284	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2308	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2285	Committee on Commerce and Consumer Protection	No. 2309	Committee on Labor and Environment
No. 2286	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 2310	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2287	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2311	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2288	Committee on Commerce and Consumer Protection	No. 2312	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2289	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2313	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2290	Committee on Economic Development, then to the Committee on Ways and Means	No. 2314	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
No. 2291	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means		
No. 2292	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services		
No. 2293	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment		

No. 2315	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 2337	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 2316	Committee on Transportation and Intergovernmental Affairs	No. 2338	Committee on Labor and Environment, then to the Committee on Water, Land, and Hawaiian Affairs
No. 2317	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2339	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2318	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 2340	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2319	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2341	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 2320	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2342	Committee on Economic Development, then to the Committee on Ways and Means
No. 2321	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2343	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2322	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 2344	Jointly to the Committee on Health and Human Services and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2323	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 2345	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2324	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs	No. 2346	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2325	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2347	Committee on Transportation and Intergovernmental Affairs
No. 2326	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2348	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 2327	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2349	Committee on Government Operations and Housing
No. 2328	Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection	No. 2350	Committee on Government Operations and Housing
No. 2329	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 2351	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2330	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary	No. 2352	Committee on Education and Technology, then to the Committee on Judiciary
No. 2331	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2353	Committee on Judiciary, then to the Committee on Ways and Means
No. 2332	Committee on Commerce and Consumer Protection	No. 2354	Committee on Ways and Means
No. 2333	Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection	No. 2355	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2334	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2356	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2335	Committee on Judiciary, then to the Committee on Ways and Means	No. 2357	Committee on Judiciary
No. 2336	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2358	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
		No. 2359	Committee on Economic Development, then to the Committee on Ways and Means
		No. 2360	Committee on Judiciary
		No. 2361	* Committee on Judiciary

- No. 2362 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2363 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2364 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2365 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2366 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2367 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2368 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2369 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 2370 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2371 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 2372 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 2373 Committee on Commerce and Consumer Protection
- No. 2374 Committee on Judiciary
- No. 2375 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 2376 Committee on Commerce and Consumer Protection
- No. 2377 Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2378 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2379 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2380 Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2381 Committee on Education and Technology, then to the Committee on Judiciary
- No. 2382 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2383 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2384 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2385 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2386 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2387 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2388 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2389 Committee on Education and Technology, then to the Committee on Judiciary
- No. 2390 Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2391 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2392 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2393 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2394 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2395 Committee on Education and Technology
- No. 2396 Committee on Education and Technology, then to the Committee on Judiciary
- No. 2397 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2398 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2399 Committee on Ways and Means
- No. 2400 Committee on Ways and Means
- No. 2401 Committee on Judiciary
- No. 2402 Jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2403 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2404 Jointly to the Committee on Government Operations and Housing and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2405 Committee on Transportation and Intergovernmental Affairs
- No. 2406 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 2407 Committee on Economic Development, then to the Committee on Transportation and Intergovernmental Affairs
- No. 2408 Committee on Commerce and Consumer Protection

No. 2409	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 2435	Committee on Judiciary, then to the Committee on Ways and Means
No. 2410	Committee on Judiciary, then to the Committee on Ways and Means	No. 2436	Committee on Judiciary
No. 2411	Committee on Economic Development, then to the Committee on Ways and Means	No. 2437	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 2412	Committee on Ways and Means	No. 2438	Committee on Judiciary, then to the Committee on Ways and Means
No. 2413	Committee on Judiciary	No. 2439	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Judiciary
No. 2414	Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection	No. 2440	Committee on Judiciary, then to the Committee on Ways and Means
No. 2415	Committee on Economic Development, then to the Committee on Ways and Means	No. 2441	Committee on Judiciary
No. 2416	Committee on Commerce and Consumer Protection	No. 2442	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2417	Committee on Ways and Means	No. 2443	Committee on Health and Human Services, then to the Committee on Transportation and Intergovernmental Affairs
No. 2418	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2444	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2419	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2445	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2420	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2446	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2421	Committee on Ways and Means	No. 2447	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2422	Committee on Economic Development, then to the Committee on Ways and Means	No. 2448	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2423	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2449	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2424	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection	No. 2450	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2425	Committee on Judiciary, then to the Committee on Ways and Means	No. 2451	Committee on Government Operations and Housing, then to the Committee on Education and Technology
No. 2426	Committee on Judiciary, then to the Committee on Ways and Means	No. 2452	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2427	Committee on Judiciary, then to the Committee on Ways and Means	No. 2453	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2428	Committee on Judiciary, then to the Committee on Ways and Means	No. 2454	Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 2429	Committee on Judiciary, then to the Committee on Ways and Means	No. 2455	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2430	Committee on Judiciary	No. 2456	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2431	Committee on Judiciary	No. 2457	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2432	Committee on Judiciary, then to the Committee on Ways and Means	No. 2458	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2433	Jointly to the Committee on Judiciary and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2459	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2434	Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means		



No. 2460	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2486	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2461	Committee on Education and Technology, then to the Committee on Judiciary	No. 2487	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2462	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2488	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2463	Committee on Judiciary	No. 2489	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2464	Committee on Judiciary	No. 2490	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2465	Committee on Education and Technology, then to the Committee on Judiciary	No. 2491	Committee on Judiciary
No. 2466	Committee on Education and Technology, then to the Committee on Judiciary	No. 2492	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2467	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary	No. 2493	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2468	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2494	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2469	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2495	Committee on Education and Technology, then to the Committee on Labor and Environment
No. 2470	Committee on Education and Technology	No. 2496	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2471	Jointly to the Committee on Government Operations and Housing and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2497	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 2472	Committee on Ways and Means	No. 2498	Committee on Water, Land, and Hawaiian Affairs
No. 2473	Committee on Economic Development, then to the Committee on Ways and Means	No. 2499	Committee on Ways and Means
No. 2474	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2500	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2475	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2501	Committee on Economic Development, then to the Committee on Ways and Means
No. 2476	Committee on Ways and Means	No. 2502	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2477	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary	No. 2503	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2478	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary	No. 2504	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2479	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary	No. 2505	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2480	Committee on Judiciary	No. 2506	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
No. 2481	Committee on Health and Human Services, then to the Committee on Judiciary	No. 2507	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2482	Committee on Economic Development, then to the Committee on Ways and Means	No. 2508	Committee on Commerce and Consumer Protection
No. 2483	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2509	Jointly to the Committee on Government Operations and Housing and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2484	Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2510	Committee on Education and Technology
No. 2485	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2511	Committee on Labor and Environment

No. 2512	Committee on Ways and Means
No. 2513	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2514	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2515	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2516	Jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2517	Committee on Ways and Means
No. 2518	Committee on Judiciary
No. 2519	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2520	Committee on Ways and Means
No. 2521	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 2522	Committee on Judiciary, then to the Committee on Ways and Means
No. 2523	Committee on Judiciary, then to the Committee on Ways and Means
No. 2524	Committee on Judiciary, then to the Committee on Ways and Means
No. 2525	Committee on Judiciary
No. 2526	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 2527	Committee on Government Operations and Housing, then to the Committee on Judiciary

#### RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill                      Referred to:

No. 2041                      Jointly to the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

At 9:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:52 o'clock a.m.

Senator M. Ige then inquired:

"Mr. President, several days ago you gave us a letter supporting the Adopt A Teacher Foundation. I think that's a wonderful idea. We should all contribute to that.

"In counting my schools, I have over 10 schools. A couple of the schools are right outside of my boundary like Kalaheo High School, King Intermediate, Kailua Intermediate. That would make it 14 to 16 schools. If I were to adopt a teacher in each school, you're talking that amount times \$1,000 at your recommendation.

"I want to know, Mr. President, did you use your personal money or did you use your campaign funds to support that project?"

The Chair replied:

"I am in the process of writing a letter to Mr. Watada of the Campaign Spending Commission to find out whether it would be permissible to use campaign funds to adopt a teacher. I would hope that I can get a response shortly so that I can advise all of you whether campaign funds can be used to adopt a teacher."

Senator Anderson rose and stated:

"Mr. President, a point of clarification since we all have a lot of schools in our districts. In our case, even if Mr. Watada says it's okay to use campaign funds, we might be able to adopt one or, maybe, possibly two at a cost of \$1,000 each, because campaign funds are very short.

"Thank you."

The President responded:

"I would think that yes, campaign funds are very short, so it would be practical to just adopt one teacher from a number of schools in your district."

At 9:55 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with House Concurrent Resolution No. 1, to receive the Governor's state of the state address.

#### JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, was called to order at 10:02 o'clock a.m. by the Honorable Calvin Say, Speaker of the House of Representatives.

At this time, the Speaker welcomed and introduced the following distinguished guests to the members of the Twentieth Legislature:

The First Lady of the State of Hawaii, Mrs. Vicky Cayetano. She was presented a lei by Senator Brian Taniguchi;

The Honorable Mazie Hirono, Lieutenant Governor of Hawaii, and Mr. Leighton Oshima. They were presented leis by Representative Willie Espero and Senator Colleen Hanabusa;

The Honorable Ronald T.Y. Moon, Chief Justice, Hawaii State Supreme Court. He was presented a lei by Representative Sylvia Luke;

The Honorable Patsy Mink, United States House of Representatives;

The Honorable Stephen Yamashiro, Mayor of the County of Hawaii;

The Honorable James "Kimo" Apana, Mayor of the County of Maui;

The Honorable Jeremy Harris, Mayor of the City and County of Honolulu, and Mrs. Harris;

The Honorable Maryanne Kusaka, Mayor of the County of Kauai;

The Honorable Ronald Kouchi, Chair, Kauai County Council;

The Honorable Patrick Kawano, Chair, Maui County Council;

The Honorable Jon Yoshimura, Chair, Honolulu City Council;

Mr. Clayton Hee, Chair, Office of Hawaiian Affairs;

Ms. Minerva Jean A. Falcon, Dean of the Consular Corps, and other Consular Corps members.

The Speaker then appointed Senators Avery Chumbley, Les Ihara, Jr., Jonathan Chun and Whitney Anderson, on behalf of the Senate, and Representatives Marcus Oshiro, Ed Case, Nobu Yonamine and Barbara Marumoto, on behalf of the House of Representatives, to escort the Honorable Benjamin J. Cayetano, Governor of the State of Hawaii, to the rostrum.

Senator Carol Fukunaga and Representative Bertha Kawakami presented Governor Cayetano with a maile and ilima lei.

The Speaker then presented to the members of the Twentieth Legislature and guests the Honorable Benjamin J. Cayetano, Governor of the State of Hawaii.

The Governor addressed the Joint Session as follows:

"Thank you. I was glad to see that measure of cooperation. I've never kissed a Representative and a Senator at the same time. (Laughter.)

"Mr. President, Mr. Speaker, distinguished members of the House and Senate, Lieutenant Governor Hirono, Congresswoman Mink, Chief Justice Moon, Mayors Apana, Harris, Kusaka, and Yamashiro, members of the County Councils and City Councils, members of the Consular Corps, Distinguished Guests and Friends:

"First, I want to tell you that for the first time ever, viewers on the World Wide Web are watching this address at their desktops in Hawaii and throughout the world. For this we have to thank the University of Hawaii, PixelWorld, Oceanic Cable, the Department of Information and Computer Science, and the High Technology Development Corporation. To all of our on-line viewers, aloha and thank you for logging on.

"Before I begin, I want to introduce three outstanding individuals who I believe symbolize everything that is right with public service in Hawaii.

"First, there's someone who is part of our cabinet. He served our country and our state in peace and war with great distinction. He served under three governors as State Adjutant General. He built the Hawaii Air National Guard into one of the best in the nation. We are going to miss him, but he has earned a well-deserved retirement. May I present, ladies and gentlemen, Major General Edward Richardson. (General Richardson rose to be recognized.)

"Fay Nakamoto. Fay heads the Department of Health's WIC Program. WIC stands for Women, Infants and Children. When Fay was faced with a 30 percent budget cut, Fay rolled up her sleeves, restructured her unit, implemented the most sophisticated computer check system in the nation and continued to provide quality service to the 35,000 needy women, infants, and children in the WIC Program while saving money. Last year, Fay was selected as one of only three state employees in the entire country for the National Governor's Association's prestigious Distinguished Service Award. Ladies and gentlemen, give a hand to Fay Nakamoto. (Ms. Nakamoto also rose to be recognized.)

"When our First Lady, Vicky, first heard that the University of Hawaii was considering hiring a person named June Jones to coach the University of Hawaii Rainbow Football Warriors, for a moment, being the kind of women's advocate she is, she thought Hawaii had made history by hiring the first woman football coach. (Laughter.) Well June, she wasn't disappointed, believe me.

"June Jones is a special person. He loves Hawaii. He understands what makes Hawaii special. I want to acknowledge him today because his leadership and vision go far beyond the football team. What he has accomplished in just one year is the beginning of a new era for the University of Hawaii's Athletic Program. June, please stand to be recognized. (Coach Jones then rose to be recognized.)

"This morning it is my privilege to make my sixth address to you on the state of the state. I am struck by the historical significance of this moment. As governor, and as members of the legislature, you and I have been given the honor of being the first to lead our state into the dawn of the new millennium. For this, I thank the people of Hawaii for giving me the privilege of serving them for the past 26 years.

"I want to thank my wife, Vicky, our children, my son Brandon who is here, our family and all of our supporters who helped make this day possible.

"When I took office in December of 1994, Hawaii's economy was stagnant -- absolutely zero growth since 1991 -- with severe dislocations in tourism construction and real estate. Japanese investment in particular had dried up, pure and simple.

"State government faced its worst fiscal crisis ever with a projected shortfall of more than \$600 million -- approximately 20 percent of the state's \$3.1 billion general fund budget.

"We needed to make tough decisions. And we did. We cut spending. We implemented policies to make state government more efficient and productive. We protected lower education from budget cuts, but at the expense of other departments.

"To boost tourism, we built a world-class convention center; created the Hawaii Tourism Authority and gave the Authority \$60 million to market Hawaii.

"We gave one of the biggest tax cuts in the country -- \$2 billion over six years. And we reformed workers compensation, cutting premiums by as much as 30 to 50 percent.

"We developed new, aggressive strategies to diversify Hawaii's economy with a focus on industries such as biotech, high tech, health care, and multimedia.

"Well, I am happy to report our efforts seem to have borne some fruit.

"Recent economic indicators reveal:

- Personal income is up by more than 2 percent since 1997.
- The unemployment rate is down nearly a full percentage point compared to a year ago.
- Visitor arrivals are up 2 percent this year.
- Real estate sales have been up since 1997, and in 1999 grew at double-digit rates.
- Automobile sales are up at record levels.
- Construction, our hardest hit industry, is also recovering. The value of private building permits is up 30 percent indicating a resurgence of private construction.

"And last month, the Council on Revenues surprised all of us by increasing its revenue forecast by an average of a full percent each year for the next five years. Compared to the Council's September projections, this adds nearly one-half billion dollars by 2005.

"A year ago, few of our economic experts acknowledged even a hint of recovery. Today, all of them agree that Hawaii's economy is in recovery. Some, like Bank of Hawaii's Paul Brewbaker, have told you that they believe Hawaii's economy is past recovery and is now in the expansion stage. My, my, what a difference a year makes!

"We are on the right track. But now is not the time to rest. We still have much more to do. The work of government never ends. As the leaders of this new century, we have a tremendous opportunity to build a new economy for our children's future.

"So let me share with you this morning my priorities over the next few years.

"Education has been, and will continue to be, my highest priority. Over the past five years, we've increased -- I repeat, increased -- education's budget. We've built a record thirteen new schools, added more than 900 classrooms, gyms, cafeterias, and libraries; we've extended the school year by seven days, and we've increased teachers' pay.

"This year, our supplemental budget gives the Department of Education nearly 400 new positions and \$21.7 million in additional general funding. This includes \$2.7 million for the DOE's Hawaii Content and Performance Standards, and \$4.4 million for additional regular education teachers who teach special education in their classrooms.

"In addition, I am proposing to you a three-year \$210 million repair and maintenance program for our schools, university and public buildings.

"Last year, the National Education Association ranked Hawaii twenty-first in the nation for per student spending. This year we're spending \$6,229 per student. Next year we'll be spending \$6,865 per student.

"It is important for all of us to realize that 38.4 percent of our general fund budget is going into lower education and 12.7 percent of the general fund is going into higher education. This represents 51 percent of our general fund.

"All of us would like to provide more funding to our schools. But the funding debate should not detract from the real issue. You see, no matter how much we fund education, little will change unless we hold people accountable for their performances.

"In my 26 years in elected office, I've seen many educational reforms developed with high hopes -- Three on Two, The Hawaii English Program, School/Community-Based Management, Rollover Savings -- just to name a few.

"In spite of our well-intended efforts, we have yet to show really satisfying results. To be frank, we all know our taxpayers are not satisfied with our public schools, and too many of our educators are demoralized by the state of affairs in public education.

"We need to ask ourselves why. Accountability -- or rather, the lack of accountability -- I believe, is the answer. Study after study shows that every state which has made significant improvements in student performance, has a strong accountability system. And we simply don't have one here in Hawaii.

"Fortunately, we have a Superintendent of Education who understands this only too well and is willing to do something about it. And I agree with him in concluding that a system of accountability is what Hawaii's public schools need most of all.

"Therefore, I propose the following:

First, that we support Dr. LeMahieu's proposal to implement a system of accountability and give him the authority necessary to make it happen. Dr. LeMahieu, please stand. (Dr. LeMahieu then rose to be recognized.)

Second, I propose that we implement teacher competency testing by the start of the 2001 school year. Teachers who are not knowledgeable about their subjects are of no help to their students. It's unfair to the teacher, and it's unfair to our children.

"Establishing competency testing should not be difficult. After all, Hawaii and Washington are the only two states in the nation that do not have it. And so there are 48 models from which we can choose. We do not have to reinvent the wheel to do this. I ask for your support.

"Everyone agrees that there should be some system of accountability when you ask them. But some say accountability is a subject of negotiation in collective bargaining. On this issue, I respectfully disagree. Setting performance and accountability standards which have to do with education of our children, cannot -- must not -- and should never be negotiated.

"In his book, *Work of Nations*, former U.S. Secretary of Labor Robert Reich said that the nations, states, cities which will prosper in the new century are those which have a highly skilled and educated workforce. This holds true for individuals as well. This is why I have given education the highest priority.

"Today, I'm very happy to announce our plans for bringing Hawaii's educational institutions -- and the people they serve -- into step with the competitive challenges of the new century. These plans call for a number of investments in new programs at the Department of Education and the University of Hawaii.

"Our children, Hawaii's future leaders, must have the best K-12 education in reading, writing, science, math, and technology. Therefore, I propose investing \$1 million in the Hawaii Networked Learning Communities Program, an innovative e-school approach using the latest technologies for students and teachers. This is a joint effort of the DOE, the University of Hawaii, and the private sector that is attracting the attention of the National Science Foundation. I ask you to support this.

"There are some exciting things happening at the University of Hawaii besides the football team. The University has recruited a couple of academic leaders of bold vision who are nationally renowned in their particular fields, and they happen to be experts in two fields in which I believe we have high priority -- health care and technology.

"A first rate medical school is fundamental to our desire to make Hawaii the Premier Health Care Center of the Pacific. A first rate medical school sets the standards which others -- physicians and scientists -- aspire to.

"Dr. Edwin Cadman, the new dean of the medical school proposes to establish the Asia Pacific Center of Medical Biosciences. According to Dr. Cadman, this center will transform the University's medical program, and I quote, 'into absolutely one of the tops' in biomedical research.

"Dr. Cadman, formerly from Yale, brings with him a distinguished national reputation. Moreover, for those of us who have met him, he is the ultimate and the most extreme optimist. With community support, he believes we can develop a medical school and a bioscience program that in 5 to 10 years will become one of the best in the nation. And he believes that this school will be an economic boon for our state.

"Therefore, I propose to give \$1 million to the medical school to help Dr. Cadman build his center. I ask that you support me in supporting Dr. Cadman and the UH School of Medicine.

"Dr. Cadman is here today, and those of us who have had the opportunity to know him, knows that he really loves Hawaii. He's an outdoors person. And besides being really smart in what he's an expert in, he's a great guy. Doc, please stand up and be recognized. (Dr. Cadman rose to be recognized.)

"All of you know who Guy Kawasaki is -- local grown Iolani graduate and one of the pioneers at Apple Computer. He is also now a nationally known hi-tech consultant, business person, and, some say, evangelist. Guy once told me that if Hawaii wanted to develop a high tech industry, it must have a world-class engineering school.

"We are fortunate to have Dr. Wai Fah Chen, the new dean of the College of Engineering. Dr. Chen hails from Purdue University and is nationally renowned in the field of engineering.

"Dr. Chen tells me that University of Hawaii already has a fine College of Engineering. He leads what he calls an all-star faculty. Almost 25 percent of the UH school's professors have earned the National Science Foundations's Presidential Young Investigator award. This award only goes to the nation's best and brightest young faculty. Dr. Chen says that our ratio is better than many of the best engineering schools in the country, and to me that demonstrates the quality that we have already at our engineering school.

"Dr. Chen believes that the College of Engineering can become even better, in time one of the best in the world. As a start, he proposes to build the Hawaii Wireless Communication Center. I am inspired by his enthusiasm and vision. Therefore, I propose that we give an additional \$1 million to him to build his center. This first-of-its-kind facility will enable the school to integrate cutting edge research and development with teaching. Ladies and gentlemen, I'm pleased to introduce Dr. Wai Fah Chen. (Dr. Chen rose to be recognized.)

"In 1998, the internet economy generated over \$300 billion in revenue and 1.2 million jobs. By comparison, it took the automobile industry 100 years to reach such heights. For this reason, Hawaii and its workforce must be competitive in global e-commerce.

"Under the direction of Dr. David McClain, the new dean of the University of Hawaii's College of Business Administration, the college is developing the Asia Pacific Center for E-Commerce and Entrepreneurship. I am excited by this project and I propose to give \$1 million to this program as well. This will give students the skills they need to take advantage of business opportunities in the explosive internet industry. Dr. McClain could not be here today, but I ask your support for this program as well.

"Hawaii's community colleges are also preparing our workforce for the challenges of the future. Their new Pacific Center for Advanced Technology Training will provide the rapid re-training needed for workers to compete for better, higher-paying technology jobs. I propose \$1 million for this program as well.

"Each of these initiatives contribute to our vision. Hawaii's education system will become a network of complementary institutions producing a skilled workforce to compete in the new economy.

"We want to build a more flexible, more responsive education system in Hawaii, one that will work in close cooperation with both public and private sectors.

"Now, you may be wondering, how do we intend to pay for these projects? I was wondering that myself when I thought it up. (Laughter.)

"As a start, I propose to use funds from the \$27 million the state realized from its Digital Island investment. The success of Digital Island was a grand-slam home run for the state. Digital Island was started at the state's Manoa Innovation Center by a fourth-generation 'local boy' named Ron Higgins. Today, that company is a global corporation valued at more than \$3 billion.

"To encourage more Digital Islands, we must attract more venture capital to Hawaii. And we can't expect to do this without first investing in ourselves.

"Hawaii has many assets attractive to technology -- the high quality of life, a fine college of engineering, and a world-class communications infrastructure -- but we don't have venture capital.

"The availability of venture capital to finance start-up companies is vital to building our technology industry. We need more venture capital.

"Therefore, I propose establishing a new \$50 million state venture capital fund called the Hawaii Technology Fund. This fund will be comprised of proceeds from the State's Digital Island holdings, together with an investment from the Employees' Retirement System.

"I believe these funds can be leveraged with Small Business Administration Programs up to \$90 million. And we will encourage our labor unions, our private and charitable trusts to also invest into the fund. I ask that you support our legislation to establish this Fund.

"Hawaii's landmark Technology Omnibus Bill, Act 178, was passed last year and creates a great framework to move Hawaii's technology industry into the new century. Private industry, including national corporations, have given this new law high marks. Compared to other states, it is one of the most progressive in the nation.

"At this time, I'd like to thank you, members of the legislature, for passing this bill, and I would also like to acknowledge its key authors -- Representative David Morihara and Senator David Ige who went with me to the Silicon Valley and talked to all those CEOs -- for their vision and their fine work in authoring this bill.

"Act 178 also calls for the consolidation of the state's technology agencies. I propose a plan which takes the best of these agencies and consolidates them into a single new entity. This entity will work in close partnership with the private sector.

"The Act also calls for integrating technology into government. I am pleased today to announce that we have developed a state web portal called Access Hawaii. Access Hawaii is a great public and private partnership. Beginning next month, state on-line services will be delivered to the public at no cost to the state.

"In six months, every state department will offer services online. My long-range goal is to work closely with the mayors of each county so that in two years, the state and county information technology services are completely integrated. This will result in a more efficient state and county government.

"Recently in the news, AdTech -- one of the best hi-tech companies in its field in the world, located right here in Hawaii -- was having trouble finding thirty to forty engineers to work at its business here in Hawaii. AdTech's experience reveals there is a shortage of technology workers in the state.

"To address this problem, we have launched a plan to bring our brightest technology minds back to Hawaii. We have established an online expatriate recruitment website. Look it

up. It can be found on the web. This is part of our strategy to bring all of the best and brightest back home.

"A few weeks ago, a business executive, according to the newspaper, said, and I quote, 'the technology industry in Hawaii is but a dream -- like Alice in Wonderland.' I disagree. Hawaii definitely has a future in technology industries -- no ifs, ands, or buts about it. We have a future in technology.

"Although economic revitalization remains our primary focus, we have also been concentrating on addressing other needs of our people.

"For example, working with you, Hawaii's homeless program has been held up as one of the best in the country. Since 1992, the number of homeless in the state has declined by nearly 40 percent. Moreover, we've partnered with the private sector to develop more affordable housing than at any other time.

"And for our Native Hawaiian community -- I'm proud to say our Department of Hawaiian Homelands has designed, built and developed more homesteads during this administration than at any time in the history of the program, and we are going to build even more.

"For the fifth straight year, the federal government has ranked Hawaii among the top three for accuracy in managing the Food Stamp program, and we got a bonus of \$1.7 million for the excellent work by our people in the Department of Human Services.

"We've moved more people from the welfare rolls to the workplace on a per capita basis than any other western state and we've done it in this downed economy. Our work in this area, however, is not over. As a result of the reforms made to the federal welfare laws, December 1, 2001, will be a date to remember. On that day, 3,000 of our families -- of our Hawaii families -- will be moved off the welfare rolls, whether they like it or not. Thereafter, every month 90 to 100 families will lose their benefits.

"Many of these people work. Yet, because they are earning such low wages -- the minimum wage -- they are below the poverty level and qualify for welfare. We must help them make the transition.

"Therefore, I propose an increase in the state minimum wage. Our bill will follow the lead of Alaska, and tie our state wage to the federal minimum wage.

"My friends, this is not a partisan issue. A few years ago the federal minimum wage was increased by a Republican Congress with the support of a Democratic President. Congress, today, is currently looking to increase it again. And so should we -- because it's the right thing to do.

"Nothing is more important than the care of our children, and we are taking better care of them.

"Working with the private sector, we have achieved great success in finding loving homes for many of our children. Our state posted the highest adoption increase in the nation and we received a half-million dollar federal bonus for doing it.

"Though we have one of the highest rates of health-insured children in the country, we've set a goal to enroll 100 percent of all eligible children in our program. Through a performance partnership entitled 'Boost for Kids,' we intend to reach this goal.

"On July 1, we'll take another step toward children's universal health insurance coverage in Hawaii. The new program, known as 'CHIP' (Children's Health Insurance Program), will expand coverage to another 4,000 children and thereby close the gap.

"One area where we fall short, however, is dental care. Hawaii's children have one of the worst rates of tooth decay in the country. We can, and we must, do better. We need to fluoridate our water. For every \$1 we spend fluoridating, we'll save \$80 in dental expenses down the road.

"Last year we approved legislation that will help Hawaii boost its role as the number one Health State in the country.

"With 60 percent of the tobacco settlement earmarked for health promotion, we rank among the top in the nation in our use of settlement monies for health-related purposes.

"We will establish a 'Healthy Hawaii Initiative.' This program will include everything from replacing candy bars in school vending machines with healthier snacks, to innovative programs to tackle problems such as tobacco use.

"Substance abuse is one of our great social problems. It is an issue that affects both public health and public safety. We need to step up our efforts at rehabilitation and prevention. Therefore, I will submit proposals to expand drug treatment programs for those on probation and parole.

"To fund these initiatives, I ask that you increase the tax on alcohol and tobacco. Doing so will help us raise about \$4 million in revenues to expand the Judiciary's Drug Court and drug rehabilitation programs in our prisons.

"For several years we've been weighing our options on the site of a new prison. Two years ago you gave me the authority to locate a site, but you didn't give me any money to build one.

"While there may be a resurgence of community support for a prison in Hawaii, there's no getting around the fact that building and operating a state prison in Hawaii is too expensive. That's why we've been exploring the possibility of building the prison on the mainland.

"Let me be very candid. If you want a prison in Hawaii, then give me the authority to not only select a site, but to fully privatize the operation and maintenance of that prison.

"Time does not permit me to do proper justice to our plans on a number of other issues vital to our future. Agriculture, culture and the arts, transportation, the environment, mental health, the revitalization of Waikiki, small business problems, and the lieutenant governor's SWAT program figure prominently among this administration's priorities.

"But there is one subject that demands our immediate attention -- and that is the modernization and the reform of our state government.

"As we enter the new century, Hawaii has its best opportunity ever to create significant, meaningful change in the way government operates.

"I am energized by the possibilities that lay before us, and I invite each of you to join us in creating a government that is more responsive to our people's needs -- and one we can afford.

"Our civil service system is outdated. If we are to successfully compete in the new century, we cannot continue to operate with a structure geared to the Industrial Age.

"An inefficient civil service system takes a tremendous toll on business, residents, and the taxpayers of our state. And it robs our state employees of the dignity that comes with being part of an organization respected for its productivity and work culture.

"We have made great progress in bringing about a major shift of resources.

"We reduced the number of full-time state employees significantly. Compared with when I took office five years ago, the number of positions has declined by 5 percent from roughly 45,600 to 43,000. And we accomplished this even while adding 900 positions to the Department of Education, and meeting increasing court imposed obligations in the area of prisons, health, and diagnostic services.

"You see, it is not so much the size of the state government, however, that concerns most taxpayers. I don't think there is any question in most people's minds that government will one day grow again -- as school enrollment grows and the state's population increases. Rather, I believe that our people want a government that does its job well, is responsive to community needs, and is easy to interact with. We have been working hard to create that kind of government.

"For example, the Department of Commerce and Consumer Affairs' incentive plan -- the first of its kind in the state -- which awards modest bonuses to employees for superior performance has paid big dividends in terms of boosting employee morale and performance. By the end of this year, DCCA will be 100 percent self-sufficient.

"Without addressing systemic problems, it's difficult to bring about significant and lasting change. And therefore, we have developed an omnibus reform bill which we will submit for your approval.

"I know there is a natural tendency to resist change. But let me say at the outset that we will not propose anything that compromises the benefits promised to current state employees.

"Fairness and merit are the core of our reform proposals.

"Let me share with you some of our proposals. First, we propose to decentralize the collective bargaining system. Our counties operate in different market conditions, and the people they serve sometimes have different needs.

"We believe each county should be able to make its own decisions and bargain independently.

"We propose also a more timely and flexible recruitment and job classification system. There are more than 1,700 job classifications today, and it takes far too long to hire new employees or process changes.

"With the exception of police and firefighters, we propose to restore the right of our public workers to strike and to eliminate the designation of essential workers.

"Experience has shown that the mandatory binding arbitration law passed four years ago is seriously flawed. It is too vague, too broad, and gives arbitrators too much discretion to make decisions which sometimes have no relationship to the state's true fiscal condition.

"At the very least, we must reform the process by redefining the existing criteria an arbitrator must consider. Collective bargaining works best when it is balanced.

"We cannot continue to condone a process that gives arbitrators the power to award pay raises and compels the state to increase taxes or cut programs to pay for them. This is why we need to reform or repeal the mandatory arbitration law.

"Beyond civil service, there are great inefficiencies and costs throughout the system which we simply cannot afford.

"Take the state's employee health fund. In 1988, the state paid \$44 million for employee health fund premiums. This year the cost will escalate to \$240 million. Under the current system, a child born this year would see the health fund costs soar to more than \$1 billion by his or her thirteenth birthday. We cannot afford this, nor should we allow it to happen.

"To make the system more efficient, we propose the following: we propose to replace the Employees' Health Fund with a Union Employee Trust Fund. We believe this approach benefits both sides. The state will make a defined contribution and the unions will negotiate collectively with insurers for better rates. I believe that our talks with our labor leaders indicate that this is a very promising proposal.

"For prospective state employees, we propose a new schedule of benefits which will help provide good health care at reasonable costs. And for these employees, we will also propose a new schedule of vacation and sick leave benefits which, unlike the current system, will be phased in over a scheduled period.

"We propose measures that will implement the concept of 'managed competition,' making it easier for the state to privatize and give the affected employees alternatives to being laid off.

"These are just some of the 21 reform proposals we will submit for your consideration.

"The fundamental challenge before us, however, is to change the existing government culture. Too often, the needs of the community become secondary to an almost mindless deference to 'the system.'

"The taxpayers deserve better. Our state employees who perform deserve more.

"We must create a workplace that inspires workers to take ownership -- a workplace where employees know their purpose, and perform their duties with passion and accountability.

"It is important that we do not pursue the illusion of security by avoiding change. In today's fast changing world, the status quo offers the least security of all. It is, indeed, a prescription for failure.

"As Franklin D. Roosevelt once said, 'Wise and prudent men . . . have long known that in a changing world, worthy institutions can be conserved only by adjusting them to the changing time.'

"Last year was unlike any other. Our reaction to two events that brought the century to a close revealed the true nature of our people.

"We were inspired and united in pride when June Jones and our Rainbow Warrior football team achieved one of the greatest sports comebacks in history. And we came together as one when the worst workplace tragedy in our history stunned our community and devastated the lives of seven families.

"And through it all, our spirit of aloha, our humility and character as a community, shined bright. That is the difference. That is what sets Hawaii apart from the rest of the world. Now, and from this moment forward, let us never forget it.

"Let me close with these thoughts. This is an election year. There will be all kinds of interest groups who will lobby us -- me and you -- hoping to influence our decisions. There is absolutely nothing wrong with this. It is the American way; it is democracy, and this is America.

"What I believe has sustained me in these circumstances in my 26 years of public service, what has helped me make decisions which I believe to be in the public's interest is this thought -- there is no greater calling than public service. I believe this with all my heart.

"To be given the privilege of leading this state into the next century, to be the first generation of elected leaders of this

century whose decisions will set the direction for our state's future is something few people will experience, something which can't be bought.

"There are 76 of you, one lieutenant governor and one governor. What a great privilege, what a great honor it is to represent the future of 1.2 million people. What a great duty we have been given.

"These thoughts have sustained me in difficult times and they have inspired me during my proudest moments.

"We owe it to our people not to coast. We owe them the courage and wisdom to make sound decisions. We owe them a better and greater Hawaii. We owe them hope.

"And working together, we can make it happen.

"Thank you."

Senate President Norman Mizuguchi then rose and stated:

"Governor Cayetano, thank you for sharing your first state-of-the-state address of the twenty-first century with members of the House and Senate and the people of the State of Hawaii.

"This is certainly a special time in Hawaii's history as we begin a new century and a new millennium. There seems to be an infusion of hope for the future here in our island community.

"Hope, optimism, and the ability to work together are essential ingredients to bring about change for the good of all.

"As I have mentioned in the past, the co-equality of the Executive and Legislative branches of government -- as well as the Judiciary -- is a principle to be respected and honored if our system is to endure. We can build a stronger economy, improve our educational system, and make government more efficient and accountable with greater cooperation and mutual respect.

"We need to do this for the sake of Hawaii's people and for their continued advancement.

"Governor, mahalo again for sharing your vision and presenting your challenges in your state-of-the-state address.

"If there is no further business by the members of the Senate and the House of Representatives, I now declare this joint session adjourned."

At 10:53 o'clock a.m., President Mizuguchi declared the Joint Session adjourned.

### INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 6:00 o'clock p.m. In consequence thereof, the following bills passed First Reading by title and were deferred:

Senate Bill

No. 2528 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY REPAIR AND MAINTENANCE OF HAMAKUA DITCH FACILITIES."

Introduced by: Senators Inouye, Matsuura, Buen, Levin.

No. 2529 "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE IN NORTH KONA, HAWAII."

Introduced by: Senators Inouye, Matsuura, Buen, Hanabusa.

No. 2530 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Inouye, Matsuura.

No. 2531 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Tanaka.

No. 2532 "A BILL FOR AN ACT RELATING TO REFRESHMENTS FOR STATE WORKERS."

Introduced by: Senator Tam.

No. 2533 "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION."

Introduced by: Senators Chumbley, Matsunaga.

No. 2534 "A BILL FOR AN ACT RELATING TO ZERO TOLERANCE POLICY."

Introduced by: Senators Chumbley, Matsunaga.

No. 2535 "A BILL FOR AN ACT RELATING TO PROBATE."

Introduced by: Senators Matsunaga, Chumbley.

No. 2536 "A BILL FOR AN ACT RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT."

Introduced by: Senators Matsunaga, Chumbley.

No. 2537 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senator Chumbley.

No. 2538 "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES."

Introduced by: Senator Slom.

No. 2539 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE 8TH SENATORIAL DISTRICT."

Introduced by: Senator Slom.

No. 2540 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Slom.

No. 2541 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senator Fukunaga.

No. 2542 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Senators Fukunaga, Levin.

No. 2543 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Introduced by: Senators Fukunaga, Levin.

No. 2544 "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE ANALYST."



Introduced by: Senators Fukunaga, Levin.

No. 2545 "A BILL FOR AN ACT RELATING TO GLASS RECOVERY."

Introduced by: Senator Levin.

No. 2546 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Levin.

No. 2547 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Nakata, Fukunaga, Ihara.

No. 2548 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators Nakata, Fukunaga, Ihara.

No. 2549 "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION TAX CREDITS."

Introduced by: Senators Nakata, Fukunaga, Ihara.

No. 2550 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE FOR DESIGN PROFESSIONAL SERVICES."

Introduced by: Senator Matsuura.

No. 2551 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Senators Matsuura, Inouye, Buen, Chumbley, Chun, Hanabusa.

No. 2552 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HAWAII COUNTY POLICE DEPARTMENT."

Introduced by: Senators Matsuura, Inouye, Levin.

No. 2553 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A HAWAIIAN LANGUAGE DOCTORAL PROGRAM AT THE UNIVERSITY OF HAWAII-HILO."

Introduced by: Senator Matsuura.

No. 2554 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO THE KOHALA MOUNTAIN ROAD ON THE ISLAND OF HAWAII."

Introduced by: Senator Tanaka.

No. 2555 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Tanaka.

No. 2556 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Tanaka.

No. 2557 "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF PUBLIC FUNDS."

Introduced by: Senators Levin, Fukunaga.

No. 2558 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Kawamoto, Bunda.

No. 2559 "A BILL FOR AN ACT RELATING TO THE BLIND."

Introduced by: Senator Bunda.

No. 2560 "A BILL FOR AN ACT RELATING TO HO'OPONOPONO."

Introduced by: Senator Chumbley.

No. 2561 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Taniguchi, Kanno.

No. 2562 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Taniguchi, Kanno.

No. 2563 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Taniguchi, Kanno.

No. 2564 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Taniguchi, Kanno.

No. 2565 "A BILL FOR AN ACT RELATING TO COVERED LOSS DEDUCTIBLE."

Introduced by: Senators Taniguchi, Kanno.

No. 2566 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE PREVENTIVE DENTAL SERVICES TO ADULTS."

Introduced by: Senator Chun.

No. 2567 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESPITE CARE SERVICES FOR FAMILIES OF INDIVIDUALS WITH SPECIAL NEEDS."

Introduced by: Senator Chun.

No. 2568 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION."

Introduced by: Senator Sakamoto.

No. 2569 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Sakamoto.

No. 2570 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Sakamoto.

No. 2571 "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING."

Introduced by: Senator Sakamoto.

No. 2572 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND."

Introduced by: Senators Ige, D., Sakamoto.

No. 2573 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Ige, D., Sakamoto.

No. 2574 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Ige, D., Sakamoto.

No. 2575 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES IMPROVEMENTS SPECIAL FUND."

Introduced by: Senators Ige, D., Sakamoto.

No. 2576 "A BILL FOR AN ACT RELATING TO STATE OWNED PUBLIC HOUSING."

Introduced by: Senator Tam.

No. 2577 "A BILL FOR AN ACT RELATING TO TIME SHARES."

Introduced by: Senator Tam.

No. 2578 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION."

Introduced by: Senator Tam.

No. 2579 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Tam, by request.

No. 2580 "A BILL FOR AN ACT RELATING TO SECTION 4 OF ACT 230, SESSION LAWS OF HAWAII 1998."

Introduced by: Senator Mizuguchi, by request.

No. 2581 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ELECTIONS APPOINTMENT AND REVIEW PANEL."

Introduced by: Senator Mizuguchi, by request.

No. 2582 "A BILL FOR AN ACT RELATING TO RECRUITMENT."

Introduced by: Senator Mizuguchi.

No. 2583 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Mizuguchi.

No. 2584 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senators Mizuguchi, Kanno, Hanabusa.

No. 2585 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senator Kanno.

No. 2586 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Kanno, by request.

No. 2587 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HIRE THIRTY FULL-TIME REGISTERED NURSES WITHIN THE DEPARTMENT OF HEALTH."

Introduced by: Senator Kanno.

No. 2588 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Kanno, Taniguchi.

No. 2589 "A BILL FOR AN ACT RELATING TO INDEPENDENT MEDICAL EXAMINATIONS."

Introduced by: Senator Kanno.

No. 2590 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Slom, Anderson.

No. 2591 "A BILL FOR AN ACT RELATING TO POLITICAL ACTIVITIES AT WASHINGTON PLACE."

Introduced by: Senators Slom, Anderson.

No. 2592 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Introduced by: Senators Anderson, Slom.

No. 2593 "A BILL FOR AN ACT RELATING TO FOOD AND MEDICINE."

Introduced by: Senators Anderson, Slom.

No. 2594 "A BILL FOR AN ACT RELATING TO THE PROTECTION AGAINST INTERRUPTION OF COMMERCE."

Introduced by: Senators Anderson, Slom.

No. 2595 "A BILL FOR AN ACT RELATING TO RULES AND REGULATIONS."

Introduced by: Senators Anderson, Slom.

No. 2596 "A BILL FOR AN ACT RELATING TO CHILD CUSTODY."

Introduced by: Senator Chun Oakland.

No. 2597 "A BILL FOR AN ACT RELATING TO REVIEW OF RECORDS OF PAYMENTS TO HEALTH CARE PROVIDERS."

Introduced by: Senator Chun Oakland.

No. 2598 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Chun Oakland.

No. 2599 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESOURCES FOR EARLY ACCESS TO LEARNING."

Introduced by: Senator Chun Oakland.

No. 2600 "A BILL FOR AN ACT RELATING TO PARENT-COMMUNITY NETWORKING CENTER PROGRAMS."

Introduced by: Senator Chun Oakland.

No. 2601 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Senator Chun.

No. 2602 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Ihara, by request.

No. 2603 "A BILL FOR AN ACT RELATING TO THE ALA WAI WATERSHED."

Introduced by: Senators Ihara, Fukunaga, Taniguchi.

No. 2604 "A BILL FOR AN ACT RELATING TO THE ALA WAI WATERSHED."

Introduced by: Senators Ihara, Fukunaga, Taniguchi.

No. 2605 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."

Introduced by: Senators Ihara, Fukunaga, Chun Oakland, Ige, D., Sakamoto, Levin.

No. 2606 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Senator Ihara.

#### ADJOURNMENT

At 6:00 o'clock p.m., the Senate adjourned until 9:30 o'clock a.m., Tuesday, January 25, 2000.

## FIFTH DAY

Tuesday, January 25, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 9:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Aiea Hongwanji Mission, after which the Roll was called showing all Senators present with the exception of Senators D. Ige and Ihara who were excused.

The President announced that he had read and approved the Journal of the Fourth Day.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolution (S.C.R. Nos. 9 to 13) were read by the Clerk and were adopted or deferred:

## Senate Concurrent Resolution

No. 9 "SENATE CONCURRENT RESOLUTION CALLING FOR A JOINT SESSION OF THE LEGISLATURE FOR THE PURPOSE OF APPOINTING THE AUDITOR."

Offered by: Senators Ihara, Anderson.

On motion by Senator Chun, seconded by Senator Slom and carried, S.C.R. No. 9 was adopted.

No. 10 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE DEPARTMENT OF TRANSPORTATION'S REQUEST FOR PROPOSALS PROCESS FOR THE TAXI MANAGEMENT CONCESSION CONTRACT COVERING THE HONOLULU INTERNATIONAL AIRPORT."

Offered by: Senator Bunda.

No. 11 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASCERTAIN WHAT LAWS, RULES, OR OTHER MEASURES MAY BE PUT IN PLACE TO ADDRESS POSSIBLE CONFLICTS OF INTERESTS OF THE MEMBERS OF THE LEGISLATURE."

Offered by: Senator Mizuguchi, by request.

No. 12 "SENATE CONCURRENT RESOLUTION ADOPTING KEY COMMUNITY OUTCOMES OF WELL-BEING FOR THE PEOPLE OF THE STATE OF HAWAII."

Offered by: Senator Mizuguchi, by request.

No. 13 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF SUBMERGED LANDS AT DUKE KAHANAMOKU BEACH AT WAIKIKI, HONOLULU, OAHU, FOR PIER PURPOSES."

Offered by: Senator Mizuguchi, by request.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Monday, January 24, 2000:

Senate Bill Referred to:

No. 2528 Committee on Economic Development, then to the Committee on Ways and Means

No. 2529 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 2530 Committee on Economic Development, then to the Committee on Ways and Means

No. 2531 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2532 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2533 Committee on Judiciary, then to the Committee on Ways and Means

No. 2534 Committee on Education and Technology, then to the Committee on Judiciary

No. 2535 Committee on Judiciary

No. 2536 Committee on Judiciary, then to the Committee on Ways and Means

No. 2537 Committee on Judiciary

No. 2538 Committee on Health and Human Services, then to the Committee on Judiciary

No. 2539 Committee on Ways and Means

No. 2540 Committee on Ways and Means

No. 2541 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 2542 Committee on Ways and Means

No. 2543 Committee on Ways and Means

No. 2544 Committee on Ways and Means

No. 2545 Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2546 Committee on Commerce and Consumer Protection

No. 2547 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2548 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2549 Committee on Economic Development, then to the Committee on Ways and Means

No. 2550 Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 2551 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2552 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2553 Committee on Education and Technology, then to the Committee on Ways and Means

- No. 2554 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2555 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2556 Committee on Labor and Environment, then to the Committee on Judiciary
- No. 2557 Jointly to the Committee on Government Operations and Housing and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 2558 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 2559 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2560 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2561 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 2562 Committee on Commerce and Consumer Protection
- No. 2563 Committee on Commerce and Consumer Protection
- No. 2564 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 2565 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
- No. 2566 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2567 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2568 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2569 Committee on Ways and Means
- No. 2570 Committee on Judiciary
- No. 2571 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2572 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2573 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2574 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2575 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2576 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2577 Committee on Commerce and Consumer Protection
- No. 2578 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2579 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2580 Committee on Ways and Means
- No. 2581 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2582 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2583 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2584 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2585 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 2586 Committee on Commerce and Consumer Protection
- No. 2587 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2588 Committee on Commerce and Consumer Protection
- No. 2589 Committee on Commerce and Consumer Protection
- No. 2590 Jointly to the Committee on Education and Technology and the Committee on Ways and Means, then to the Committee on Judiciary
- No. 2591 Committee on Judiciary
- No. 2592 Committee on Ways and Means, then to the Committee on Judiciary
- No. 2593 Committee on Ways and Means
- No. 2594 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2595 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2596 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 2597 Committee on Commerce and Consumer Protection
- No. 2598 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2599 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2600 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2601 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means

- No. 2602 Committee on Judiciary
- No. 2603 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2604 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2605 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2606 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

At 9:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:49 o'clock a.m.

At 9:51 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with Senate Concurrent Resolution No. 1, to receive the Chief Justice's state of the judiciary address.

### JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, was called to order at 10:01 o'clock a.m. by the Honorable Norman Mizuguchi, President of the Senate.

At this time, Senate President Mizuguchi welcomed and introduced the following distinguished guests to the members of the Twentieth Legislature:

The Honorable Benjamin J. Cayetano, Governor of the State of Hawaii. He was presented a lei by Senator Jan Yagi Buen;

The Honorable Mazie Hirono, Lieutenant Governor of the State of Hawaii, and Mr. Leighton Oshima. They were presented leis by Representative Scott Saiki and Senator Lorraine Inouye;

Mrs. Stella Moon, wife of Chief Justice Moon. She was presented a lei by Senator Cal Kawamoto;

The Honorable William S. Richardson, former Chief Justice of the Hawaii Supreme Court; and

The Honorable Jeremy Harris, Mayor of the City and County of Honolulu.

The President then appointed Senators Avery Chumbley, Matt Matsunaga, Colleen Hanabusa and Whitney Anderson, on behalf of the Senate, and Representatives Marcus Oshiro, Ed Case, Eric Hamakawa and Barbara Marumoto, on behalf of the House of Representatives, to escort the Honorable Ronald T.Y. Moon, Chief Justice of the Hawaii Supreme Court, to the rostrum.

Senator Suzanne Chun Oakland and Representative Sylvia Luke presented Chief Justice Moon with maile and ilima leis.

Senate President Mizuguchi then presented the Honorable Ronald T.Y. Moon, Chief Justice of the Hawaii Supreme Court, to the members of the Twentieth Legislature.

The Chief Justice addressed the Joint Session as follows:

"I wonder if our good citizens out there know that it's only the Chief Justice that's speaking this morning. (Laughter.)

"As you may have learned, Associate Justice Steven Levinson's wife, Lynn, passed away on Friday evening. Due to an unavoidable conflict, memorial services are being held this morning at 10:30, and my fellow Justices are attending the services on my behalf and extend their apologies to you for their absence here this morning. On behalf of the entire Judiciary, I extend heartfelt sympathies to Justice Levinson and his family during this most difficult time.

"Governor Cayetano, Lieutenant Governor Hirono and Mr. Oshima, Speaker Say, President Mizuguchi, Speaker Emeritus Souki, other distinguished members of the Twentieth Legislature, Mayor Harris, Chief Justice Richardson, Dean Foster of the Richardson School of Law, Hawaii State Bar Association President Joel August, Members of the federal and state Judiciaries, special guests, family, and friends:

"It is my privilege to be here today to deliver my fourth State of the Judiciary Address and the first of the new century or the last of the old, depending on how one counts.

"As many of you know, I have two advisors who serve for free -- my mother and my wife. Both have again conveyed to me jewels of wisdom about my speech today, advising me on the virtues of brevity. My mom said, 'Ron, just remember, a speech doesn't have to be eternal to be immortal.' My wife said, 'Remember that although the Constitution guarantees free speech, it doesn't guarantee listeners.' And so, accepting their usual sage advice, I will be relatively brief.

"Before doing so, let me introduce the immediate members of my family -- my mother, the god mother of the Moon clan; my stepfather, Joe Han; daughter Julie; son Scott and his wife Jill who are from Mississippi; and brother Erick. (The members of Chief Justice Moon's family who were introduced all rose to be recognized.)

"As I stand before you in the Year 2000, I am pleased to report that the State of Hawaii's Judiciary remains sound. However, I am concerned about public perception of certain aspects of the justice system. Last year, Hawaii participated in a first-of-its-kind national summit in Washington, D.C. Five hundred delegates from the judiciaries of 46 states, Guam, and Puerto Rico, as well as members of the federal courts, the bar, the media, and citizen groups from across the country met to develop a national plan to address areas of public concern. The overwhelming representation at the summit was indeed an acknowledgment that the public's regard for the state and federal judiciaries is just as important, or more important, than the judiciaries' view of themselves.

"Delegates reviewed results of nationwide surveys that measured public views of the state and federal judiciaries. In my view, some of the survey results are encouraging. For example: (1) 80 percent of those surveyed agree that 'judges are generally honest and fair in deciding cases'; (2) 74 percent 'strongly' or 'somewhat' agree that court personnel are helpful and courteous; and (3) 75 percent had a 'great deal' of or 'some' trust and confidence in the courts in their communities. However, results also indicated that: (1) 70 percent of African-Americans believe they are treated 'somewhat worse' or 'far worse' than other groups; and (2) 68 percent of the public believes that it is not affordable to bring a case to court. What was most alarming to me was the fact that only 39 percent of those polled could identify all three branches of government and that 25 percent of them could not even name one branch.

"By the conclusion of the summit, delegates had identified a number of issues that impact the public's perception of the justice system. The top three concerns were: (1) the perception of unequal treatment within the justice system; (2) the high cost of the justice system; and (3) the lack of public understanding about the justice system.

"Having participated in the summit, I believe the perception of unequal treatment in the justice system is less of a problem

in Hawaii than in any other state. In fact, this past year, the National Consortium of Task Forces on Racial and Ethnic Bias in the Courts recognized the make-up of the Hawaii Supreme Court as 'a prime example' of the 'principle of inclusiveness in the justice system.' While most states are struggling to achieve a Judiciary that is representative of the population, Hawaii's bench is a reflection of our diversified society, and our community is truly enriched by it.

"Nevertheless, Hawaii is not immune from the perception of unequal treatment in the courts. We, therefore, continue to take affirmative steps to enhance equal treatment to all who enter our courthouses through the development of numerous programs to improve the quality of justice for everyone. The Judiciary's innovative programs that focus on helping our significant immigrant population better access and understand the justice system include: (1) a multilingual LawLine; (2) informational videos on small claims and traffic violations that are captioned for the deaf and hard-of-hearing and dubbed in Ilocano and Korean -- and just to negate any accusation of discrimination, ladies and gentlemen, the Governor and I had nothing to do with the selection of these languages (laughter); (3) we also have a directory of bilingual and multilingual attorneys and paralegals; and (4) an immigrant outreach directory. As a result of its work on these projects, the Hawaii Supreme Court Committee on Equality and Access to the Courts was selected this year as one of ten nationwide recipients of the Foundation for Improvement of Justice's award for innovative programs.

"To enhance equal treatment to immigrants and non-immigrants alike, the Judiciary is making information about cases readily and freely accessible via our web site. Last Friday, we unveiled a searchable internet site that contains certain information on all public criminal, civil, and family court cases filed in circuit courts statewide. Now, visitors to the Judiciary's web site can find case information on-line on any day, at any time.

"Last legislative session, you helped address the perception of unequal treatment in the justice system when you appropriated capital improvement funds for a court navigation project that we refer to as 'Ho'okele,' which means 'to guide.' With a 'guide' or concierge at the courthouse entrance and a Customer Service Center in courts that have a large number of self-represented litigants, Ho'okele will provide enhanced services to court users. Implementation of this innovative project will also be aided by over \$250,000 of federal funds.

"The second issue of concern that emerged from the summit was the cost of using the justice system. Related concerns were that the justice system is too slow and too adversarial. We recognize that the adversarial system has worked well for hundreds of years and forms the heart of the right to trial. In our system of justice, there are -- and will always be -- certain cases that require the structure and discipline of the traditional adversarial system, but others may not. We, therefore, continue to encourage and pursue faster and less costly methods of dispute resolution that will meet the specific needs of those who come to our courts.

"For example, the Judiciary has assisted the Hawaii Civil Rights Commission in the development and implementation of a mediation alternative for contested cases. The results over the past year have been encouraging as a significant number of civil rights cases -- 67 percent -- have been amicably resolved without the need of a formal hearing.

"Three weeks from today, the Civil Divisions of the First Circuit Court will convert to an individual trial calendar system, where one judge will handle a case from initiation through resolution. Under this new system, judges will have increased responsibility for managing an assigned caseload. They will be able to more easily employ proactive case management procedures, including the use of alternative dispute resolution mechanisms, such as arbitration and mediation. In fact, judges

in each civil trial court now have the explicit power to compel parties in appropriate cases to go to non-binding arbitration.

"At the foundation of our efforts to reduce costs and delays is technology. This past year, the Judiciary finalized and published a technological vision that represents a strategic outlook through the Year 2010. At the core of our strategic technological vision is the development of an integrated case management system. Under this system, cases could be filed electronically, court calendars and more detailed case information would be published on the Internet, and case information would be electronically shared between all courts, thus negating the need to re-enter data. The process will not only be more convenient for the public and the courts, but will enhance speed and data quality. Although we recognize that technology is merely a means to an end, it is a critical component in our efforts to reduce costs and delays. Consequently, approximately one-half of the Judiciary's supplemental budget requests are technology-related, and we ask for your support in this very critical area.

"Associated with the issues of cost and delay is the public's growing belief that the judicial system must offer specialized forums tailored to address society's changing needs and to accommodate a broader spectrum of rehabilitative services. Our adaptability to changing social needs can be seen in the area of foster care. Unfortunately, we are seeing more and more cases where parental rights require termination due to abuse and neglect, resulting in more children being placed in foster custody. To address this growing concern, the First Circuit Family Court worked with representatives from the Department of Human Services, the Casey Family Program, Child and Family Services, foster parents, and others to form a new program called 'The Adoption Connection,' which has as its Honorary Chair, Mrs. Vicky Cayetano. The primary goal of the Adoption Connection is to secure permanent, safe, and loving homes for Hawaii's foster children. We are proud to be involved in this collaborative community effort.

"The drug abuse problem and our efforts to assist in addressing this significant area can be seen in the work of the Drug Court Program. Since its inception in 1996, Hawaii's Drug Court Program has successfully treated non-violent offenders addicted to drugs. Drug courts divert non-violent offenders from incarceration to enhance their recovery, prevent their relapse, and significantly reduce recidivism. Not only does the program help restore these individuals to full, productive lives, but it saves the State the considerable expense associated with incarceration and the potentially recurring costs of subsequent incarceration. Last year, ours was the first drug court in the nation to develop a program to treat offenders who have both mental-health and drug-addiction problems. Grants from the United States Department of Justice and the state Department of the Attorney General were instrumental in launching this new program.

"The Judiciary is grateful for your decision last session to make the Oahu Drug Court a permanent program. We have now turned our attention to the neighbor islands, where a Drug Court should be serving the tri-island County of Maui by June 2000. The target population for our first year on Maui is 120 non-violent substance-abusing offenders. Federal grants and private donations will initially help to fund the Maui Drug Court, and we hope you will see fit to allocate state funds this session to this most worthy effort.

"In 1999, Oahu's District Court became the first in the nation to participate as a judicial partner in a federal program known as 'Weed and Seed.' Hawaii's Weed and Seed Program, which has received national recognition, currently focuses on the Chinatown/Kalihi-Palama neighborhood. It is an innovative community enhancement program sponsored by the Department of Justice and is actively promoted by the United States Attorney's Office in Hawaii. Under the program, representatives from the Hawaii Drug Court, social service organizations, and federal, state, and city law enforcement

agencies work closely with individuals and businesses within the designated area to 'weed out' certain offenders of special community-centered treatment. Unlike the traditional court model that emphasizes process and precedents, the Weed and Seed Program focuses on problem-solving and 'restorative' outcomes for the community as a whole. Later this year, the program will focus on a second designated 'weed and seed' area.

"The third issue, that is, the lack of public understanding of the justice system, is my most important area of concern. And, I am the first to acknowledge that the Judiciary has a responsibility to help educate the public about the third branch of government. In our efforts to meet that responsibility this past year, our judges have served as panelists or guest speakers at conferences and seminars, spoken at schools and community gatherings, and hosted school or other groups in their courtrooms. We also continue to take every opportunity to inform our citizens of certain guiding principles. For example: (1) that judges may not consider popular opinion in reaching decisions; (2) that the accused has the right to legal counsel no matter how heinous the charge; (3) that judges are bound by case precedent and evidentiary rules; and (4) that the Judiciary is a separate branch of government and its separateness and independence are vital to the protection of liberty.

"In response to some of the Judiciary's general education efforts, hundreds of people this year attended the first ever 'Meet Your Judges' forums simultaneously held on Oahu, Maui, Kauai, and in Hilo and Kona on the Big Island. During the forums, judges representing every level of our courts answered questions and discussed a range of court-related topics. The forums provided a unique opportunity for judges to hear directly from members of the general public, and the public to learn about their court system directly from the judges.

"The Legislators' 'Day-in-Court' Program represents our efforts to provide you with a first-hand look at court operations. I was pleased to learn that, over the past few months, more legislators have participated in this program than in any previous year.

"Our on-going efforts to educate jurors can be seen in our recently completed pilot project that employed certain jury innovations. We are currently evaluating the results of that project and will, if appropriate, alter or modify our jury trial procedures.

"However, our continuing educational efforts alone will not significantly increase the public's understanding of the justice system. I submit that, in order to remedy this situation, the quality and quantity of civic education in both our public and private schools must be improved. According to the National Assessment of Educational Progress, considered the most authoritative source regarding the status of nationwide elementary and secondary education, three million high school seniors will be eligible to vote in the first presidential election of the twenty-first century. However, only one in four of them has more than a basic understanding of how the American system of democratic government works, let alone the Judiciary's role in it.

"Indeed, basic knowledge about how government works is essential for a citizenry to govern itself, and I believe we -- as a society -- have a responsibility to provide our young people with the necessary tools so that our democratic form of government can continue to flourish. This includes providing an understanding of the proper role of the Judiciary as well as the Executive and Legislative Branches. I have spoken with Superintendent LeMahieu -- and plan to call upon the private schools -- regarding this concern. I would like to thank Dr. LeMahieu for his openness, but more importantly, for his responsiveness, as he has indicated that he intends to immediately assess the present curriculum relating to the teaching of civics and government. He has also indicated his

interest in reviewing the Summit's national plan to determine the possibility of forming a partnership between the Department of Education, the Judiciary, and the Bar to address this critical issue.

"I have talked today about national concerns with the justice system because they have application here in Hawaii as well. But as we embark on a new century, we must acknowledge that Hawaii has unique challenges. We are grateful to you for the monies appropriated last session for a new Kauai courthouse; however, some of our other state court buildings are bursting at the seams. Nowhere is this more apparent than on the Big Island in Hilo. Security there is jeopardized, efficiency is compromised, and employee-morale is significantly affected by the cramped conditions. This session, we respectfully seek your support in appropriating monies to acquire the land for a new Hilo Judiciary complex.

"As you well know, serving the public with the limited resources available is always a challenge. The Judiciary's budget represents less than 3 percent of the State's budget, but we have almost 1,700 employees. Consequently, we are looking at how best to organize for the future. In that regard, we have initiated our own restructuring effort, called Achieving Court Excellence, or ACE. An important part of the ACE effort addresses the culture and work environment of the Judiciary. We, therefore, stand ready to work with the Executive and Legislative Branches, as well as the employee representatives, to find creative solutions to better serve the public while balancing both the interests of the employees and of the public.

"We also face the ever-present need to attract and retain qualified judges. This session alone, the Senate will be asked to confirm appointments for nine judicial vacancies. We are grateful to you for your commitment to provide the judicial pay raise that you intended last session, and we hope the additional compensation will help attract and keep good judges.

"Finally, standing as we are on the threshold of the twenty-first century and looking into the future, I pledge to you and the people of Hawaii that, as we enter the new century, the fundamental values and guiding principles that the Judiciary represents will not change. The courthouses of the future will almost certainly bear little resemblance to the structures of the present. But, whatever the physical appearance of the courthouse may be, I assure you that it will be a place where everyone is equal before the law. Our citizens can rely upon the Judiciary in the third millennium because it has proven it can embrace change and, at the same time, preserve the fundamental principles of the past. We also pledge to work cooperatively and constructively with the Executive and Legislative Branches.

"Ladies and gentlemen, throughout the coming years, the Judiciary will remain committed foremost to applying the rule of law through impartial and independent decision-making. Ultimately, the principles of justice and fair play remain, and will forever remain, the heart of our Judiciary.

"Thank you very much for your attention."

Speaker Say then rose and stated:

"Thank you, Mr. Chief Justice. Your words on the state of Hawaii's Judiciary provides us with a deeper understanding of the Judicial Branch and an appreciation of the strides you have made.

"A true and meaningful democracy cannot be achieved without an independent and co-equal judicial system. Yet, in these times of change in which we live, we are gratified to see that the State Judiciary recognizes that the swift dispensation of justice must also be conducted with a mind to administrative efficiency and responsiveness. Thank you, Mr. Chief Justice.



"On behalf of Senate President Mizuguchi and the members of the Senate, and on behalf of the members of the House of Representatives, the Legislature is open to receiving your ideas and recommendations for improvement. I personally look forward to working with you and your colleagues on bettering government for all of the people.

"I hereby declare this Joint Session of the Legislature to be adjourned."

At 10:34 o'clock a.m., the Speaker declared the Joint Session adjourned.

### INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 8:00 o'clock p.m. In consequence thereof, the following bills passed First Reading by title and were deferred:

#### Senate Bill

No. 2607 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN."

Introduced by: Senators Hanabusa, Buen, Chun, Chun Oakland, Inouye, Kawamoto, Levin, Nakata.

No. 2608 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Senator Buen, by request.

No. 2609 "A BILL FOR AN ACT RELATING TO THE ECONOMY."

Introduced by: Senator Anderson.

No. 2610 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Slom, Anderson.

No. 2611 "A BILL FOR AN ACT RELATING TO HABITAT CONSERVATION."

Introduced by: Senator Nakata.

No. 2612 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Nakata.

No. 2613 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HAWAII COUNTY POLICE DEPARTMENT."

Introduced by: Senator Mizuguchi, by request.

No. 2614 "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES."

Introduced by: Senator Mizuguchi, by request.

No. 2615 "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES."

Introduced by: Senator Mizuguchi, by request.

No. 2616 "A BILL FOR AN ACT RELATING TO PREFERENCE TO OFFERORS ON COUNTY PUBLIC WORKS CONTRACTS."

Introduced by: Senator Mizuguchi, by request.

No. 2617 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE LAW."

Introduced by: Senator Mizuguchi, by request.

No. 2618 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE COUNTY OF KAUAI."

Introduced by: Senator Mizuguchi, by request.

No. 2619 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE COUNTY OF KAUAI."

Introduced by: Senator Mizuguchi, by request.

No. 2620 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Nakata, by request.

No. 2621 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Iwase.

No. 2622 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Iwase.

No. 2623 "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES."

Introduced by: Senator Mizuguchi, by request.

No. 2624 "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES."

Introduced by: Senator Mizuguchi, by request.

No. 2625 "A BILL FOR AN ACT RELATING TO IDENTIFICATION CARDS."

Introduced by: Senator Mizuguchi, by request.

No. 2626 "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY."

Introduced by: Senator Mizuguchi, by request.

No. 2627 "A BILL FOR AN ACT RELATING TO EXEMPTING THE COUNTIES FROM GENERAL EXCISE TAX."

Introduced by: Senator Mizuguchi, by request.

No. 2628 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE HAWAII CONSTITUTION TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL."

Introduced by: Senator Mizuguchi, by request.

No. 2629 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Senator Mizuguchi, by request.

No. 2630 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Senator Mizuguchi, by request.

No. 2631 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS."

Introduced by: Senator Mizuguchi, by request.

No. 2632 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Senator Mizuguchi, by request.

No. 2633 "A BILL FOR AN ACT RELATING TO HOMICIDE."

Introduced by: Senator Mizuguchi, by request.

No. 2634 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Mizuguchi, by request.

No. 2635 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senator Mizuguchi, by request.

No. 2636 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senator Mizuguchi, by request.

No. 2637 "A BILL FOR AN ACT RELATING TO VICTIMS AND WITNESSES."

Introduced by: Senator Mizuguchi, by request.

No. 2638 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS."

Introduced by: Senator Mizuguchi, by request.

No. 2639 "A BILL FOR AN ACT RELATING TO BURGLARY."

Introduced by: Senator Mizuguchi, by request.

No. 2640 "A BILL FOR AN ACT RELATING TO DRIVING UNDER INFLUENCE."

Introduced by: Senator Mizuguchi, by request.

No. 2641 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senator Mizuguchi, by request.

No. 2642 "A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES."

Introduced by: Senator Mizuguchi, by request.

No. 2643 "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES."

Introduced by: Senator Mizuguchi, by request.

No. 2644 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senator Mizuguchi, by request.

No. 2645 "A BILL FOR AN ACT RELATING TO DEPENDENT ADULTS."

Introduced by: Senator Mizuguchi, by request.

No. 2646 "A BILL FOR AN ACT RELATING TO WAILUPE STREAM."

Introduced by: Senator Slom.

No. 2647 "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION."

Introduced by: Senator Slom.

No. 2648 "A BILL FOR AN ACT RELATING TO VOTING MACHINES."

Introduced by: Senator Slom.

No. 2649 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Ige, D., Sakamoto.

No. 2650 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Ige, D.

No. 2651 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Ige, D., Sakamoto.

No. 2652 "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK."

Introduced by: Senators Ige, D., Sakamoto.

No. 2653 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."

Introduced by: Senators Ige, D., Sakamoto.

No. 2654 "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND."

Introduced by: Senators Chun Oakland, Kanno, Nakata.

No. 2655 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chun Oakland, Kanno, Chumbley, Nakata.

No. 2656 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONFERENCE IN THE YEAR ZERO."

Introduced by: Senators Chun Oakland, Kanno, Chumbley, Nakata.

No. 2657 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chun Oakland, Kanno, Nakata.

No. 2658 "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE."

Introduced by: Senators Chun Oakland, Kanno, Nakata.

No. 2659 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE COUNTIES OF HONOLULU, MAUI, KAUAI, AND HAWAII."

Introduced by: Senator Matsuura.

No. 2660 "A BILL FOR AN ACT RELATING TO GEOLOGISTS."

Introduced by: Senator Matsuura.

No. 2661 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR PANAWEA RACE TRACK."

Introduced by: Senators Matsuura, Kawamoto.

No. 2662 "A BILL FOR AN ACT RELATING TO THE SITE RESTORATION AND POLLUTION CLEAN-UP FUND."

Introduced by: Senator Nakata, by request.

No. 2663 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senators Matsunaga, Chumbley.

No. 2664 "A BILL FOR AN ACT RELATING TO VIOLENCE."

Introduced by: Senators Chumbley, Taniguchi, Matsunaga.

No. 2665 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Senators Chumbley, Matsunaga.

No. 2666 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2667 "A BILL FOR AN ACT RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE."

Introduced by: Senator Mizuguchi.

No. 2668 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Senator Mizuguchi, by request.

No. 2669 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2670 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Mizuguchi.

No. 2671 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2672 "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS."

Introduced by: Senator Mizuguchi, by request.

No. 2673 "A BILL FOR AN ACT RELATING TO THE USE OF WASHINGTON PLACE FOR CAMPAIGN ACTIVITIES."

Introduced by: Senator Mizuguchi, by request.

No. 2674 "A BILL FOR AN ACT RELATING TO GOVERNMENTAL EMPLOYEE ORGANIZATION MEETINGS HELD DURING STATE WORKING HOURS."

Introduced by: Senator Mizuguchi, by request.

No. 2675 "A BILL FOR AN ACT RELATING TO THE SALARY OF THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION."

Introduced by: Senator Mizuguchi, by request.

No. 2676 "A BILL FOR AN ACT RELATING TO CAMPAIGN ACTIVITIES OF STATE LEGISLATORS AND STATE EMPLOYEES."

Introduced by: Senator Mizuguchi, by request.

No. 2677 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 2678 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senator Mizuguchi, by request.

No. 2679 "A BILL FOR AN ACT RELATING TO TRAFFIC FINES."

Introduced by: Senator Mizuguchi, by request.

No. 2680 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFRASTRUCTURE, CONSTRUCTION, AND RENOVATION OF CRUISE SHIP PASSENGER TERMINALS IN THE STATE."

Introduced by: Senator Mizuguchi, by request.

No. 2681 "A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2682 "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY."

Introduced by: Senator Mizuguchi, by request.

No. 2683 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX."

Introduced by: Senators Chun, Buen.

No. 2684 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET."

Introduced by: Senator Mizuguchi, by request.

No. 2685 "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES."

Introduced by: Senator Mizuguchi, by request.

No. 2686 "A BILL FOR AN ACT RELATING TO VEHICLES."

Introduced by: Senator Mizuguchi, by request.

No. 2687 "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 2688 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 2689 "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS."

Introduced by: Senator Mizuguchi, by request.

No. 2690 "A BILL FOR AN ACT RELATING TO PROBATION."

Introduced by: Senator Mizuguchi, by request.

No. 2691 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Mizuguchi, by request.

No. 2692 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Senator Mizuguchi, by request.

No. 2693 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Tam.

No. 2694 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAIIAN LANGUAGE EDUCATION."

Introduced by: Senator Tam.

No. 2695 "A BILL FOR AN ACT RELATING TO FEES OF THE SHERIFF'S OFFICE."

Introduced by: Senator Tam.

No. 2696 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator Tam.

No. 2697 "A BILL FOR AN ACT RELATING TO PARENTAL CONSENT FOR ABORTIONS."

Introduced by: Senators Chun, Buen, Matsuura.

No. 2698 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Slom.

No. 2699 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE FOURTH SENATORIAL DISTRICT."

Introduced by: Senator Buen.

No. 2700 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATEWIDE PRENATAL OUTREACH."

Introduced by: Senators Buen, Chumbley, Chun Oakland, Levin, Matsuura, Taniguchi.

No. 2701 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PARENT-COMMUNITY NETWORKING CENTERS."

Introduced by: Senators Buen, Chumbley, Chun Oakland, Levin, Matsuura, Taniguchi.

No. 2702 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Tam.

No. 2703 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Chun, Tam.

No. 2704 "A BILL FOR AN ACT RELATING TO A FEASIBILITY STUDY TO BUILD A PRISON AT BARBERS POINT."

Introduced by: Senators Kawamoto, Sakamoto.

No. 2705 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII NATIONAL GUARD YOUTH CHALLENGE PROGRAM."

Introduced by: Senators Kawamoto, Sakamoto.

No. 2706 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Kawamoto, Buen, Bunda, Slom, Taniguchi.

No. 2707 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE."

Introduced by: Senators Kawamoto, Buen, Bunda, Slom.

No. 2708 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Introduced by: Senators Bunda, Ige, D., Ihara, Inouye, Iwase, Kawamoto, Sakamoto, Tanaka.

No. 2709 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Inouye, Buen.

No. 2710 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Inouye, by request.

No. 2711 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."

Introduced by: Senators Inouye, Sakamoto.

No. 2712 "A BILL FOR AN ACT RELATING TO FISHERIES."

Introduced by: Senator Inouye, by request.

No. 2713 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES."

Introduced by: Senators Inouye, Sakamoto.

No. 2714 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Sakamoto.

No. 2715 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Sakamoto.

No. 2716 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Sakamoto.

No. 2717 "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS."

Introduced by: Senators Kanno, Chun Oakland.

No. 2718 "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPIST ASSISTANTS."

Introduced by: Senator Kanno.

No. 2719 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Introduced by: Senators Kanno, Hanabusa, Ige, D.

No. 2720 "A BILL FOR AN ACT RELATING TO SEX OFFENDERS."

Introduced by: Senator Kanno.

No. 2721 "A BILL FOR AN ACT RELATING TO LABOR DISPUTES."

Introduced by: Senator Kanno.

No. 2722 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM."

Introduced by: Senators Anderson, Hanabusa, Chun, Tanaka, Kanno, Matsuura, Nakata.

No. 2723 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE SEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Chun.

No. 2724 "A BILL FOR AN ACT RELATING TO MANAGED COMPETITION."

Introduced by: Senator Chun.

No. 2725 "A BILL FOR AN ACT RELATING TO TOWING COMPANIES."

Introduced by: Senator Kawamoto.

No. 2726 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Senator Ihara.

No. 2727 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ACQUIRE LAND FOR A PARK IN WAIKIKI, OAHU."

Introduced by: Senators Ihara, Fukunaga.

No. 2728 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO PUBLIC ACCESS TO GOVERNMENT."

Introduced by: Senators Ihara, Levin, Fukunaga, Chumbley.

No. 2729 "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS."

Introduced by: Senator Taniguchi.

No. 2730 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Senator Taniguchi, by request.

No. 2731 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Taniguchi.

No. 2732 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Taniguchi.

No. 2733 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Taniguchi.

No. 2734 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senator Levin.

No. 2735 "A BILL FOR AN ACT RELATING TO PATIENT SAFETY."

Introduced by: Senator Levin.

No. 2736 "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA."

Introduced by: Senator Levin.

No. 2737 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE 12TH SENATORIAL DISTRICT."

Introduced by: Senator Fukunaga.

No. 2738 "A BILL FOR AN ACT RELATING TO NEW ECONOMY SKILLS TRAINING."

Introduced by: Senators Ihara, Fukunaga, Levin, Chun Oakland.

No. 2739 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 15TH SENATORIAL DISTRICT."

Introduced by: Senator Mizuguchi.

No. 2740 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2741 "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE."

Introduced by: Senator Mizuguchi, by request.

No. 2742 "A BILL FOR AN ACT RELATING TO PORK."

Introduced by: Senator Mizuguchi, by request.

No. 2743 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE."

Introduced by: Senator Mizuguchi, by request.

No. 2744 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senator Mizuguchi, by request.

No. 2745 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senator Mizuguchi, by request.

No. 2746 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senator Mizuguchi, by request.

No. 2747 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Mizuguchi, by request.

No. 2748 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE."

Introduced by: Senator Mizuguchi, by request.

No. 2749 "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS."

Introduced by: Senator Mizuguchi, by request.

No. 2750 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION."

Introduced by: Senator Mizuguchi, by request.

No. 2751 "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR."

Introduced by: Senator Mizuguchi, by request.

No. 2752 "A BILL FOR AN ACT RELATING TO IDENTIFICATION DOCUMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 2753 "A BILL FOR AN ACT RELATING TO CONTEMPT."

Introduced by: Senator Mizuguchi, by request.

No. 2754 "A BILL FOR AN ACT RELATING TO COMPUTER CRIME."

Introduced by: Senator Mizuguchi, by request.

No. 2755 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ASBESTOS PROPERTY DAMAGE LITIGATION."

Introduced by: Senator Mizuguchi, by request.

No. 2756 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Mizuguchi, by request.

No. 2757 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ANTITRUST LITIGATION COSTS."

Introduced by: Senator Mizuguchi, by request.

No. 2758 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 2759 "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION."

Introduced by: Senator Mizuguchi, by request.

No. 2760 "A BILL FOR AN ACT RELATING TO LITIGATION INVOLVING HIGHWAYS."

Introduced by: Senator Mizuguchi, by request.

No. 2761 "A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF GOVERNMENT RECORDS."

Introduced by: Senator Mizuguchi, by request.

No. 2762 "A BILL FOR AN ACT RELATING TO HOMICIDE."

Introduced by: Senator Mizuguchi, by request.

No. 2763 "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE TOBACCO SETTLEMENT AGREEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 2764 "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT."

Introduced by: Senator Mizuguchi, by request.

No. 2765 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Senator Mizuguchi, by request.

No. 2766 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Mizuguchi, by request.

No. 2767 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 2768 "A BILL FOR AN ACT RELATING TO GEOGRAPHIC INFORMATION SYSTEMS."

Introduced by: Senator Mizuguchi, by request.

No. 2769 "A BILL FOR AN ACT RELATING TO REDUCING GREENHOUSE GAS EMISSIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2770 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 2771 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."

Introduced by: Senator Mizuguchi, by request.

No. 2772 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 2773 "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDIT."

Introduced by: Senator Mizuguchi, by request.

No. 2774 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Mizuguchi, by request.

No. 2775 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Senator Mizuguchi, by request.

No. 2776 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senator Mizuguchi, by request.

No. 2777 "A BILL FOR AN ACT RELATING TO THE ALA WAI GOLF COURSE."

Introduced by: Senator Mizuguchi, by request.

No. 2778 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Mizuguchi, by request.

No. 2779 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Introduced by: Senator Mizuguchi, by request.

No. 2780 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Senator Mizuguchi, by request.

No. 2781 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 2782 "A BILL FOR AN ACT RELATING TO BIOLOGICAL MATERIALS."

Introduced by: Senator Mizuguchi, by request.

No. 2783 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT FINANCING."

Introduced by: Senator Mizuguchi, by request.

No. 2784 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 2785 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Senator Mizuguchi, by request.

No. 2786 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2787 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 2788 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 2789 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 2790 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2791 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT."

Introduced by: Senator Mizuguchi, by request.

No. 2792 "A BILL FOR AN ACT RELATING TO A REPAIRS AND MAINTENANCE SPECIAL FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2793 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 2794 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE HAWAII CONSTITUTION REGARDING AN EMERGENCY AND BUDGET RESERVE FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2795 "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2796 "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 2797 "A BILL FOR AN ACT RELATING TO BISHOP MUSEUM."

Introduced by: Senator Mizuguchi, by request.

No. 2798 "A BILL FOR AN ACT RELATING TO VETERANS LOANS."

Introduced by: Senator Mizuguchi, by request.

No. 2799 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 2800 "A BILL FOR AN ACT RELATING TO THE HAWAII TELECOMMUNICATIONS AND INFORMATION ACT."

Introduced by: Senator Mizuguchi, by request.

No. 2801 "A BILL FOR AN ACT RELATING TO THE COUNCIL ON REVENUES REVENUE ESTIMATE REPORTING DATES."

Introduced by: Senator Mizuguchi, by request.

No. 2802 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS."

Introduced by: Senator Mizuguchi, by request.

No. 2803 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2804 "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION."

Introduced by: Senator Mizuguchi, by request.

No. 2805 "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE BOARD OF NURSING."

Introduced by: Senator Mizuguchi, by request.

No. 2806 "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2807 "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES."

Introduced by: Senator Mizuguchi, by request.

No. 2808 "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE."

Introduced by: Senator Mizuguchi, by request.

No. 2809 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senator Mizuguchi, by request.

No. 2810 "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."

Introduced by: Senator Mizuguchi, by request.

No. 2811 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2812 "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION."

Introduced by: Senator Mizuguchi, by request.

No. 2813 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2814 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2815 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2816 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2817 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2818 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2819 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2820 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW)."

Introduced by: Senator Mizuguchi, by request.

No. 2821 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS."

Introduced by: Senator Mizuguchi, by request.

No. 2822 "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT."

Introduced by: Senator Mizuguchi, by request.

No. 2823 "A BILL FOR AN ACT RELATING TO CONTROL SHARE ACQUISITIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2824 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Senator Mizuguchi, by request.

No. 2825 "A BILL FOR AN ACT RELATING TO THE CORPORATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 2826 "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE."

Introduced by: Senator Mizuguchi, by request.

No. 2827 "A BILL FOR AN ACT RELATING TO CHIROPRACTIC LICENSURE REQUIREMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 2828 "A BILL FOR AN ACT RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2829 "A BILL FOR AN ACT RELATING TO RETURN OF PRESCRIPTION DRUGS."

Introduced by: Senator Mizuguchi, by request.

No. 2830 "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF SCHOOL PRINCIPALS AND VICE PRINCIPALS."



Introduced by: Senator Mizuguchi, by request.

No. 2831 "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD."

Introduced by: Senator Mizuguchi, by request.

No. 2832 "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH"

Introduced by: Senator Mizuguchi, by request.

No. 2833 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Mizuguchi, by request.

No. 2834 "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS."

Introduced by: Senator Mizuguchi, by request.

No. 2835 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Mizuguchi, by request.

No. 2836 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Mizuguchi, by request.

No. 2837 "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY."

Introduced by: Senator Mizuguchi, by request.

No. 2838 "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL."

Introduced by: Senator Mizuguchi, by request.

No. 2839 "A BILL FOR AN ACT RELATING TO FIREWORKS"

Introduced by: Senator Mizuguchi, by request.

No. 2840 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT"

Introduced by: Senator Mizuguchi, by request.

No. 2841 "A BILL FOR AN ACT RELATING TO TECHNOLOGY DEVELOPMENT."

Introduced by: Senator Mizuguchi, by request.

No. 2842 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Mizuguchi, by request.

No. 2843 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Mizuguchi, by request.

No. 2844 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Mizuguchi, by request.

No. 2845 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Mizuguchi, by request.

No. 2846 "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS."

Introduced by: Senator Mizuguchi, by request.

No. 2847 "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS."

Introduced by: Senator Mizuguchi, by request.

No. 2848 "A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING."

Introduced by: Senator Mizuguchi, by request.

No. 2849 "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS."

Introduced by: Senator Mizuguchi, by request.

No. 2850 "A BILL FOR AN ACT RELATING TO KINSHIP CARE."

Introduced by: Senator Mizuguchi, by request.

No. 2851 "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS."

Introduced by: Senator Mizuguchi, by request.

No. 2852 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senator Mizuguchi, by request.

No. 2853 "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE PAYMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 2854 "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES."

Introduced by: Senator Mizuguchi, by request.

No. 2855 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2856 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2857 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senator Mizuguchi, by request.

No. 2858 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 2859 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Mizuguchi, by request.

No. 2860 "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS."

Introduced by: Senator Mizuguchi, by request.

No. 2861 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Mizuguchi, by request.

No. 2862 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 2863 "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES."

Introduced by: Senator Mizuguchi, by request.

No. 2864 "A BILL FOR AN ACT RELATING TO THE WELFARE OF INCOMPETENT PERSONS."

Introduced by: Senator Mizuguchi, by request.

No. 2865 "A BILL FOR AN ACT RELATING TO PROPHYLACTICS."

Introduced by: Senator Mizuguchi, by request.

No. 2866 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Senator Mizuguchi, by request.

No. 2867 "A BILL FOR AN ACT RELATING TO USED OIL."

Introduced by: Senator Mizuguchi, by request.

No. 2868 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT DISPOSAL SURCHARGE."

Introduced by: Senator Mizuguchi, by request.

No. 2869 "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER."

Introduced by: Senator Mizuguchi, by request.

No. 2870 "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER."

Introduced by: Senator Mizuguchi, by request.

No. 2871 "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION."

Introduced by: Senator Mizuguchi, by request.

No. 2872 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 2873 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 2874 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 2875 "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS."

Introduced by: Senator Mizuguchi, by request.

No. 2876 "A BILL FOR AN ACT RELATING TO CRIMINAL BACKGROUND CHECKS FOR THE DEPARTMENT OF HEALTH."

Introduced by: Senator Mizuguchi, by request.

No. 2877 "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH."

Introduced by: Senator Mizuguchi, by request.

No. 2878 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION."

Introduced by: Senator Mizuguchi, by request.

No. 2879 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES."

Introduced by: Senator Mizuguchi, by request.

No. 2880 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2881 "A BILL FOR AN ACT RELATING TO CLEAN AIR."

Introduced by: Senator Mizuguchi, by request.

No. 2882 "A BILL FOR AN ACT RELATING TO COMMUNITY WATER FLUORIDATION."

Introduced by: Senator Mizuguchi, by request.

No. 2883 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 2884 "A BILL FOR AN ACT RELATING TO THERAPY SERVICES FOR EXCEPTIONAL CHILDREN."

Introduced by: Senator Mizuguchi, by request.

No. 2885 "A BILL FOR AN ACT RELATING TO SANITATION."

Introduced by: Senator Mizuguchi, by request.

No. 2886 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL HEALTH EDUCATION FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2887 "A BILL FOR AN ACT RELATING TO AMMUNITION."

Introduced by: Senator Mizuguchi, by request.

No. 2888 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Mizuguchi, by request.

No. 2889 "A BILL FOR AN ACT RELATING TO SOLAR WATER HEATING."

Introduced by: Senator Mizuguchi, by request.

No. 2890 "A BILL FOR AN ACT RELATING TO INDIVIDUAL WASTEWATER SYSTEMS."

Introduced by: Senator Mizuguchi, by request.

No. 2891 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH PARITY"

Introduced by: Senator Mizuguchi, by request.

No. 2892 "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999."

Introduced by: Senator Mizuguchi, by request.

No. 2893 "A BILL FOR AN ACT RELATING TO MINIMUM WAGE."

Introduced by: Senator Mizuguchi, by request.

No. 2894 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Mizuguchi, by request.

No. 2895 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Mizuguchi, by request.

No. 2896 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES."

Introduced by: Senator Mizuguchi, by request.

No. 2897 "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT."

Introduced by: Senator Mizuguchi, by request.

No. 2898 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH."

Introduced by: Senator Mizuguchi, by request.

No. 2899 "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR LAW."

Introduced by: Senator Mizuguchi, by request.

No. 2900 "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL."

Introduced by: Senator Mizuguchi, by request.

No. 2901 "A BILL FOR AN ACT RELATING TO THE HOISTING MACHINE OPERATORS ADVISORY BOARD."

Introduced by: Senator Mizuguchi, by request.

No. 2902 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR USERS OF EXPLOSIVES."

Introduced by: Senator Mizuguchi, by request.

No. 2903 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."

Introduced by: Senator Mizuguchi, by request.

No. 2904 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."

Introduced by: Senator Mizuguchi, by request.

No. 2905 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Mizuguchi, by request.

No. 2906 "A BILL FOR AN ACT RELATING TO GARMENT INDUSTRY HOMEWORK."

Introduced by: Senator Mizuguchi, by request.

No. 2907 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 2908 "A BILL FOR AN ACT RELATING TO BLUE LIGHTS."

Introduced by: Senator Mizuguchi, by request.

No. 2909 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senator Mizuguchi, by request.

No. 2910 "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2911 "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2912 "A BILL FOR AN ACT RELATING TO STATE BOATING FACILITIES."

Introduced by: Senator Mizuguchi, by request.

No. 2913 "A BILL FOR AN ACT RELATING TO KANEOHE BAY."

Introduced by: Senator Mizuguchi, by request.

No. 2914 "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION."

Introduced by: Senator Mizuguchi, by request.

No. 2915 "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2916 "A BILL FOR AN ACT RELATING TO DISPOSITION OF WATER RIGHTS."

Introduced by: Senator Mizuguchi, by request.

No. 2917 "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2918 "A BILL FOR AN ACT RELATING TO HUNTING LICENSES."

Introduced by: Senator Mizuguchi, by request.

No. 2919 "A BILL FOR AN ACT RELATING TO THE NATURAL AREA RESERVE FUND."

Introduced by: Senator Mizuguchi, by request.

No. 2920 "A BILL FOR AN ACT RELATING TO LEASING OF SMALL BOAT HARBORS."

Introduced by: Senator Mizuguchi, by request.

No. 2921 "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY."

Introduced by: Senator Mizuguchi, by request.

No. 2922 "A BILL FOR AN ACT RELATING TO THE REPEAL OF UNNECESSARY ADMINISTRATIVE RULES."

Introduced by: Senator Mizuguchi, by request.

No. 2923 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES."

Introduced by: Senator Mizuguchi, by request.

No. 2924 "A BILL FOR AN ACT RELATING TO OPEN MEETINGS."

Introduced by: Senator Mizuguchi, by request.

No. 2925 "A BILL FOR AN ACT RELATING TO THE FUEL TAX."

Introduced by: Senator Mizuguchi, by request.

No. 2926 "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT."

Introduced by: Senator Mizuguchi, by request.

No. 2927 "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)."

Introduced by: Senator Mizuguchi, by request.

No. 2928 "A BILL FOR AN ACT RELATING TO THE REPEAL OF NULL AND VOID ADMINISTRATIVE RULES."

Introduced by: Senator Mizuguchi, by request.

No. 2929 "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING."

Introduced by: Senator Mizuguchi, by request.

No. 2930 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senator Mizuguchi, by request.

No. 2931 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senator Mizuguchi, by request.

No. 2932 "A BILL FOR AN ACT RELATING TO CIVIL PROCESS SERVICE."

Introduced by: Senator Mizuguchi, by request.

No. 2933 "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION COMMISSION."

Introduced by: Senator Mizuguchi, by request.

No. 2934 "A BILL FOR AN ACT RELATING TO CORRECTIONAL HEALTH CARE."

Introduced by: Senator Mizuguchi, by request.

No. 2935 "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS."

Introduced by: Senator Mizuguchi, by request.

No. 2936 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TREATMENT FOR CRIMINAL OFFENDERS"

Introduced by: Senator Mizuguchi, by request.

No. 2937 "A BILL FOR AN ACT RELATING TO THE OPERATIONS OF CORRECTIONAL FACILITIES."

Introduced by: Senator Mizuguchi, by request.

No. 2938 "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

Introduced by: Senator Mizuguchi, by request.

No. 2939 "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 2940 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 2941 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS."

Introduced by: Senator Mizuguchi, by request.

No. 2942 "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES."

Introduced by: Senator Mizuguchi, by request.

No. 2943 "A BILL FOR AN ACT RELATING TO FILING OF TAX RETURNS."

Introduced by: Senator Mizuguchi, by request.

No. 2944 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX."

Introduced by: Senator Mizuguchi, by request.

No. 2945 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 2946 "A BILL FOR AN ACT RELATING TO TAXATION APPEALS."

Introduced by: Senator Mizuguchi, by request.

No. 2947 "A BILL FOR AN ACT RELATING TO DISCLOSURE OF TAX INFORMATION."

Introduced by: Senator Mizuguchi, by request.

No. 2948 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Senator Mizuguchi, by request.

No. 2949 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senator Mizuguchi, by request.

No. 2950 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senator Mizuguchi, by request.

No. 2951 "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENTS."

Introduced by: Senator Mizuguchi, by request.

No. 2952 "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 2953 "A BILL FOR AN ACT RELATING TO CONTROL OF VENDING."

Introduced by: Senator Mizuguchi, by request.

No. 2954 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Mizuguchi, by request.

No. 2955 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Mizuguchi, by request.

No. 2956 "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS."

Introduced by: Senator Mizuguchi, by request.

No. 2957 "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY."

Introduced by: Senator Mizuguchi, by request.

No. 2958 "A BILL FOR AN ACT RELATING TO HIGHWAYS GENERALLY."

Introduced by: Senator Mizuguchi, by request.

No. 2959 "A BILL FOR AN ACT RELATING TO REPEAT INTOXICATED DRIVERS."

Introduced by: Senator Mizuguchi, by request.

No. 2960 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Senator Mizuguchi, by request.

No. 2961 "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE

UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR."

Introduced by: Senator Mizuguchi, by request.

No. 2962 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 2963 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 2964 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 2965 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

#### ADJOURNMENT

At 8:00 o'clock p.m., the Senate adjourned until 5:00 o'clock p.m., Wednesday, January 26, 2000.

## SIXTH DAY

Wednesday, January 26, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 5:07 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Major Warren Dabis, Salvation Army Kauluwela Mission Corps, after which the Roll was called showing all Senators present with the exception of Senators Ihara and Sakamoto who were excused.

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

## HOUSE COMMUNICATION

Hse. Com. No. 4, returning S.C.R. No. 9, which was adopted by the House of Representatives on January 26, 2000, was read by the Clerk and was placed on file.

At 5:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:11 o'clock p.m.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Tuesday, January 25, 2000:

Senate Bill Referred to:

No. 2607 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 2608 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 2609 Committee on Judiciary, then to the Committee on Ways and Means

No. 2610 Committee on Ways and Means

No. 2611 Committee on Labor and Environment

No. 2612 Committee on Education and Technology, then to the Committee on Ways and Means

No. 2613 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2614 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2615 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2616 Jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2617 Jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2618 Committee on Ways and Means

No. 2619 Committee on Ways and Means

No. 2620 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2621 Committee on Health and Human Services, then to the Committee on Transportation and Intergovernmental Affairs

No. 2622 Jointly to the Committee on Education and Technology and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 2623 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2624 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2625 Committee on Judiciary, then to the Committee on Ways and Means

No. 2626 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary

No. 2627 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2628 Committee on Judiciary

No. 2629 Committee on Judiciary

No. 2630 Committee on Judiciary

No. 2631 Committee on Judiciary

No. 2632 Committee on Judiciary

No. 2633 Committee on Judiciary

No. 2634 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 2635 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 2636 Committee on Judiciary

No. 2637 Committee on Judiciary

No. 2638 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 2639 Committee on Judiciary

No. 2640 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 2641 Committee on Judiciary

No. 2642 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 2643 Committee on Transportation and Intergovernmental Affairs

No. 2644 \* Committee on Judiciary

No. 2645	Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 2666	Committee on Judiciary
No. 2646	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2667	Committee on Judiciary
No. 2647	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 2668	Committee on Judiciary
No. 2648	Jointly to the Committee on Judiciary and the Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 2669	Committee on Judiciary, then to the Committee on Ways and Means
No. 2649	Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 2670	Committee on Judiciary
No. 2650	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 2671	Committee on Judiciary, then to the Committee on Ways and Means
No. 2651	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2672	Committee on Labor and Environment, then to the Committee on Judiciary
No. 2652	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 2673	Committee on Judiciary
No. 2653	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2674	Committee on Labor and Environment
No. 2654	Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2675	Committee on Judiciary, then to the Committee on Ways and Means
No. 2655	Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection	No. 2676	Committee on Labor and Environment, then to the Committee on Judiciary
No. 2656	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2677	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
No. 2657	Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection	No. 2678	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2658	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2679	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2659	Committee on Ways and Means	No. 2680	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2660	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2681	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2661	Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 2682	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 2662	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2683	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2663	Committee on Judiciary	No. 2684	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2664	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Human Services, then to the Committee on Judiciary	No. 2685	Committee on Judiciary, then to the Committee on Ways and Means
No. 2665	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 2686	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
		No. 2687	Committee on Judiciary, then to the Committee on Ways and Means
		No. 2688	Committee on Judiciary, then to the Committee on Ways and Means
		No. 2689	Committee on Labor and Environment, then to the Committee on Judiciary

No. 2690	Committee on Judiciary, then to the Committee on Ways and Means	No. 2714	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2691	Committee on Judiciary, then to the Committee on Ways and Means	No. 2715	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2692	Committee on Judiciary, then to the Committee on Ways and Means	No. 2716	Committee on Ways and Means
No. 2693	Committee on Commerce and Consumer Protection	No. 2717	Committee on Commerce and Consumer Protection
No. 2694	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 2718	Jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2695	Committee on Judiciary, then to the Committee on Ways and Means	No. 2719	Committee on Economic Development, then to the Committee on Ways and Means
No. 2696	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2720	Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Judiciary
No. 2697	Committee on Health and Human Services, then to the Committee on Judiciary	No. 2721	Committee on Labor and Environment, then to the Committee on Judiciary
No. 2698	Committee on Ways and Means, then to the Committee on Judiciary	No. 2722	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 2699	Committee on Ways and Means	No. 2723	Committee on Ways and Means
No. 2700	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2724	Jointly to the Committee on Government Operations and Housing and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2701	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2725	Committee on Transportation and Intergovernmental Affairs
No. 2702	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 2726	Committee on Judiciary
No. 2703	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means	No. 2727	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
No. 2704	Committee on Judiciary, then to the Committee on Ways and Means	No. 2728	Committee on Ways and Means, then to the Committee on Judiciary
No. 2705	Committee on Education and Technology, then to the Committee on Ways and Means	No. 2729	Committee on Commerce and Consumer Protection
No. 2706	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 2730	Committee on Economic Development, then to the Committee on Judiciary
No. 2707	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 2731	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2708	Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means	No. 2732	Committee on Commerce and Consumer Protection
No. 2709	Committee on Economic Development, then to the Committee on Ways and Means	No. 2733	Committee on Commerce and Consumer Protection
No. 2710	Committee on Labor and Environment	No. 2734	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2711	Committee on Judiciary	No. 2735	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2712	Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs	No. 2736	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2713	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 2737	Committee on Ways and Means



- No. 2738 Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2739 Committee on Ways and Means
- No. 2740 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2741 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development
- No. 2742 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2743 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2744 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2745 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2746 Jointly to the Committee on Labor and Environment and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 2747 Committee on Economic Development
- No. 2748 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2749 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2750 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2751 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2752 Committee on Judiciary
- No. 2753 Committee on Judiciary
- No. 2754 Committee on Judiciary
- No. 2755 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2756 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2757 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2758 Committee on Judiciary
- No. 2759 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2760 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 2761 Committee on Judiciary
- No. 2762 Committee on Judiciary
- No. 2763 Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2764 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2765 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 2766 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Government Operations and Housing
- No. 2767 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2768 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2769 Committee on Labor and Environment
- No. 2770 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2771 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2772 Jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2773 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2774 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2775 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2776 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2777 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 2778 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 2779 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2780 Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 2781 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2782 Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection
- No. 2783 Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 2784 Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Friday, January 21,

2000; Monday, January 24, 2000; and Tuesday, January 25, 2000:

Senate  
Concurrent  
Resolution                      Referred to:

No. 7                      Jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 8                      Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 10                      Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 11                      Committee on Judiciary, then to the Committee on Ways and Means

### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill                      Referred to:

No. 2072                      Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2152                      Committee on Judiciary, then to the Committee on Ways and Means

No. 2195                      Committee on Judiciary

No. 2220                      Committee on Judiciary, then to the Committee on Ways and Means

No. 2371                      Committee on Judiciary

At this time, Senator Hanabusa, on behalf of the Senate, extended happy birthday wishes to Senator Chun.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, very recently, the governor gave his state-of-the-state address. Some people feel that regardless of being, supposedly, the highest elected Republican in this state, I did not get interviewed by the media. But I would like to make some comments.

"I read all of the things that the good governor had to say, and I agreed with him. The problem is that everybody loves education, but he did not provide sound solutions to pay for his proposals. And every one of the solutions that I read -- amending collective bargaining laws, we're going to have to stop the payroll lag, no striking for two years, we're going to use the monies in the retirement fund -- all proposals rest on the back of the public employees. And that's not the best or fairest solutions to the problems today, ladies and gentlemen.

"My fellow colleagues, we've got to come up with ways to generate money for the general fund and to help the economy. On opening day I did say, 'look around at the stores that you frequent, they are no longer in existence; they're closed.' The very next day we heard Shirokiya was closing. The following day it was announced that Royal Hawaiian Heritage's eight jewelry stores are going to be closed. Those are hundreds of people out of work.

"So even though I agree with the governor -- that we have to do all that we can for education and human services -- we damn

well better look at how to help the economy and to put some money in the coffers for the general fund, or we're going to be a third world country and we're going to be in lots of trouble.

"The media believes we're not important enough to talk to. In today's market, Mr. President, people have access to the internet, fax machines, public television, or other means to get information to constituents. So you don't need interviews.

"The only reason I do this is because when I talk to anybody, it's in the Journal. The Journal is precise, they can't take it out of context and that's why I speak on the Senate Floor. Because if anybody ever wants to know where I stand, even though I'm shy (laughter), it is in the Journal.

"Thank you very much for listening, Mr. President."

### INTRODUCTION OF SENATE BILLS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 8:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 5:17 o'clock p.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 2966 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by:              Senators Buen, Kawamoto, Chumbley, Tanaka.

No. 2967 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND CORRECTIONS."

Introduced by:              Senators Hanabusa, by request, Inouye.

No. 2968 "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER."

Introduced by:              Senators Hanabusa, Anderson, Ige, M., Inouye, Kawamoto, Matsuura, Nakata.

No. 2969 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by:              Senators Hanabusa, Anderson, Ige, M., Inouye, Kawamoto, Matsuura, Nakata.

No. 2970 "A BILL FOR AN ACT RELATING TO HAWAIIANS."

Introduced by:              Senator Hanabusa, by request.

No. 2971 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by:              Senators Nakata, Hanabusa.

No. 2972 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by:              Senator Nakata, by request.

No. 2973 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH INSURANCE COVERAGE."

Introduced by:              Senator Chun Oakland.

No. 2974 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE INSURANCE BENEFITS."

Introduced by:              Senator Chun Oakland.

No. 2975 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Chun Oakland.

No. 2976 "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS."

Introduced by: Senator Chun Oakland.

No. 2977 "A BILL FOR AN ACT RELATING TO CHILD PROTECTION."

Introduced by: Senator Chun Oakland.

No. 2978 "A BILL FOR AN ACT RELATING TO IDENTIFICATION CARDS."

Introduced by: Senator Nakata.

No. 2979 "A BILL FOR AN ACT RELATING TO PIERS 1 AND 2."

Introduced by: Senator Ige, M.

No. 2980 "A BILL FOR AN ACT RELATING TO DRIVERS."

Introduced by: Senator Matsunaga, by request.

No. 2981 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION, TO CHANGE THE POWERS AND DUTIES OF THE JUDICIAL SELECTION COMMISSION."

Introduced by: Senator Matsunaga.

No. 2982 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT."

Introduced by: Senators Matsunaga, Chumbley.

No. 2983 "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY."

Introduced by: Senator Hanabusa.

No. 2984 "A BILL FOR AN ACT RELATING TO OCEAN LEASING FOR COMMERCIAL TELECOMMUNICATION USES."

Introduced by: Senators Matsuura, Buen, Chun, Hanabusa, Inouye.

No. 2985 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Tam.

No. 2986 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senator Tam.

No. 2987 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Tam.

No. 2988 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT."

Introduced by: Senator Tam.

No. 2989 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES."

Introduced by: Senator Nakata.

No. 2990 "A BILL FOR AN ACT RELATING TO THE RECYCLING OF BATTERIES."

Introduced by: Senator Nakata.

No. 2991 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators Chumbley, Buen, Levin, Chun, Inouye.

No. 2992 "A BILL FOR AN ACT RELATING TO STREET VENDORS."

Introduced by: Senator Anderson.

No. 2993 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators Kanno, Hanabusa, Chun Oakland, Nakata.

No. 2994 "A BILL FOR AN ACT RELATING TO GENETIC TESTING."

Introduced by: Senator Matsunaga.

No. 2995 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Ige, M.

No. 2996 "A BILL FOR AN ACT RELATING TO JUVENILES."

Introduced by: Senators Ige, M., Hanabusa.

No. 2997 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WAIALUA-HALEIWA STORMWATER DRAINAGE MASTER PLAN."

Introduced by: Senator Bunda.

No. 2998 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE DATA FOR HYDRAULIC AND HYDROLOGIC FLOOD ANALYSES."

Introduced by: Senator Bunda.

No. 2999 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Introduced by: Senator Bunda.

No. 3000 "A BILL FOR AN ACT RELATING TO GAMING."

Introduced by: Senator Bunda.

No. 3001 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Senators Kanno, Chun Oakland, Nakata.

No. 3002 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Taniguchi.

No. 3003 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Taniguchi.

No. 3004 "A BILL FOR AN ACT RELATING TO CORPORATE DISCLOSURE."

Introduced by: Senators Kanno, Taniguchi.

No. 3005 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AQUACULTURE DISEASE PREVENTION PROGRAM."

Introduced by: Senators Inouye, Bunda.

No. 3006 "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS AND MORTGAGE PREPAYMENT PENALTIES."

Introduced by: Senator Inouye, by request.

No. 3007 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Inouye.

No. 3008 "A BILL FOR AN ACT RELATING TO TRAFFIC RECORDS."

Introduced by: Senator Tam.

No. 3009 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Slom.

No. 3010 "A BILL FOR AN ACT RELATING TO TAXES."

Introduced by: Senator Slom.

No. 3011 "A BILL FOR AN ACT RELATING TO SCHOOL/COMMUNITY-BASED MANAGEMENT."

Introduced by: Senator Slom.

No. 3012 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Slom.

No. 3013 "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND WITNESSES."

Introduced by: Senator Slom.

No. 3014 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."

Introduced by: Senators Chun, Hanabusa.

No. 3015 "A BILL FOR AN ACT RELATING TO COMMERCIAL AND INDUSTRIAL IMPROVEMENTS."

Introduced by: Senators Buen, Matsuura.

No. 3016 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL."

Introduced by: Senators Buen, Bunda, Chun, Levin.

No. 3017 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Buen, Matsuura.

No. 3018 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Buen, Matsuura.

No. 3019 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HEALTHY START PROGRAM."

Introduced by: Senators Fukunaga, Chun Oakland.

No. 3020 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Fukunaga.

No. 3021 "A BILL FOR AN ACT RELATING TO AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE WAILUPE STREAM FLOOD CONTROL PROJECT."

Introduced by: Senators Fukunaga, Slom.

No. 3022 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SERVICE MEDICALLY UNDERSERVED AND AT-RISK POPULATIONS IN KONA."

Introduced by: Senators Inouye, Levin.

No. 3023 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Mizuguchi, by request.

No. 3024 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senator Mizuguchi, by request.

No. 3025 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Sakamoto, Ige, D., Anderson, Chumbley, Fukunaga, Ihara, Kanno, Kawamoto, Slom, Taniguchi.

No. 3026 "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES."

Introduced by: Senators Sakamoto, Ige, D., Anderson, Buen, Bunda, Chumbley, Chun, Fukunaga, Hanabusa, Inouye, Iwase, Kanno, Kawamoto, Levin, Matsunaga, Matsuura, Nakata, Slom, Taniguchi.

No. 3027 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator Sakamoto.

No. 3028 "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE."

Introduced by: Senator Sakamoto.

No. 3029 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senators Kawamoto, Buen, Bunda, Inouye.

No. 3030 "A BILL FOR AN ACT RELATING TO AERIAL FIREWORKS."

Introduced by: Senators Kawamoto, Buen, Bunda, Inouye, Slom.

No. 3031 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Senators Kawamoto, Bunda.

No. 3032 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senator Kawamoto.

No. 3033 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG TREATMENT, COUNSELING, AND INTERVENTION SERVICES FOR SUBSTANCE-ABUSING YOUTHS AT WAIPAHU HIGH SCHOOL."

Introduced by: Senator Kawamoto.

No. 3034 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Sakamoto.

No. 3035 "A BILL FOR AN ACT RELATING TO SCHOOL-WITHIN-A-SCHOOL."

Introduced by: Senators Ige, D., Sakamoto.

No. 3036 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Senators Ige, D., Sakamoto.

No. 3037 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senators Ige, D., Sakamoto.

No. 3038 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Sakamoto.

No. 3039 "A BILL FOR AN ACT RELATING TO PROVIDER CONTRACTS."

Introduced by: Senator Taniguchi, by request.

No. 3040 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Taniguchi.

No. 3041 "A BILL FOR AN ACT RELATING TO OPTOMETRY."

Introduced by: Senator Taniguchi.

No. 3042 "A BILL FOR AN ACT RELATING TO COURT REPORTERS."

Introduced by: Senator Taniguchi.

No. 3043 "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION."

Introduced by: Senator Taniguchi.

No. 3044 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Sakamoto.

No. 3045 "A BILL FOR AN ACT RELATING TO THE AUDITOR."

Introduced by: Senator Mizuguchi.

No. 3046 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

No. 3047 "A BILL FOR AN ACT RELATING TO SEX OFFENDERS."

Introduced by: Senator Chun, by request.

No. 3048 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EQUITABLY ESTABLISH PARENT-COMMUNITY NETWORKING CENTERS."

Introduced by: Senators Chun, Buen.

No. 3049 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senator Chun.

No. 3050 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF REVENUE BONDS AND MAKING AN APPROPRIATION FOR FOR A SECOND BUILDING AT THE WEST KAUAI TECHNOLOGY AND VISITOR CENTER."

Introduced by: Senator Chun.

No. 3051 "A BILL FOR AN ACT RELATING TO LIQUOR EXPORT."

Introduced by: Senator Anderson.

No. 3052 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WAR MEMORIAL HONORING THE 'TORPEDO GANG' OF WORLD WAR II."

Introduced by: Senators Levin, Inouye, Kawamoto.

No. 3053 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Levin.

No. 3054 "A BILL FOR AN ACT RELATING TO CARBON SEQUESTRATION."

Introduced by: Senators Levin, Fukunaga, Nakata.

No. 3055 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."

Introduced by: Senators Levin, Nakata.

No. 3056 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Introduced by: Senator Levin.

No. 3057 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Ihara, Levin.

No. 3058 "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT."

Introduced by: Senators Ihara, Levin, Sakamoto.

No. 3059 "A BILL FOR AN ACT RELATING TO  
COMMUNITY EMPOWERMENT."

Introduced by: Senators Ihara, Levin, Sakamoto.

No. 3060 "A BILL FOR AN ACT RELATING TO  
ELECTIONS."

Introduced by: Senator Ihara.

**ADJOURNMENT**

At 8:00 o'clock p.m., the Senate adjourned until 11:30  
o'clock a.m., Thursday, January 27, 2000, on a rising vote,  
observing a moment of silence in memory of the late Daniel J.  
Kihano, former Speaker of the House of Representatives.

## SEVENTH DAY

Thursday, January 27, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:33 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Woodrow Yasuhara, District Superintendent of the Hawaii Assemblies of God, and Associate Pastor, First Assembly of God, after which the Roll was called showing all Senators present with the exception of Senators Chun, M. Ige, Ihara and Levin who were excused.

The President announced that he had read and approved the Journal of the Sixth Day.

Senator Fukunaga, in recognition of the Pacific Telecommunications Council's commitment and contributions to the State of Hawaii in their efforts to promote the development of telecommunications and related technologies, introduced Jane Hurd, PTC President; Dennis Niimi and David Lassner, PTC Executive Board Members; and Hoyt Zia, PTC Executive Director, and congratulated the Council on the occasion of its 20th anniversary.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 5 to 106) were read by the Clerk and were placed on file:

Gov. Msg. No. 5, dated November 30, 1999, transmitting the "Annual Report of Decentralized Decision-Making in the University of Hawaii System," prepared by the University of Hawaii pursuant to Act 115, Section 27, SLH 1998.

Gov. Msg. No. 6, dated November 30, 1999, transmitting the "Annual Report on the Research and Training Revolving Fund, 1998-99," prepared by the University of Hawaii.

Gov. Msg. No. 7, dated December 1, 1999, transmitting a report, "The Development of a Master Plan for Pohoiki Boat Ramp," prepared by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation, in response to S.C.R. No. 188 (1999).

Gov. Msg. No. 8, dated December 1, 1999, transmitting a report prepared by the Department of Land and Natural Resources in response to H.C.R. No. 125 (1993), on all special, trust, and revolving fund transactions carried out over the previous fiscal year.

Gov. Msg. No. 9, dated December 6, 1999, transmitting a report, "Summary of University of Hawaii Special, Revolving, and Trust Funds for the Fiscal Year Ended June 30, 1999," prepared by the University of Hawaii pursuant to Sections 304-7 and 304-8, HRS.

Gov. Msg. No. 10, dated December 6, 1999, transmitting the "Annual Report on Transfer of Appropriated Funds and Positions," prepared by the University of Hawaii pursuant to Section 37-74, HRS.

Gov. Msg. No. 11, dated December 6, 1999, transmitting a report, "FY 1998-99 Expenditures of University of Hawaii Tuition and Fees Special Funds to Generate Private Donations," prepared by the University of Hawaii pursuant to Section 304-16.5, HRS.

Gov. Msg. No. 12, dated December 6, 1999, transmitting a report, "Identification of Rivers and Streams Worthy of Protection," prepared by the Department of Land and Natural Resources, Commission on Water Resource Management, pursuant to Section 174C-31, HRS.

Gov. Msg. No. 13, dated December 6, 1999, transmitting the "Annual Report on the Discoveries and Inventions Revolving Fund," prepared by the University of Hawaii pursuant to Section 304-8.92, HRS.

Gov. Msg. No. 14, dated December 6, 1999, transmitting the "Annual Report of the Salaries Paid to All University of Hawaii Executive, Managerial, and Faculty Members Including the President," prepared by the University of Hawaii pursuant to Section 304-13.5, HRS.

Gov. Msg. No. 15, dated December 7, 1999, transmitting a report, "Emergency Appropriation for State Government to Implement Year 2000 Compliance Efforts for the Calendar Year Ending December 31, 1999," prepared by the Department of Accounting and General Services pursuant to Act 61, Section 61, SLH 1999.

Gov. Msg. No. 16, dated December 7, 1999, transmitting a report, "A Plan to Reduce Lease Costs and a Progress Report on the Implementation of that Plan," prepared by the Department of Accounting and General Services pursuant to Act 91, Section 63, SLH 1999.

Gov. Msg. No. 17, dated December 7, 1999, transmitting the "Annual Report of the Interagency Federal Revenue Maximization Revolving Fund for Fiscal Year 1998-1999," prepared by the Department of Accounting and General Services pursuant to Section 29-24, HRS.

Gov. Msg. No. 18, dated December 7, 1999, transmitting the Department of Accounting and General Services Annual Report of the Stadium Authority, Stadium Special Fund Statement of Receipts, Expenditures and Transfers for the Fiscal Year Ended June 30, 1999, pursuant to Section 109-3, HRS.

Gov. Msg. No. 19, dated December 7, 1999, transmitting the "Budget Report for the Period July 1, 1999, to June 30, 2000," prepared by the Department of Accounting and General Services pursuant to Act 91, Section 75, SLH 1999.

Gov. Msg. No. 20, dated December 7, 1999, transmitting a report, "Summary of Procurement Actions (\$25,000 or More) July 1, 1998, to June 30, 1999," prepared by the Department of Accounting and General Services, State Procurement Office, pursuant to Section 103D-321, HRS.

Gov. Msg. No. 21, dated December 7, 1999, transmitting the Department of Accounting and General Services Annual Report of the State Educational Facilities Improvement Special Fund for Fiscal Year 1998-1999, pursuant to Section 36-32, HRS.

Gov. Msg. No. 22, dated December 7, 1999, transmitting a report prepared by the Department of Education pursuant to Act 91, Section 22, SLH 1999, on the mental health services to children and adolescents.

Gov. Msg. No. 23, dated December 7, 1999, transmitting the Annual Report on the Mandatory Expulsion Policy for Possession of a Firearm, Act 148, Section 2, SLH 1995.

Gov. Msg. No. 24, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to Act 91, Section 33, SLH 1999, on the programs in comprehensive school support services.

Gov. Msg. No. 25, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to Act 91, Section 35, SLH 1999, on the adult education program.

Gov. Msg. No. 26, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to Act 91, Section 68, SLH 1999, on the DOE's CIP staff costs.

Gov. Msg. No. 27, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to Act 199, SLH 1999, on school-by-school expenditures.

Gov. Msg. No. 28, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to Act 74, SLH 1999, on educational assessment and accountability.

Gov. Msg. No. 29, dated December 7, 1999, transmitting the Quarterly Status Report on Meeting the Requirements of the Felix v. Cayetano Consent Decree, prepared by the Department of Education in response to Act 91, Section 46, SLH 1999.

Gov. Msg. No. 30, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to S.C.R. No. 194 (1999), on the fitness and physical activity of Hawaii's children and youth.

Gov. Msg. No. 31, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to H.C.R. No. 7 (1999), on restructuring the DOE to ensure accountability at all levels.

Gov. Msg. No. 32, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to S.C.R. No. 28 (1999) and H.C.R. No. 94 (1999), on music as a regular and integral part of the core curriculum in all schools.

Gov. Msg. No. 33, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to H.C.R. No. 18 (1999), on expanding family and parenting classes, training and guidance for high school students.

Gov. Msg. No. 34, dated December 7, 1999, transmitting the Annual Report on the Teacher Education Coordinating Committee, prepared by the University of Hawaii, College of Education, pursuant to Section 304-20, HRS.

Gov. Msg. No. 35, dated December 7, 1999, transmitting a report prepared by the Department of Education in response to S.C.R. No. 210 (1999), on middle schools.

Gov. Msg. No. 36, dated December 7, 1999, transmitting the Annual Education Status Report, pursuant to Section 302A-1004, HRS.

Gov. Msg. No. 37, dated December 7, 1999, transmitting the Annual Report on Incentive and Innovation Grants, pursuant to Section 302A-301, HRS.

Gov. Msg. No. 38, dated December 7, 1999, transmitting the "Department of Accounting and General Services Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for \$10,000 or Less for Fiscal Year 1998-1999," pursuant to Section 41D-4, HRS.

Gov. Msg. No. 39, dated December 7, 1999, transmitting the Hawaii State Library System's Annual Report for Fiscal Year Ending June 30, 1999, prepared by the Department of Education, Hawaii State Public Library System, pursuant to Act 129, SLH 1989 and Act 327, SLH 1993 as amended by Act 45, SLH 1999.

Gov. Msg. No. 40, dated December 8, 1999, transmitting the Special Maintenance Expenditure Report, prepared by the Department of Transportation pursuant to Act 116, Sections 30, 33 and 40, SLH 1999.

Gov. Msg. No. 41, dated December 8, 1999, transmitting the Department of Transportation's Airport Landing Fees, Rates, and Charges Strategic Report, pursuant to H.C.R. No. 220 (1999).

Gov. Msg. No. 42, dated December 8, 1999, transmitting a report, "Pacific Cargo Network System Master Plan," prepared by the Department of Transportation pursuant to Act 116, Section 30.2, SLH 1998.

Gov. Msg. No. 43, dated December 8, 1999, transmitting the Department of Transportation's Project-Funded Staff Services Budget Report, pursuant to Act 91, Sections 65, 66 and 67, SLH 1999.

Gov. Msg. No. 44, dated December 10, 1999, transmitting a report prepared by the Department of the Attorney General, Child Support Enforcement Agency, pursuant to Act 91, Section 29, SLH 1999, on the child support enforcement program.

Gov. Msg. No. 45, dated December 14, 1999, transmitting a report prepared by the Department of Public Safety in response to H.C.R. No. 35 (1999), relating to alternatives to incarceration for women.

Gov. Msg. No. 46, dated December 14, 1999, transmitting a report prepared by the Department of Public Safety pursuant to Act 132, SLH 1999, on the recidivism rate of pretrial inmates released into the community to prevent overcrowding.

Gov. Msg. No. 47, dated December 14, 1999, transmitting a report prepared by the Department of Public Safety pursuant to Act 328, Section 120, SLH 1997, relating to the state budget.

Gov. Msg. No. 48, dated December 14, 1999, transmitting a report prepared by the Department of Public safety in response to H.C.R. No. 60 (1999), relating to dual diagnosis.

Gov. Msg. No. 49, dated December 15, 1999, transmitting a report, "Domestic Violence and the Criminal Justice System in Hawaii," prepared by the Department of the Attorney General in response to H.C.R. No. 65 (1999).

Gov. Msg. No. 50, dated December 16, 1999, transmitting the 1998-1999 Annual Report of the Department of Taxation, pursuant to Chapter 231, HRS.

Gov. Msg. No. 51, dated December 16, 1999, transmitting a report prepared by the University of Hawaii pursuant to Section 304-8.96, HRS, on the University of Hawaii Housing Assistance Revolving Fund.

Gov. Msg. No. 52, dated December 16, 1999, transmitting a report prepared by the University of Hawaii, pursuant to Section 304-16.5, HRS, on the fiscal year 1998-1999 University of Hawaii tuition and fees special fund expenditures for the purpose of generating private donations.

Gov. Msg. No. 53, dated December 17, 1999, transmitting the Annual Evaluation of the Hawaii Unemployment Compensation Fund, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-126.5, HRS.

Gov. Msg. No. 54, dated December 20, 1999, transmitting a report prepared by the Board of Agriculture pursuant to Act 281, Section 4, SLH 1996, on the increase in the minimum annual pesticide licensing fee.

Gov. Msg. No. 55, dated December 20, 1999, transmitting the 1998-1999 Annual Report prepared by the Hawaii Community Development Authority, pursuant to Chapter 206E, HRS.



Gov. Msg. No. 56, dated December 20, 1999, transmitting the Hawaii Public Broadcasting Authority 1998-1999 Annual Report, prepared by the Department of Commerce and Consumer Affairs, Hawaii Public Broadcasting Authority, pursuant to Section 314-12, HRS.

Gov. Msg. No. 57, dated December 20, 1999, transmitting the following reports: Executive Supplemental Budget for the Period 1999-2001, pursuant to Section 37-72, HRS; the Variance Report for Fiscal Years 1999 and 2000, pursuant to Section 37-75, HRS; and the Program Structure for FY 1999-2001.

Gov. Msg. No. 58, dated December 20, 1999, transmitting the Fiscal Year 1999 Annual Report on the Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act, prepared by the Department of the Attorney General pursuant to Section 712A-16, HRS.

Gov. Msg. No. 59, dated December 21, 1999, transmitting the Status Report Relating to State and County Immunity from Liability, prepared by the Department of Land and Natural Resources in conjunction with the Task Force on Beach and Water Safety, pursuant to Act 101, SLH 1999.

Gov. Msg. No. 60, dated December 21, 1999, transmitting a report prepared by the Department of Land and Natural Resources pursuant to Act 91, Section 73, SLH 1999, requesting a project-funded staff services budget report.

Gov. Msg. No. 61, dated December 21, 1999, transmitting the Annual Report on Geothermal Royalties and Geothermal and Cable Development Activities, prepared by the Department of Land and Natural Resources pursuant to Sections 182-18 and 196D-11, HRS.

Gov. Msg. No. 62, dated December 21, 1999, transmitting a report, "The 'Piggyback' Income Tax for Hawaii? A study of an income tax system based on a flat percent-of-federal tax liability," prepared by the Department of Taxation.

Gov. Msg. No. 63, dated December 21, 1999, transmitting the Annual Report on the North Shore Paukauila Streambank Erosion and Riparian Area Community Project, prepared by the Department of Land and Natural Resources in response to S.C.R. No. 223 (1995).

Gov. Msg. No. 64, dated December 21, 1999, transmitting a report, "Equipment Modernization Efforts by the Bureau of Conveyances," prepared by the Department of Land and Natural Resources pursuant to Act 91, Section 45, SLH 1999.

Gov. Msg. No. 65, dated December 21, 1999, transmitting a report prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, in response to S.C.R. No. 202 (1999), requesting the convening of a meeting to consider means to attract carbon investments to mitigate global warming through sustainable forestry in Hawaii.

Gov. Msg. No. 66, dated December 21, 1999, transmitting the Annual Report on the Status of the Issuance of Incidental Take Licenses for Endangered, Threatened, Proposed, and Candidate Species; and the Condition of the Endangered Species Trust Fund, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195D-26, HRS.

Gov. Msg. No. 67, dated December 21, 1999, transmitting the Annual Report on the Status of the Natural Area Reserves System and Natural Area Partnership Program, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195-6.6, HRS.

Gov. Msg. No. 68, dated December 21, 1999, transmitting the Annual Report Detailing the Transfer of Statewide Savings to the Forest Wildlife Resources Program (LNR 402) for Fire

Suppression Purposes, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Act 91, SLH 1999.

Gov. Msg. No. 69, dated December 21, 1999, transmitting a report on The Hawaii Historic Preservation Fund for Fiscal Year 1998-1999, prepared by the Department of Land and Natural Resources, pursuant to Section 6E-3, HRS.

Gov. Msg. No. 70, dated December 22, 1999, transmitting a report on expenditures to pay unemployment compensation claims of former state employees, pursuant to Act 91, Section 91, SLH 1999.

Gov. Msg. No. 71, dated December 22, 1999, transmitting a report, "Tax Credits Claimed By Hawaii Individuals and Corporations - 1997," prepared by the Department of Taxation.

Gov. Msg. No. 72, dated December 22, 1999, transmitting the "Feasibility Study for Kukaniloko Birthstones State Monument, Wahiawa, Oahu," prepared by the Department of Land and Natural Resources in response to H.R. No. 188 (1999).

Gov. Msg. No. 73, dated December 22, 1999, transmitting the itemized expenditure report prepared by the Department of Human Resources Development, pursuant to Act 91, Section 60, SLH 1999.

Gov. Msg. No. 74, dated December 22, 1999, transmitting the 1998-1999 Annual Report prepared by the Public Utilities Commission, pursuant to Section 93-12, HRS.

Gov. Msg. No. 75, dated December 22, 1999, transmitting the "Report on State Positions Assigned to Salary Ranges SC-1, SC-2, and SC-3," prepared by the Department of Human Resources Development pursuant to Section 77-13, HRS.

Gov. Msg. No. 76, dated December 22, 1999, transmitting a report prepared by the Department of Human Resources Development pursuant to S.C.R. No. 188 (1999), on efforts to create a job classification for advanced practice registered nurses.

Gov. Msg. No. 77, dated December 22, 1999, transmitting the Annual Report on the Hawaii Statewide Trail and Access System Known as "Na Ala Hele," prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 198D-9, HRS.

Gov. Msg. No. 78, dated December 22, 1999, transmitting the Annual Report Relating to the Forest Stewardship Program, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195F-6, HRS.

Gov. Msg. No. 79, dated December 22, 1999, transmitting the Annual Report on the Status of the Wildlife Revolving Fund, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 183D-10.5, HRS.

Gov. Msg. No. 80, dated December 27, 1999, transmitting a report prepared by the High Technology Development Corporation pursuant to Acts 91 and 178, SLH 1999.

Gov. Msg. No. 81, dated December 29, 1999, transmitting the "Report on the Tuition Waiver Program," prepared by the University of Hawaii, Office of the Vice President for Student Affairs, pursuant to Act 161, Section 3, SLH 1995.

Gov. Msg. No. 82, dated December 29, 1999, transmitting the Annual Report of the Hawaii Civil Rights Commission, July 1, 1998 - June 30, 1999, pursuant to Sections 368-3 and 515-9, HRS.

Gov. Msg. No. 83, dated December 29, 1999, transmitting a report on the claims paid from the \$1 million emergency appropriation received by the Department of Budget and Finance's Unclaimed Property Program, pursuant to Act 59, SLH 1999.

Gov. Msg. No. 84, dated December 30, 1999, transmitting the 1999 Hawaii Real Estate Commission Annual Report, prepared by the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, Hawaii Real Estate Commission, pursuant to Sections 467-4 and 514A-133, HRS.

Gov. Msg. No. 85, dated December 30, 1999, transmitting the Department of Human Services' Report on Fiscal Year 1999, pursuant to Section 346-5, HRS, and Act 100, SLH 1999.

Gov. Msg. No. 86, dated January 4, 2000, transmitting the Annual Report on the Activities of the Kaneohe Bay Regional Council, prepared by the Department of Land and Natural Resources on behalf of the Kaneohe Bay Regional Council, pursuant to Section 200D-5, HRS.

Gov. Msg. No. 87, dated January 5, 2000, transmitting a report prepared by the Department of Agriculture in response to H.R. No. 58 (1999), requesting the Department of Agriculture to develop and implement a fruit fly free zone for eliminating the quarantine barrier imposed by the four species of fruit flies found in Hawaii.

Gov. Msg. No. 88, dated January 6, 2000, transmitting the Hawaii Coastal Zone Management Annual Report, prepared by the Department of Business, Economic Development and Tourism, Office of Planning, pursuant to Section 205A-3, HRS.

Gov. Msg. No. 89, dated January 7, 2000, transmitting the "Report of Findings on Adjustments to the Compensation Plans," prepared by the Public Employees Compensation Appeals Board pursuant to Sections 77-4 and 77-5, HRS.

Gov. Msg. No. 90, dated January 10, 2000, transmitting a report regarding the compensation plans for blue and white collar classes, pursuant to Sections 77-4 and 77-5, HRS.

Gov. Msg. No. 91, dated January 11, 2000, transmitting the Financial Report of the Special Unemployment Insurance Fund Revenues and Expenditures for the Fiscal Year Ending June 30, 1999, pursuant to Section 383-127, HRS.

Gov. Msg. No. 92, dated January 12, 2000, transmitting the Joint Study on the Compensation Parity for Educational Officers, prepared by the Department of Education and the Hawaii Government Employees Association pursuant to Act 91, Section 148, SLH 1999.

Gov. Msg. No. 93, dated January 12, 2000, transmitting the Department of Transportation's Annual Report for Fiscal Year Ending June 30, 1999.

Gov. Msg. No. 94, dated January 14, 2000, transmitting the Hawaii Community Development Authority's Project-Funded Staff Services Budget Report, pursuant to Act 91, Section 74, SLH 1999.

Gov. Msg. No. 95, dated January 18, 2000, transmitting a report, "Implementation of Chapter 190D, Hawaii Revised Statutes, Ocean and Submerged Lands Leasing," prepared by the Department of Land and Natural Resources and the Department of Agriculture pursuant to Act 176, Section 12, SLH 1999.

Gov. Msg. No. 96, dated January 18, 2000, transmitting the Report on Land Dispositions Made of Public Lands for Calendar Year 1999, prepared by the Department of Land and Natural Resources pursuant to Section 171-29, HRS.

Gov. Msg. No. 97, dated January 18, 2000, transmitting the Office of Information Practices' Annual Report for Fiscal Year Ending June 30, 1999.

Gov. Msg. No. 98, dated November 1, 1999, transmitting the Aloha Tower Development Corporation's Annual Report for Fiscal Year Ending June 30, 1999, pursuant to Section 206J-19, HRS.

Gov. Msg. No. 99, dated November 12, 1999, transmitting the 1999 Annual Update Report on Various Cost Options on Customary Fee Profiles for Non-Institutional Health Care Providers, prepared by the Department of Human Services pursuant to Section 346-59, HRS.

Gov. Msg. No. 100, dated November 12, 1999, transmitting "The Teacher Education Coordinating Committee Annual Report," prepared by the University of Hawaii pursuant to Section 304-20, HRS.

Gov. Msg. No. 101, dated November 26, 1999, transmitting a report prepared by the State and County Duplication Task Force pursuant to Act 223, SLH 1998, Relating to Duplication of Government Services, Phase 2.

Gov. Msg. No. 102, dated January 18, 2000, transmitting the Report of the Insurance Commissioner of Hawaii 1999 - Summary of Insurance Business for the Year 1998, pursuant to Section 431:2-211, HRS.

Gov. Msg. No. 103, dated January 14, 2000, transmitting the Department of Agriculture's Annual Report for Fiscal Year 1999.

Gov. Msg. No. 104, dated January 20, 2000, transmitting the 1999 Report of the Commission to Promote Uniform Legislation of the Department of the Attorney General.

Gov. Msg. No. 105, dated January 20, 2000, transmitting the Annual Report for Fiscal Year 1999 on Recommendation for Denial of Claims Filed Under the Legislative Relief Act, prepared by the Department of the Attorney General pursuant to Section 37-77, HRS.

Gov. Msg. No. 106, dated January 21, 2000, transmitting the 1999 Annual Report prepared by the Department of Labor and Industrial Relations, pursuant to Section 371-7, HRS, and Act 100, SLH 1999.

#### DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1 to 17) were read by the Clerk and were placed on file:

Dept. Com. No. 1, from the State Auditor dated November 2, 1999, transmitting a report, "Follow-Up Audit of the Management of the College of Education," (Report No. 99-22).

Dept. Com. No. 2, from the Department of Budget and Finance dated November 24, 1999, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 1999, pursuant to Sections 39-92 and 39-93, HRS.

Dept. Com. No. 3, from the Supreme Court of Hawaii dated December 17, 1999, transmitting the Judiciary's Supplemental Budget (1999-2001), Variance Report (1998-2000), and 1999 Annual Statistical Supplement Report, pursuant to Section 601-2, HRS; and the Annual Reports from the Judiciary History Center and the Center for Alternative Dispute Resolution, pursuant to Sections 6F-6 and 6B-4, HRS.

Dept. Com. No. 4, from the Ombudsman dated December 17, 1999, transmitting the "Report of the Ombudsman," (Report No. 30), pursuant to Section 96-16, HRS.

Dept. Com. No. 5, from the Hawaii Tourism Authority dated December 28, 1999, transmitting the 1999 Annual Report, pursuant to Chapter 201B, HRS.

Dept. Com. No. 6, from the State Auditor dated December 28, 1999, transmitting a report, "Audit of Temporary and Emergency Staffing of State Agencies," (Report No. 99-23).

Dept. Com. No. 7, from the Office of Hawaiian Affairs dated December 29, 1999, transmitting a report, Accounting of Program Budget Appropriations, Transfers, and Expenditures for Fiscal Year 1998-1999, pursuant to Section 10-14.5, HRS, and Act 240, SLH 1997.

Dept. Com. No. 8, from the Office of Hawaiian Affairs dated December 29, 1999, transmitting a report, "The Multi-Year Program and Operating Budget 1998-2005," pursuant to Section 10-14.5, HRS, and Act 240, SLH 1997.

Dept. Com. No. 9, from the Corrections Population Management Commission dated December 30, 1999, transmitting its Annual Report for 1999.

Dept. Com. No. 10, from the Department of Accounting and General Services dated December 30, 1999, transmitting a report from the Committee on Public-Private Competition for Government Services on the Development of a Process for Managed Competition, pursuant to Act 230, Section 6, SLH 1998.

Dept. Com. No. 11, from the Department of Commerce and Consumer Affairs, Hawaiian Claims Office, dated January 3, 2000, transmitting the Hawaiian Home Lands Trust Individual Claims Review Panel's Final Report.

Dept. Com. No. 12, from the State Auditor dated January 3, 2000, transmitting a report, "Study of a Proposal to Mandate the Inclusion of Marriage and Family Therapists Within Mental Health and Alcohol and Drug Abuse Treatment Insurance Benefits," (Report No. 00-01).

Dept. Com. No. 13, from the Office of the Administrative Director of the Courts dated January 6, 2000, transmitting page 4.10 which was inadvertently omitted from a report on S.C.R. No. 219 (1999).

Dept. Com. No. 14, from the State Auditor dated January 6, 2000, transmitting a report, "Sunset Evaluation Report: Social Workers," (Report No. 00-02).

Dept. Com. No. 15, from the State Auditor dated January 10, 2000, transmitting a report, "Sunset Evaluation Update: Speech Pathologists and Audiologists," (Report No. 00-03).

Dept. Com. No. 16, from the Department of the Attorney General dated January 13, 2000, transmitting the Report on Goals and Objectives, pursuant to Act 100, Section 7, SLH 1999.

Dept. Com. No. 17, from the Executive Office on Aging dated January 14, 2000, transmitting "A Compendium of Hawaii's Laws Affecting Older Adults."

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Chumbley, seconded by Senator Slom and carried, the following bills passed First Reading by title and were referred to committees:

#### Senate Bill

No. 3061 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SECOND SENATORIAL DISTRICT."

Introduced by: Senator Matsuura.

Referred to: Committee on Ways and Means

No. 3062 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Anderson.

Referred to: Committee on Water, Land, and Hawaiian Affairs

No. 3063 "A BILL FOR AN ACT RELATING TO LIQUOR TAX LAW."

Introduced by: Senator Buen.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 3064 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES."

Introduced by: Senator Iwase, by request.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 3065 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

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

No. 3066 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

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

No. 3067 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Judiciary

No. 3068 "A BILL FOR AN ACT RELATING TO HONOLULU POLICE OFFICERS."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 3069 "A BILL FOR AN ACT RELATING TO RESIDENTIAL DETENTION OF PREARRAIGNMENT DETAINEES."

Introduced by: Senator Mizuguchi, by request.

Referred to: Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 3070 "A BILL FOR AN ACT RELATING TO CYBER-TERRORISM."

Introduced by: Senator Mizuguchi, by request.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Judiciary

No. 3071 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED USE OF ANOTHER PERSON'S INFORMATION TO OBTAIN SERVICES."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Judiciary

No. 3072 "A BILL FOR AN ACT RELATING TO IMPLIED CONSENT."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Judiciary

No. 3073 "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 3074 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Mizuguchi, by request.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Human Services, then to the Committee on Judiciary

No. 3075 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."

Introduced by: Senator Mizuguchi, by request.

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

No. 3076 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 3077 "A BILL FOR AN ACT RELATING TO SECONDHAND DEALERS."

Introduced by: Senator Mizuguchi, by request.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 3078 "A BILL FOR AN ACT RELATING TO NEGLIGENT HOMICIDE."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Judiciary

No. 3079 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Education and Technology, then to the Committee on Judiciary

No. 3080 "A BILL FOR AN ACT RELATING TO MAJOR COMMERCIAL PUBLIC EVENT."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Economic Development, then to the Committee on Judiciary

No. 3081 "A BILL FOR AN ACT RELATING TO ALCOHOL RELATED DRIVING."

Introduced by: Senator Mizuguchi, by request.

Referred to: Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 3082 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLES."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 3083 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 3084 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Senator Kanno.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 3085 "A BILL FOR AN ACT RELATING TO FISHERIES."

Introduced by: Senator Kanno.

Referred to: Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs

No. 3086 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR CAPITAL IMPROVEMENT PROJECTS IN WEST OAHU."

Introduced by: Senator Kanno.

Referred to: Committee on Ways and Means

No. 3087 "A BILL FOR AN ACT RELATING TO EMPLOYEES RETIREMENT SYSTEM."

Introduced by: Senator Kanno.

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

No. 3088 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

- Introduced by: Senator Kanno.
- Referred to: Committee on Education and Technology, then to the Committee on Ways and Means
- No. 3089 "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS."
- Introduced by: Senator Tanaka, by request.
- Referred to: Committee on Commerce and Consumer Protection
- No. 3090 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 3091 "A BILL FOR AN ACT CAPITAL IMPROVEMENT PROJECTS FOR THE TWENTY-FIRST SENATORIAL DISTRICT."
- Introduced by: Senator Hanabusa.
- Referred to: Committee on Ways and Means
- No. 3092 "A BILL FOR AN ACT RELATING TO FOREST STEWARDSHIP."
- Introduced by: Senator Hanabusa, by request.
- Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 3093 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 3094 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 3095 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3096 "A BILL FOR AN ACT RELATING TO THE PUBLIC SERVICE COMPANY TAX."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3097 "A BILL FOR AN ACT RELATING TO EXEMPTING COUNTIES FROM GENERAL EXCISE TAX."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3098 "A BILL FOR AN ACT RELATING TO HIGHWAYS."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3099 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SALT LAKE BOULEVARD WIDENING, OAHU."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3100 "A BILL FOR AN ACT RELATING TO TEMPORARY INSTRUCTION PERMIT."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Committee on Transportation and Intergovernmental Affairs
- No. 3101 "A BILL FOR AN ACT RELATING TO LODGING OR TENEMENT HOUSES, HOTELS, AND BOARDINGHOUSES."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3102 "A BILL FOR AN ACT RELATING TO DRIVER LICENSE RENEWAL BY MAIL."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Committee on Transportation and Intergovernmental Affairs
- No. 3103 "A BILL FOR AN ACT RELATING TO SUBPOENAS."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3104 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
- Introduced by: Senator Mizuguchi, by request.
- Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3105 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

**No. 3106 "A BILL FOR AN ACT RELATING TO HONOLULU POLICE OFFICERS."**

Introduced by: Senator Mizuguchi, by request.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

**No. 3107 "A BILL FOR AN ACT RELATING TO RESIDENTIAL DETENTION OF PREARRAIGNMENT DETAINEES."**

Introduced by: Senator Mizuguchi, by request.

Referred to: Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

**No. 3108 "A BILL FOR AN ACT RELATING TO CYBER-TERRORISM."**

Introduced by: Senator Mizuguchi, by request.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Judiciary

**ORDER OF THE DAY**

**REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Tuesday, January 25, 2000, and Wednesday, January 26, 2000:

Senate Bill Referred to:

No. 2785 Committee on Ways and Means

No. 2786 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2787 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2788 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2789 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2790 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2791 Committee on Ways and Means

No. 2792 Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 2793 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2794 Committee on Ways and Means, then to the Committee on Judiciary

No. 2795 Committee on Ways and Means

No. 2796 Committee on Education and Technology, then to the Committee on Ways and Means

No. 2797 Committee on Education and Technology, then to the Committee on Ways and Means

No. 2798 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2799 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2800 Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 2801 Committee on Ways and Means

No. 2802 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2803 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 2804 Committee on Commerce and Consumer Protection

No. 2805 Committee on Commerce and Consumer Protection

No. 2806 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2807 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2808 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2809 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2810 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 2811 Committee on Commerce and Consumer Protection

No. 2812 Committee on Commerce and Consumer Protection

No. 2813 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2814 Committee on Commerce and Consumer Protection

No. 2815 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 2816 Committee on Commerce and Consumer Protection

No. 2817 Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection

No. 2818 Committee on Commerce and Consumer Protection

No. 2819 Protection	Committee on Commerce and Consumer	No. 2844	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2820 Protection	Committee on Commerce and Consumer	No. 2845	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2821 Protection	Committee on Commerce and Consumer	No. 2846	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 2822 Protection	Committee on Commerce and Consumer	No. 2847	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2823 Protection	Committee on Commerce and Consumer	No. 2848	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2824 Protection	Committee on Commerce and Consumer	No. 2849	Committee on Health and Human Services
No. 2825 Protection	Committee on Commerce and Consumer	No. 2850	Committee on Health and Human Services
No. 2826 Protection	Committee on Commerce and Consumer	No. 2851	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2827 Protection	Committee on Commerce and Consumer	No. 2852	Jointly to the Committee on Health and Human Services and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2828 Protection, then to the Committee on Ways and Means	Committee on Commerce and Consumer	No. 2853	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2829 Protection	Committee on Commerce and Consumer	No. 2854	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2830	Committee on Education and Technology	No. 2855	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2831	Committee on Education and Technology	No. 2856	Jointly to the Committee on Health and Human Services and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 2832 Technology, then to the Committee on Ways and Means	Committee on Education and Technology	No. 2857	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2833 Technology, then to the Committee on Ways and Means	Committee on Education and Technology	No. 2858	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2834 Technology, then to the Committee on Ways and Means	Committee on Education and Technology	No. 2859	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2835 Technology, then to the Committee on Ways and Means	Committee on Education and Technology	No. 2860	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2836	Committee on Education and Technology	No. 2861	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2837 Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2862	Jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2838 Technology, then to the Committee on Ways and Means	Committee on Education and Technology	No. 2863	Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2839 Transportation and Intergovernmental Affairs and the Committee on Judiciary	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2864	Committee on Health and Human Services, then to the Committee on Judiciary
No. 2840 Environment and the Committee on Education and Technology, then to the Committee on Ways and Means	Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 2865	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2841 and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means		
No. 2842 Affairs, then to the Committee on Ways and Means	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means		
No. 2843 Affairs, then to the Committee on Ways and Means	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means		

No. 2866	Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection	No. 2891	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2867	Committee on Labor and Environment	No. 2892	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 2868	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2893	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2869	Committee on Labor and Environment, then to the Committee on Judiciary	No. 2894	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2870	Committee on Labor and Environment	No. 2895	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2871	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2896	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2872	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2897	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2873	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2898	Committee on Labor and Environment
No. 2874	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2899	Committee on Labor and Environment
No. 2875	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2900	Jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2876	Committee on Health and Human Services, then to the Committee on Judiciary	No. 2901	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2877	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2902	Jointly to the Committee on Judiciary and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2878	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2903	Committee on Transportation and Intergovernmental Affairs
No. 2879	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2904	Committee on Transportation and Intergovernmental Affairs
No. 2880	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2905	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 2881	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2906	Committee on Labor and Environment
No. 2882	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2907	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2883	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2908	Committee on Water, Land, and Hawaiian Affairs
No. 2884	Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means	No. 2909	Committee on Economic Development, then to the Committee on Ways and Means
No. 2885	Committee on Health and Human Services	No. 2910	Committee on Economic Development, then to the Committee on Ways and Means
No. 2886	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 2911	Committee on Economic Development, then to the Committee on Ways and Means
No. 2887	Committee on Judiciary	No. 2912	Committee on Economic Development, then to the Committee on Ways and Means
No. 2888	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 2913	Committee on Economic Development, then to the Committee on Ways and Means
No. 2889	Committee on Economic Development, then to the Committee on Ways and Means	No. 2914	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2890	Jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 2915	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means



No. 2916	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2942	Committee on Ways and Means
No. 2917	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2943	Committee on Ways and Means
No. 2918	Committee on Economic Development, then to the Committee on Judiciary	No. 2944	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2919	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2945	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 2920	Committee on Economic Development, then to the Committee on Ways and Means	No. 2946	Committee on Ways and Means
No. 2921	Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 2947	Committee on Ways and Means
No. 2922	Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 2948	Committee on Economic Development, then to the Committee on Ways and Means
No. 2923	Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 2949	Committee on Transportation and Intergovernmental Affairs
No. 2924	Committee on Judiciary	No. 2950	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2925	Committee on Ways and Means, then to the Committee on Judiciary	No. 2951	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2926	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology	No. 2952	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
No. 2927	Committee on Judiciary	No. 2953	Committee on Transportation and Intergovernmental Affairs
No. 2928	Committee on Government Operations and Housing, then to the Committee on Judiciary	No. 2954	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2929	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 2955	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 2930	Committee on Health and Human Services, then to the Committee on Judiciary	No. 2956	Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs
No. 2931	Committee on Health and Human Services, then to the Committee on Judiciary	No. 2957	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 2932	Committee on Judiciary, then to the Committee on Ways and Means	No. 2958	Committee on Transportation and Intergovernmental Affairs
No. 2933	Committee on Judiciary, then to the Committee on Ways and Means	No. 2959	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
No. 2934	Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2960	Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs
No. 2935	Committee on Judiciary	No. 2961	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2936	Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means	No. 2962	Jointly to the Committee on Education and Technology and the Committee on Judiciary, then to the Committee on Ways and Means
No. 2937	Jointly to the Committee on Judiciary and the Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 2963	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2938	Committee on Ways and Means		
No. 2939	Committee on Ways and Means		
No. 2940	Committee on Ways and Means		
No. 2941	Committee on Ways and Means, then to the Committee on Judiciary		

- No. 2964 Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2965 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2966 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2967 Jointly to the Committee on Judiciary and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2968 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2969 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2970 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2971 Jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2972 Committee on Ways and Means
- No. 2973 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
- No. 2974 Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
- No. 2975 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 2976 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2977 Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 2978 Committee on Judiciary
- No. 2979 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2980 Committee on Judiciary
- No. 2981 Committee on Judiciary
- No. 2982 Committee on Judiciary
- No. 2983 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 2984 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 2985 Committee on Commerce and Consumer Protection
- No. 2986 Committee on Government Operations and Housing
- No. 2987 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2988 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 2989 Committee on Economic Development, then to the Committee on Commerce and Consumer Protection
- No. 2990 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2991 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 2992 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 2993 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 2994 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2995 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2996 Committee on Education and Technology, then to the Committee on Judiciary
- No. 2997 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2998 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2999 Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 3000 Committee on Judiciary, then to the Committee on Ways and Means
- No. 3001 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 3002 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 3003 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 3004 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3005 Committee on Economic Development, then to the Committee on Ways and Means
- No. 3006 Committee on Commerce and Consumer Protection
- No. 3007 Committee on Economic Development, then to the Committee on Ways and Means
- No. 3008 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3009 Committee on Ways and Means, then to the Committee on Judiciary

No. 3010	Committee on Judiciary, then to the Committee on Ways and Means	No. 3035	Committee on Education and Technology, then to the Committee on Ways and Means
No. 3011	Committee on Education and Technology, then to the Committee on Ways and Means	No. 3036	Committee on Economic Development, then to the Committee on Ways and Means
No. 3012	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means	No. 3037	Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 3013	Committee on Judiciary	No. 3038	Committee on Education and Technology, then to the Committee on Judiciary
No. 3014	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 3039	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 3015	Committee on Economic Development, then to the Committee on Ways and Means	No. 3040	Committee on Education and Technology, then to the Committee on Ways and Means
No. 3016	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 3041	Committee on Commerce and Consumer Protection
No. 3017	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 3042	Committee on Judiciary
No. 3018	Committee on Economic Development, then to the Committee on Ways and Means	No. 3043	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 3019	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 3044	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
No. 3020	Committee on Labor and Environment, then to the Committee on Ways and Means	No. 3045	Committee on Ways and Means
No. 3021	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 3046	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 3022	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 3047	Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 3023	Committee on Judiciary	No. 3048	Committee on Education and Technology, then to the Committee on Ways and Means
No. 3024	Committee on Judiciary	No. 3049	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 3025	Committee on Education and Technology, then to the Committee on Ways and Means	No. 3050	Committee on Economic Development, then to the Committee on Ways and Means
No. 3026	Committee on Education and Technology, then to the Committee on Ways and Means	No. 3051	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 3027	Committee on Economic Development, then to the Committee on Ways and Means	No. 3052	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 3028	Committee on Economic Development, then to the Committee on Ways and Means	No. 3053	Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection
No. 3029	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary	No. 3054	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 3030	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary	No. 3055	Jointly to the Committee on Economic Development and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 3031	Committee on Transportation and Intergovernmental Affairs	No. 3056	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
No. 3032	Committee on Economic Development, then to the Committee on Ways and Means	No. 3057	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 3033	Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means		
No. 3034	Committee on Education and Technology, then to the Committee on Ways and Means		

No. 3058 Committee on Economic Development, then to the Committee on Ways and Means

No. 3059 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs

No. 3060 Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, January 25, 2000:

Senate  
Concurrent  
Resolution

Referred to:

No. 12 Committee on Ways and Means

No. 13 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

#### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill Referred to:

No. 2062 Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2074 Committee on Judiciary, then to the Committee on Ways and Means

No. 2132 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 2174 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Government Operations and Housing, then to the Committee on Judiciary

No. 2417 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2448 Jointly to the Committee on Health and Human Services and the Committee on Education and Technology

No. 2606 Committee on Judiciary

#### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 1 to 8) were read by the Clerk and were disposed of as follows:

Misc. Com. No. 1, from the City and County of Honolulu Police Department dated December 1, 1999, transmitting its 1999 Annual Report, pursuant to Act 242, SLH 1995.

Misc. Com. No. 2, from the County of Kauai, Department of Water, dated December 2, 1999, transmitting the "Proposed C.I.P. Projects, Request for State Aid, 2000 Legislative Session; and Resolution No. 2, 2000-2001 Legislative Budget

that was adopted by the Kauai Board of Water Supply on October 21, 1999.

Misc. Com. No. 3, from the Performance Budgeting Committee dated December 20, 1999, transmitting its Second Annual Report, pursuant to Act 230, SLH 1998.

Misc. Com. No. 4, from the County of Hawaii Police Department dated December 20, 1999, transmitting its Annual Misconduct Report, pursuant to Section 92F-14, HRS.

Misc. Com. No. 5, from the County of Maui Police Department dated December 27, 1999, transmitting a letter pursuant to Act 242, SLH 1995.

Misc. Com. No. 6, from McCorriston Miho Miller Mukai, Attorneys at Law, dated December 30, 1999, transmitting a report prepared by the American Family Life Assurance Company of Columbus (AFLAC), pursuant to Act 87, Section 6, SLH 1999.

Misc. Com. No. 7, from the Good Beginnings Alliance dated December 30, 1999, transmitting its 1999 Annual Report, pursuant to Act 77, SLH 1997.

Misc. Com. No. 8, from the County of Maui Police Department dated January 11, 2000, transmitting its summary of incidents and violations which resulted in the suspension or discharge of Police Officers for 1999, pursuant to Act 242, SLH 1995.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Chumbley, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 8:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:58 o'clock a.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 3109 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED USE OF ANOTHER PERSON'S INFORMATION TO OBTAIN SERVICES."

Introduced by: Senator Mizuguchi, by request.

No. 3110 "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING."

Introduced by: Senator Mizuguchi, by request.

No. 3111 "A BILL FOR AN ACT RELATING TO PAWBROKERS AND SECONDHAND DEALERS."

Introduced by: Senator Mizuguchi, by request.

No. 3112 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Mizuguchi, by request.

No. 3113 "A BILL FOR AN ACT RELATING TO NEGLIGENT HOMICIDE."

Introduced by: Senator Mizuguchi, by request.

No. 3114 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE."

Introduced by: Senator Mizuguchi, by request.

No. 3115 "A BILL FOR AN ACT RELATING TO FINES FOR TRAFFIC VIOLATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 3116 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLES."

Introduced by: Senator Mizuguchi, by request.

No. 3117 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Mizuguchi, by request.

No. 3118 "A BILL FOR AN ACT RELATING TO HAWAIIAN TERMINOLOGY."

Introduced by: Senator Mizuguchi, by request.

No. 3119 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Senator Buen.

No. 3120 "A BILL FOR AN ACT RELATING TO MAUI MEMORIAL HOSPITAL."

Introduced by: Senators Buen, Chumbley, Tanaka.

No. 3121 "A BILL FOR AN ACT RELATING TO ALTERNATE FUELED VEHICLES."

Introduced by: Senator Nakata.

No. 3122 "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS."

Introduced by: Senator Nakata, by request.

No. 3123 "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION."

Introduced by: Senator Nakata.

No. 3124 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Chumbley, Buen, Tanaka.

No. 3125 "A BILL FOR AN ACT RELATING TO PUBLICATION OF NOTICE."

Introduced by: Senators Chumbley, Tanaka, Buen.

No. 3126 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH SENATORIAL DISTRICT."

Introduced by: Senator Chumbley.

No. 3127 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Kawamoto.

No. 3128 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Senators Kawamoto, Iwase.

No. 3129 "A BILL FOR AN ACT RELATING TO HAWAIIAN HEALING PRACTICES."

Introduced by: Senator Kawamoto.

No. 3130 "A BILL FOR AN ACT RELATING TO AGGRAVATED HARASSMENT BY STALKING."

Introduced by: Senator Fukunaga.

No. 3131 "A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY IN THE FIRST DEGREE."

Introduced by: Senator Fukunaga.

No. 3132 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Senators Fukunaga, Ihara, Ige, D.

No. 3133 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Bunda.

No. 3134 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF ESTABLISHING A TECHNOLOGY-FOCUSED COMMUNITY-BASED CENTER IN WAIALUA TOWN."

Introduced by: Senator Bunda.

No. 3135 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TWENTY-SECOND SENATORIAL DISTRICT."

Introduced by: Senator Bunda.

No. 3136 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Bunda.

No. 3137 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PROCESSING ENTERPRISES."

Introduced by: Senators Matsuura, Inouye, Levin.

No. 3138 "A BILL FOR AN ACT RELATING TO THE RENTAL HOUSING TRUST FUND ADVISORY COMMISSION."

Introduced by: Senators Matsuura, Buen.

No. 3139 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Chumbley, Fukunaga, Matsunaga, Chun Oakland, Ihara, Iwase, Sakamoto.

No. 3140 "A BILL FOR AN ACT RELATING TO COMPUTER AND COMMUNICATION SYSTEMS."

Introduced by: Senators Ige, D., Chumbley, Fukunaga, Matsunaga, Chun Oakland, Ihara, Iwase, Sakamoto.

No. 3141 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Ige, D., Chumbley, Fukunaga, Matsunaga, Chun Oakland, Ihara, Iwase, Sakamoto.

No. 3142 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Sakamoto.

No. 3143 "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY."

Introduced by: Senators Ige, D., Ihara, Bunda, Sakamoto, Chumbley, Fukunaga, Chun Oakland, Matsunaga, Iwase.

No. 3144 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senators Buen, Matsuura, Kawamoto, Chumbley, Anderson, Tanaka.

No. 3145 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ERADICATE INVASIVE PLANT SPECIES."

Introduced by: Senators Buen, Matsuura.

No. 3146 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCE MANAGEMENT."

Introduced by: Senator Tanaka, by request.

No. 3147 "A BILL FOR AN ACT RELATING TO FISHERIES."

Introduced by: Senator Tanaka, by request.

No. 3148 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LANDSCAPE IMPROVEMENTS TO KAMEHAMEHA HIGHWAY."

Introduced by: Senators Sakamoto, Kawamoto, Bunda.

No. 3149 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 16TH SENATORIAL DISTRICT."

Introduced by: Senator Sakamoto.

No. 3150 "A BILL FOR AN ACT RELATING TO COMMUNITY PARTNER COUNCILS."

Introduced by: Senator Sakamoto.

No. 3151 "A BILL FOR AN ACT RELATING TO UNDERGROUNDING OF UTILITY LINES."

Introduced by: Senator Sakamoto.

No. 3152 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Matsuura, Buen.

No. 3153 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TELEVISION."

Introduced by: Senator Ihara, by request.

No. 3154 "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION."

Introduced by: Senators Ihara, Ige, D., Chun Oakland, Chumbley, Inouye, Fukunaga, Levin, Sakamoto.

No. 3155 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)."

Introduced by: Senators Ihara, Ige, D., Chun Oakland, Chumbley, Inouye, Fukunaga, Levin.

No. 3156 "A BILL FOR AN ACT RELATING TO HIGH SPEED CONNECTIVITY."

Introduced by: Senator Ihara.

No. 3157 "A BILL FOR AN ACT RELATING TO THE HAWAII INTERNATIONAL CULTURAL CENTER."

Introduced by: Senators Tam, Fukunaga, Ihara, Taniguchi.

No. 3158 "A BILL FOR AN ACT RELATING TO TRAFFIC PROBLEMS."

Introduced by: Senators Tam, Fukunaga, Ihara, Taniguchi.

No. 3159 "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII."

Introduced by: Senator Tam.

No. 3160 "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS."

Introduced by: Senator Tam.

No. 3161 "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS."

Introduced by: Senator Anderson.

No. 3162 "A BILL FOR AN ACT RELATING TO LIQUOR COMMISSIONS."

Introduced by: Senator Anderson.

No. 3163 "A BILL FOR AN ACT RELATING TO HAWAIIAN CULTURAL AND EDUCATIONAL FACILITY."

Introduced by: Senator Anderson.

No. 3164 "A BILL FOR AN ACT RELATING TO HAWAIIAN SOVEREIGNTY."

Introduced by: Senator Tanaka, by request.

No. 3165 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Tanaka, by request.

No. 3166 "A BILL FOR AN ACT RELATING TO TRAFFIC IMPROVEMENT."

Introduced by: Senators Sakamoto, Kawamoto.

No. 3167 "A BILL FOR AN ACT RELATING TO INVESTIGATORY POWERS OF THE LEGISLATURE."

Introduced by: Senator Ige, M.

No. 3168 "A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICTS; RECREATIONAL USE."

Introduced by: Senator Ige, M.

No. 3169 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Slom.

No. 3170 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Slom.

No. 3171 "A BILL FOR AN ACT RELATING TO MAUNALUA BAY."

Introduced by: Senator Slom.

No. 3172 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Levin.

No. 3173 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE LEGISLATURE."

Introduced by: Senators Levin, Fukunaga.

No. 3174 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THIRD SENATORIAL DISTRICT, ISLAND OF HAWAII."

Introduced by: Senator Levin.

No. 3175 "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS."

Introduced by: Senators Matsunaga, Chumbley.

No. 3176 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Matsunaga, Chumbley.

No. 3177 "A BILL FOR AN ACT RELATING TO JUDGES."

Introduced by: Senators Matsunaga, Chumbley.

No. 3178 "A BILL FOR AN ACT RELATING TO MODERNIZATION OF THE CIVIL SERVICE SYSTEM."

Introduced by: Senator Chun.

No. 3179 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Senator Mizuguchi, by request.

No. 3180 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Mizuguchi, by request.

No. 3181 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."

Introduced by: Senator Anderson, by request.

No. 3182 "A BILL FOR AN ACT RELATING TO HOLIDAYS."

Introduced by: Senator Chun Oakland.

No. 3183 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Chun Oakland.

No. 3184 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE FOURTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Chun Oakland.

No. 3185 "A BILL FOR AN ACT RELATING TO FAMILIES."

Introduced by: Senator Chun Oakland.

No. 3186 "A BILL FOR AN ACT RELATING TO REALLOCATING TOBACCO SETTLEMENT FUND MONEYS TO CHILDREN'S PROGRAMS."

Introduced by: Senator Chun Oakland.

No. 3187 "A BILL FOR AN ACT RELATING TO COMPREHENSIVE ABILITY-TO-PAY TAX REFORM."

Introduced by: Senator Nakata, by request.

No. 3188 "A BILL FOR AN ACT RELATING TO THE AUTONOMY OF PERSONNEL ADMINISTRATION SYSTEMS."

Introduced by: Senator Chun.

No. 3189 "A BILL FOR AN ACT RELATING TO INSURERS."

Introduced by: Senator Taniguchi.

No. 3190 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."

Introduced by: Senator Taniguchi.

No. 3191 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ELEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Taniguchi.

No. 3192 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."

Introduced by: Senator Taniguchi.

No. 3193 "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE EXCHANGE."

Introduced by: Senator Taniguchi.

No. 3194 "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM."

Introduced by: Senators Matsuura, Inouye.

No. 3195 "A BILL FOR AN ACT RELATING TO GARNISHMENT."

Introduced by: Senator Tam.

No. 3196 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Chun.

No. 3197 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senator Inouye, by request.

No. 3198 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Inouye, by request.

No. 3199 "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE."

Introduced by: Senator Inouye.

No. 3200 "A BILL FOR AN ACT MAKING AN  
APPROPRIATION FOR THE AIR CARGO TEST  
PROGRAM."

Introduced by: Senators Inouye, Kawamoto.

No. 3201 "A BILL FOR AN ACT RELATING TO A  
SCENIC HIGHWAYS SYSTEM."

Introduced by: Senator Levin.

No. 3202 "A BILL FOR AN ACT RELATING TO THE  
COUNTIES."

Introduced by: Senator Anderson.

**ADJOURNMENT**

At 8:00 o'clock p.m., the Senate adjourned until 11:30  
o'clock a.m., Monday, January 31, 2000.



## EIGHTH DAY

Monday, January 31, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:31 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Wesley Elmore, Parker United Methodist Church, after which the Roll was called showing all Senators present with the exception of Senator Matsuura who was excused.

The President announced that he had read and approved the Journal of the Seventh Day.

Senator Chun Oakland, in recognizing February 2000 as Drug-Free Hawaii Awareness Month, introduced the following sponsors of the "Express Yourself Drug-Free" Rally: Cliff Cisco, senior vice president of HMSA; Sherry Loo, president of the board of directors of the Coalition for a Drug-Free Hawaii; Kendyll Ko and Lori Murakami, Department of Education, Safe and Drug Free Schools and Communities Program; and Murry Towill, president of the Hawaii Hotel Association.

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

## HOUSE COMMUNICATION

Hse. Com. No. 5, informing the Senate that the Speaker on January 28, 2000, deleted Representative P. Oshiro as co-chairman; discharged Representative Hamakawa as a member; and added Representative Hamakawa as co-chairman and Representative Saiki as a member on the part of the House at the conference on S.B. No. 680, S.D. 1, H.D. 2, was read by the Clerk and was placed on file.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Thursday, January 27, 2000:

Senate Bill	Referred to:
No. 3109	Committee on Judiciary
No. 3110	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 3111	Committee on Commerce and Consumer Protection, then to the Committee on Judiciary
No. 3112	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 3113	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 3114	Committee on Education and Technology, then to the Committee on Judiciary
No. 3115	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 3116	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 3117	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection

No. 3118	Committee on Water, Land, and Hawaiian Affairs
No. 3119	Committee on Government Operations and Housing, then to the Committee on Judiciary
No. 3120	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 3121	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 3122	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 3123	Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means
No. 3124	Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 3125	Committee on Government Operations and Housing, then to the Committee on Judiciary
No. 3126	Committee on Ways and Means
No. 3127	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 3128	Committee on Ways and Means
No. 3129	Committee on Commerce and Consumer Protection
No. 3130	Committee on Judiciary
No. 3131	Committee on Judiciary
No. 3132	Committee on Education and Technology, then to the Committee on Ways and Means
No. 3133	Committee on Judiciary
No. 3134	Committee on Economic Development, then to the Committee on Ways and Means
No. 3135	Committee on Ways and Means
No. 3136	Committee on Education and Technology, then to the Committee on Ways and Means
No. 3137	Committee on Economic Development, then to the Committee on Ways and Means
No. 3138	Committee on Government Operations and Housing
No. 3139	Committee on Education and Technology, then to the Committee on Ways and Means
No. 3140	Committee on Education and Technology, then to the Committee on Ways and Means
No. 3141	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means

- No. 3142 Jointly to the Committee on Education and Technology and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 3143 Jointly to the Committee on Education and Technology, the Committee on Commerce and Consumer Protection and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 3144 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 3145 Jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 3146 Committee on Economic Development, then to the Committee on Ways and Means
- No. 3147 Committee on Economic Development, then to the Committee on Ways and Means
- No. 3148 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3149 Committee on Ways and Means
- No. 3150 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 3151 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 3152 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 3153 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 3154 Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 3155 Committee on Judiciary, then to the Committee on Ways and Means
- No. 3156 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 3157 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 3158 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3159 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 3160 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 3161 Committee on Ways and Means
- No. 3162 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3163 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means
- No. 3164 Jointly to the Committee on Judiciary and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 3165 Committee on Education and Technology, then to the Committee on Ways and Means
- No. 3166 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 3167 Committee on Judiciary, then to the Committee on Ways and Means
- No. 3168 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 3169 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 3170 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 3171 Committee on Economic Development, then to the Committee on Ways and Means
- No. 3172 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
- No. 3173 Committee on Ways and Means
- No. 3174 Committee on Ways and Means
- No. 3175 Jointly to the Committee on Education and Technology and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 3176 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 3177 Committee on Judiciary, then to the Committee on Ways and Means
- No. 3178 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 3179 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 3180 Committee on Ways and Means
- No. 3181 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 3182 Committee on Education and Technology
- No. 3183 Committee on Judiciary
- No. 3184 Committee on Ways and Means
- No. 3185 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 3186 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 3187 Committee on Ways and Means
- No. 3188 Committee on Labor and Environment, then to the Committee on Ways and Means
- No. 3189 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 3190	Committee on Commerce and Consumer Protection
No. 3191	Committee on Ways and Means
No. 3192	Committee on Commerce and Consumer Protection
No. 3193	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means
No. 3194	Committee on Economic Development, then to the Committee on Judiciary
No. 3195	Committee on Judiciary
No. 3196	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 3197	Committee on Economic Development
No. 3198	Committee on Economic Development, then to the Committee on Ways and Means
No. 3199	Committee on Economic Development, then to the Committee on Ways and Means
No. 3200	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 3201	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 3202	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

#### RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
No. 2448	Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means

Senator Taniguchi, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 2023, 2062, 2292, 2319 and 2976 and the Chair granted the waiver.

Senator Tam rose on a point of personal privilege as follows:

"Mr. President, I wish to speak on a matter of personal privilege.

"Mr. President and fellow colleagues, in our form of government in the State of Hawaii called 'Democracy' we embrace the freedom of speech and ideas through the legislative process.

"In the past few days, I have more than ever come to realize that 'Democracy' is a process that we as legislators must embrace through the introduction of people's ideas and through the public hearing process which affords our citizens the right to speak for or against those ideas. We, as elected representatives of the people, must guarantee them their rights to propose legislation and to speak for or against that legislation.

"While the news media and individuals may choose to ridicule or disparage ideas, our role should be to encourage citizen participation and allow those citizens' ideas to proceed through our legislative process.

"This legislative session, I received two requests from citizens to introduce legislation on their behalf, which they sincerely felt would help to increase our state workers' productivity and also help to raise the morale of those state workers so badly damaged by public comments made by our Governor and our Mayor of the City and County of Honolulu. The two ideas were: (1) Allowing state employees to rest their eyes during one of their two allowable 10 minute breaks; and (2) Appropriating funds for an employee refreshment fund at 10 cents per day, per employee, for 22 days out of each month. I wish to publicly thank the two citizens for thinking about Hawaii's employees as responsible public servants.

"I wish to further add that the citizens who asked me to introduce the legislative proposals informed me that they felt embarrassed by the media and would no longer participate in our legislative process and would no longer vote in upcoming elections. This was very upsetting and sad to me, because as elected representatives, we try very hard to get our citizens involved in their legislative process.

"In closing, due to the news media and individuals' attempt to discourage Hawaii's citizens to participate in the legislative process, I am more determined to encourage people to get involved in their legislative process. As for those who criticize others for their ideas, I feel sorry for those critics. As a child and public school student years ago, I was taught by my parents and teachers that unconstructive criticism is a sign of immaturity and being narrow-minded. Remember in history when people ridiculed the Wright brothers for their desire to fly in an airplane, well today we all fly.

"Let us all encourage Hawaii's residents to actively participate in the legislative process with their legislative ideas.

"Thank you."

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

Senator M. Ige then rose and said:

"Mr. President, I have an announcement and a question.

"The announcement is that I think tomorrow morning the Ways and Means Committee will be considering the legislative appropriations bill.

"I was very fortunate to sit in on a hearing on Friday when it was mentioned that 25 percent of all of the coconut trees on Maui are being infested by this phytophthora fungus and it's been known to be going on for quite some time now. And the department's response basically is that it's not an agricultural issue; it's a resort issue. So we've asked the hotels to put up the money. Well anyway, I have some words to this effect, or a speech on this when the bill comes before us for second reading. And we're talking about a bill for \$10,000.

"So Mr. President, the question that I have for the Ways and Means chair is basically, Is it possible to cut the Senate budget by 25 percent during these times and possibly use some of this money for an issue as crucial as coconut trees to this state? Some may giggle like the Department of Agriculture, but it's a part of our culture. I take the points that were raised by the gentleman to be very serious ones.

"So my question is, Is it possible to cut the budget, the Senate budget, by 50 percent or 20 percent? But even before doing that, I need to see the budget. So the question I have for

the WAM chair is, Is it possible to see the budget by this evening so I can make some kind of rational judgment, come tomorrow morning?"

Senator Levin responded:

"Mr. President, I thank the Senator from Kaneohe for the question.

"We, of course, have our hearing tomorrow and the good Senator is a member of the Committee and I hope he will bring any questions he has. We will also try to provide any information we can today. If you can, let's talk about it after session and let's see what we can put together today, plus the hearing tomorrow."

Senator M. Ige rose again and said:

"Mr. President, as a follow-up. I'm not looking for this information just for me. I was hoping that it could be available to all members. I'd like to have it on my desk. Is there a time certain where you can tell me, yes, in fact it will be on my desk, maybe the budgets for the Senate for the past couple of years.

"I guess, Mr. Chairman, the concern I'm having is that there's been some rumors about the 'Shadow' system and the monies wasted and certain legislators travelling all over the place at the expense of others. And I want to see if those things are true. I'm hoping that, like I said, is there a time certain date or time when that information could be provided to me rather than 'we'll work on it' or 'we're thinking about it.' Because I think, Mr. President, that's been said to us last year -- we're going to do this and do that, and nothing happened. And I think this is a new millennium. We want a change for the better. We want openness.

"So the question I have is, Mr. Chairman, will that be available to us this afternoon?"

Senator Levin replied:

"Mr. President, since the good Senator has chosen to raise this on the floor where I have no information, I really can't give you a time certain. I would think that the Senate Clerk may have some information; our staff may have some information. I'll be happy to work with you."

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

The Senate reconvened at 11:55 o'clock a.m.

Senator M. Ige continued:

"Mr. President, just as a follow-up, it's my understanding for the record that the information will be available to all the Senators at four o'clock this afternoon." (Chair: Five o'clock.) "Okay, five o'clock? Okay, I appreciate that.

"Probably so far there will be a zero increase for all of the agencies. Is that also accurate?" (Chair: That is correct.) "Okay, so basically what I'm looking for is to go back and see if we can reduce the present budget by X amount to find monies -- not just for agriculture, but for other programs as well. So, I'll be looking forward to that information at five o'clock. Will it be on the Clerk's desk? Will it be on this desk? Will it be in my office? I'm sorry for being so picky, Mr. President, but I don't want any misinterpretations."

The Chair responded:

"It will be delivered to all the Senators' offices."

Senator M. Ige then said:

"Thank you, Mr. President. I appreciate that."

Senator Chun then stated:

"Mr. President, just to be specific, I believe the Clerk's Office is going to deliver the past two years' information just to make sure that there is an understanding as to how many years."

Senator M. Ige interjected:

"May I respond, Mr. President? I'm sorry for not making myself clear, but yes, that is true. That's the only way we can look at how we can cut where all the expenses went out. So thank you for that clarification."

At 11:58 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives in accordance with S.C.R. No. 9 to appoint the Auditor of the State of Hawaii.

### JOINT SESSION

The Joint Session of the Senate and the House of Representatives, Twentieth Legislature of the State of Hawaii, Regular Session of 2000, was called to order at 12:33 o'clock p.m. by the Honorable Norman Mizuguchi, President of the Senate.

Senator Ihara moved that Paul Kawaguchi be appointed Clerk of the Joint Session, seconded by Representative Case and carried unanimously.

At this time, House of Representatives Speaker Calvin Say assumed the rostrum.

Speaker Say then announced that the purpose of the Joint Session is to appoint the Auditor for the State of Hawaii, pursuant to Article VII, Section 10, of the Hawaii State Constitution.

Representative Case then nominated Marion Higa for the Office of Auditor of the State of Hawaii, for a term of eight years, commencing July 1, 2000.

Senator Ihara moved that the nominations for the Office of Auditor of the State of Hawaii be closed, seconded by Representative Marumoto and carried.

Representative Case moved that the House of Representatives of the Twentieth Legislature of the State of Hawaii confirm the appointment of Marion Higa as Auditor for the State of Hawaii for a term of eight years commencing on July 1, 2000, seconded by Representative Marumoto.

Representative Case rose to speak in support and said:

"Mr. Speaker, I rise in support of the motion.

"Mr. Speaker, in 1959, the Auditor's Office was created in order to assist the legislature in the discharge of its checks and balances responsibilities. Under our constitution, the duty of the auditor is to 'conduct post-audits of the transactions, accounts, programs and performance of all departments, offices and agencies of the State and its political subdivisions, to certify to the accuracy of all financial statements issued by the respective accounting offices, and to report the auditor's findings and recommendations to the governor and to the legislature.'

"In 1971, Marion Higa joined the auditor's staff. Born in Honolulu, educated at McKinley, UH/Manoa and the University of Illinois-Champaign, she has just celebrated her twenty-ninth anniversary with that office.

"Marion became Acting Auditor in 1991, and was appointed State Auditor for an eight year term in 1992. For reasons which

my colleagues will express more fully, there is no doubt that she has fulfilled her duties in a truly exemplary fashion, earning, through focus, perseverance and sheer force of will, the respect and admiration of this legislature, Hawaii state government, and the people of Hawaii.

"Moreover, she has brought national credit to our state. From 1995 through 1998 for example, she was selected as one of only twenty legislative staff representatives from around the country to the Executive Committee of the National Conference of State Legislatures. She serves with the National State Auditors Association and the Legislative Fiscal Officers Association. Her counsel is sought out by her colleagues and others nationally.

"But perhaps more important than these accolades is how she does her job. I'm sure we've all seen her sit dispassionately and unemotionally in legislative hearings as someone tries to explain why one of her audits is off-base, and then equally dispassionately and unemotionally get up and explain the facts. I'm sure she would be the first to credit and back up her staff of 33, whose loyalty to her and to their office is well known. In short, she is what all public servants should be.

"Mr. Speaker, there are few actions we could take that would be more widely supported by the public, and would accrue such benefits to our state, as to reappoint Marion Higa to another eight year term as our auditor. I urge my colleagues' favorable consideration.

"Thank you."

Representative Marumoto also rose in support of the nominee as follows:

"Mr. Speaker, I also speak in favor of the motion.

"In speaking in favor of the nomination of Marion Higa as Legislative Auditor, I would like to read a *Star-Bulletin* article of April 20, 1998, which is laudatory of the fine job she is doing as auditor. It is by Charles Memminger and is entitled, 'Let Awesome Auditor Rule the Roost.'

'Considering the shabby state of economic affairs in Hawaii, I think we should just cut to the chase and put Marion Higa in charge of everything.

'Higa is awesome. She's the Michael Jordan of government employees. I believe she can fly. Technically, she's only the state auditor, but in reality, she seems to be the only person in government who understands how things are supposed to be run, why they aren't running that way and what should be done to get them running the way they should.

'She comes out with these amazingly astute reports on various departments, showing how millions of dollars are being wasted here and there. And she does it in such a pleasant, non-confrontational way that most of those on the receiving end of her scathing manifestos don't even realize that they are being taken to the public woodshed and soundly thrashed.

'I don't know Marion. But I'd like to. Hell, I'd like for her to handle my personal finances. This may be a bit overstated, but she appears to be the most competent human being in the entire state.

'And that's why I say we should just quit fooling around just hand the reigns of government, the whole shebang, to Higa.

'We can let Ben Cayetano keep his title of governor and Jeremy Harris the title of mayor. And we can let the Legislature and the City Council keep meeting. We'd just have to come up with a title to make it clear that Marion

would be higher than all of them on the decision-making totem pole. I think something like Super Duper Economic Czar or Ultimate Master of the Hawaii Economic Universe would be appropriate.

'Higa already has figured out what's wrong with half the departments in state government. Nothing is too complicated or too mundane for her probing eyeball.

'She drove the Department of Transportation to distraction with the report that it blew several million dollars in interest by not investing its reserves for two months. She fired a shot over the bow of the state harbors department when she discovered that small boat harbors and docks weren't exactly shipshape. Some University of Hawaii astronomers saw stars after she slapped them with a report showing sloppy management of the Mauna Kea Summit.

'And that was with just working with a small staff.

'Just think what she could accomplish if we made her the Grand Poobah of All Things Government? With a couple of more staff people she would be able to whip the state into shape and set us on the road to financial prosperity.

'It wouldn't even cost anything to hand the reigns of power to her. We could put her on a commission, like the Bishop Estate trustees.' This was written in 1998. (Laughter.) 'Let her keep 2 percent of any waste she cuts from government. That way, the government would be 98 percent leaner and she'd be a multi-millionaire practically overnight.

'The question is whether she'd want the new post. I doubt it. She seems to enjoy the quiet life as Hawaii's stealth auditor. You don't see hide nor hair of her for months on end and suddenly she emerges into the sunlight with some devastating screed about government mismanagement. She must drive department managers nuts. You know it's going to be a bad day when you see Higa standing in your waiting room with a smile and a briefcase.

'Because she has been so successful for the state, the City Council now wants the city to create a county-level auditor. That's not a bad idea, but I doubt that there are any other Marion Higas hiding in the weeds. She seems to be one of a kind.

'So the answer is just to put her in charge of everything and everyone else take a break.' Maybe a nap break. (Laughter.) The column ends, 'Hail, Higa!'

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 48. Noes, none. Excused, 3 (Kahikina, Okamura, Whalen).

At this time, President Mizuguchi returned to the rostrum.

Senator Chun moved that the Senate of the Twentieth Legislature of the State of Hawaii confirm the appointment of Marion Higa as Auditor for the State of Hawaii for a term of eight years commencing on July 1, 2000, seconded by Senator Slom.

Senator Ihara rose in support of the appointment and said:

"Mr. President, I rise to speak in support of the motion.

"Mr. President, I rise today to support the appointment of Marion Higa as State Auditor for a second term of eight years.

"In her first term as Auditor, Ms. Higa has produced 209 audits. These audit reports have helped to improve government service, save millions of dollars, and increase public confidence. Marion Higa's audits are well researched, focused, reader-friendly, and always present useful recommendations.

"Near the beginning of her first term, Marion was recognized with a Good Government Award from Common Cause Hawaii. At that time, newspaper columnist Bud Smyser said that citizens wanted to proclaim Marion Higa 'Public Servant of the Year,' and observed that her audit recommendations were like rifle shots to government effectiveness, and that charmed the public immensely.

"Midway in her term, a man considered by many as the feistiest watchdog of Hawaii government, the late Desmond Byrne, himself, called Marion Higa the feistiest of all state auditors. Marion, knowing Desmond, I think you can consider this a compliment of the highest order. And now at the end of her current term, things have not changed. Her audits still contain piercing insights and recommendations to improve the management of public funds and programs.

"A Honolulu Advertiser editorial last November called Marion a real treasure of Hawaii because her reports save the public's money and get better services for the community.

"Mr. President, I wanted to note that early in Marion's term, she got the Legislature's support to allow her to conduct follow-up audits. This has made quite a difference, because agencies know that after the Office of the Auditor has done an audit, she'll be back asking the question, 'What have you done to implement the auditor's recommendations?'

"Representative Marumoto had quoted the Charles Memminger 1998 column and I will just point out and repeat that in it he says that 'we should put Marion Higa in charge of everything,' and that 'she's the Michael Jordan of government employees.' And in response to that, Marion wrote back and said, 'Please, I am perfectly content being State Auditor, nothing else. Thanks.'

"Well, Mr. President, I ask my colleagues to confirm Marion Higa to her singular interest and allow her to ask for another eight years, 'What have you done to implement the Auditor's recommendations?'

"Thank you."

Senator Anderson then rose to speak in favor and said:

"Mr. President and colleagues, I'm not only pleased and proud, but very honored to speak today in strong support of Marion Higa.

"The only thing that really took me back a little bit is when Representative Case said she had 29 years of service. I thought she was only 36. (Laughter.) She's a wonderful lady.

"The position of auditor is not an easy one. Audits, as you well know, highlight problems, make recommendations, and provide solutions. No matter what the subject of the audit, someone, somewhere, doesn't like it.

"It takes a special person, a strong person, an intelligent person, someone both responsible and reliable to be the State Auditor. This person is Marion Higa. She has brought a new standard of professionalism and integrity to the Office of the Auditor. She has earned great respect throughout Hawaii in her professional standards, both for herself and for her staff, that are well beyond compare.

"The complex audits generated from her office are constructive in nature. They are always delivered in a comprehensible, precise and timely manner. In addition, they clearly and consistently show the value of accountability. Mr.

President, her objectivity, her fairness, and her attention to detail all contribute to well-balanced audits that are result oriented. Her strength of character and her remarkable ability to grasp the complexities of problems are the foundation of these audits, which we all rely on so often.

"In summary, Mr. President, Marion Higa is a role model -- an excellent public servant whom we can all respect. And normally, Marion, I don't read my floor remarks, but I didn't want to leave anything out. I am truly honored, and you, Marion, are definitely one of the best people that we could have ever chosen.

"Mahalo, Mr. President."

Senator Slom added his comments of support as follows:

"Mr. President, I rise in support of the motion and the nomination.

"I have had the honor and the privilege of knowing Marion Higa for a number of years. We entered the University of Hawaii together as freshmen, a couple of years ago. She's aged far better than I have and I would ask my colleagues to please don't hold that against her that she's known me that long, (laughter) because she's still able to put up with me. And that's the thing, she's able to put up with everyone and everything. She was a leader then, an excellent debater, an excellent student, and she always did her homework and always went for the facts.

"We are very, very fortunate as a community and as a state to have Marion Higa who is one of the brightest, most creative, most hard-working individuals anywhere around, and she's been recognized nationally as you've heard. And the same terms, the same words keep coming back -- respect, integrity, honesty. There's not too many occasions when all of us in this body, the two houses together, feel the same way and express ourselves about the same individual. So it's got to be true.

"I think that we can honor Marion today by putting her back to work for another eight years. But for those people who are always asking the question, 'How can we down-size government? How can we save money? How can we reprioritize?' All you've got to do is take any eight of Marion's reports, any eight of them, and just implement them. And that would be the best honor of all, to fully implement all of the things that she said to save us some money, to make everything more efficient, and to hold people accountable and responsible.

"I'm proud to know you, Marion. We love you for everything you've done and you're going to do.

"Thank you, Mr. President."

Senator M. Ige then rose to support the nominee and stated:

"Mr. President, I, too, rise in support of Ms. Higa.

"Mr. President, Senator Bunda and I were very fortunate to be co-chairs of Government Operations for the Senate and one of the reports that stick out is her report on the Baker and Taylor contract and, as you know, the results. The other report that sticks out is the Department of Defense. When Senator Bunda and I went in, we asked the questions that she asked. And we, in fact, saved the State some money there after some very long and deliberate negotiations. But it was through her efforts that we were able to do that.

"And you know, Marion, as I stand here and I see you, I want to think of things like what kind of gift I can get you, but allow me to just read one of my favorites from Tennyson. It's out of the poem 'Ulysses' and in my opinion it reflects who you are:

'That which we are, we are,  
One equal temper of heroic hearts,

Made weak by time and fate, but strong in will,  
To strive, to seek, to find, and not to yield.'

"On behalf of the people that I represent, Marion, I want to thank you for your service to this community. Thank you."

Senator Tam rose to support Ms. Higa and said:

"Mr. President and fellow colleagues, I wish to speak in favor of Marion Higa as the State Auditor.

"I am very pleased to have known her for a number of years. As the chairman for Government Operations and Housing, I must attest that she's a very fine leader and also very productive and efficient in government. One of the most outstanding characteristics I see about her is that she goes into the community and she searches for information. She searches through everyone, not just a certain few, but everyone in the community. A fine job well done.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Matsuura).

The ballots having been so cast by the members of the Twentieth Legislature of the State of Hawaii, Marion Higa was declared unanimously elected as Auditor for the State of Hawaii.

The President, on behalf of the Joint Session, introduced newly elected officer Marion Higa, State Auditor, who was extended congratulations and a round of applause.

At this time, Senator Ihara introduced Ms. Higa's son, Jason; daughter, Allison; and mother, Sakae Murakami who were seated with her.

At 12:55 o'clock p.m., the President declared the Joint Session of the Senate and the House of Representatives adjourned.

#### HOUSE COMMUNICATION

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive a House communication transmitting H.B. No. 2150, H.D. 1, relating to the authorization of funds for the expenses of the Legislature. In consequence thereof, the Senate took the following action:

Hse. Com. No. 6, transmitting H.B. No. 2150, H.D. 1, which passed Third Reading in the House of Representatives on January 31, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2150, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed First Reading by title and was referred to the Committee on Ways and Means.

#### ADJOURNMENT

At 2:45 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 1, 2000.

## NINTH DAY

**Tuesday, February 1, 2000**

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Larry Engel, 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 Eighth Day.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 107 to 123) were read by the Clerk and were placed on file:

Gov. Msg. No. 107, dated January 27, 2000, transmitting a report prepared by the Department of Health pursuant to Section 321-27, HRS, on the status of the Environmental Health Education Fund.

Gov. Msg. No. 108, dated January 27, 2000, transmitting a report prepared by the Department of Health pursuant to Section 321-291, HRS, requiring an annual financial report for the Newborn Metabolic Screening Special Fund.

Gov. Msg. No. 109, dated January 27, 2000, transmitting a report prepared by the Department of Health, Environmental Health Administration, Environmental Management Division, Wastewater Branch, pursuant to Act 221, SLH 1997, relating to the State Water Pollution Control Revolving Fund of the Department of Health.

Gov. Msg. No. 110, dated January 27, 2000, transmitting a report prepared by the Department of Health, Environmental Health Administration, Environmental Management Division, Wastewater Branch, pursuant to Sections 340E-31 through 340E-41, relating to the Drinking Water Treatment Revolving Loan Fund of the Department of Health.

Gov. Msg. No. 111, dated January 27, 2000, transmitting a report prepared by the Department of Health pursuant to Chapters 128D and 128E, HRS, on the activities of the Department of Health Environmental Health Administration Office of Hazard Evaluation and Emergency Response and use of the Environmental Response Revolving Fund.

Gov. Msg. No. 112, dated January 18, 2000, transmitting a report prepared by the Department of Agriculture, pursuant to Sections 155-14 and 219-4, HRS.

Gov. Msg. No. 113, dated January 19, 2000, transmitting the Department of Agriculture's Annual Report on Goals and Objectives, pursuant to Act 100, Section 7, SLH 1999.

Gov. Msg. No. 114, dated January 20, 2000, transmitting a report, "Blueprint for Child Welfare Reform," pursuant to Section 346-5, HRS.

Gov. Msg. No. 115, dated January 26, 2000, transmitting the 1999 Annual Report of the Employment and Training Fund Program, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-128, HRS.

Gov. Msg. No. 116, dated January 14, 2000, transmitting a report, Instituting a Proceeding on Electric Competition, Including an Investigation of the Electric Utility Infrastructure in the State, prepared by the Public Utilities Commission pursuant to H.C.R. No. 22 (1999).

Gov. Msg. No. 117, dated January 14, 2000, transmitting a report prepared by the Department of Commerce and Consumer Affairs in response to S.C.R. No. 201 (1999) on the enforcement of workers' compensation mandatory coverage requirements on licensed contractors.

Gov. Msg. No. 118, dated January 19, 2000, transmitting a report, "The Commercial Use of Personal Information," prepared by the Office of Information Practices pursuant to H.C.R. No. 196 (1999) and H.R. No. 180 (1999).

Gov. Msg. No. 119, dated January 21, 2000, transmitting the Department of Transportation's Intra-Island Water Ferry Transportation System Report.

Gov. Msg. No. 120, dated January 24, 2000, transmitting the Department of Business, Economic Development and Tourism, Barbers Point Naval Air Station Redevelopment Commission's Annual Report for fiscal year ending June 30, 1999.

Gov. Msg. No. 121, dated January 24, 2000, transmitting a report prepared by the Department of Human Services, Office of Youth Services, pursuant to H.C.R. No. 63 (1999), requesting the Office of Youth Services to revise its strategic plan.

Gov. Msg. No. 122, dated January 25, 2000, transmitting a report, "State Art Gallery, Alternative Sites Study," prepared by the State Foundation on Culture and the Arts pursuant to Act 91, Section 72, SLH 1999.

Gov. Msg. No. 123, dated January 27, 2000, transmitting the University of Hawaii's Annual Report on Intercollegiate Athletics Exemption from the Procurement Code, pursuant to Act 186, Section 3, SLH 1997.

#### DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 18 to 20) were read by the Clerk and were placed on file:

Dept. Com. No. 18, from the Department of Commerce and Consumer Affairs dated January 19, 2000, transmitting its Report on Goals and Objectives, pursuant to Act 100, Section 7, SLH 1999.

Dept. Com. No. 19, from the Department of Land and Natural Resources dated January 19, 2000, transmitting its Report on Goals and Objectives, pursuant to Act 100, Section 7, SLH 1999.

Dept. Com. No. 20, from the Department of Transportation dated January 18, 2000, transmitting its Report on Goals and Objectives, pursuant to Act 100, Section 7, SLH 1999.

#### STANDING COMMITTEE REPORT

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2001) recommending that H.B. No. 2150, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2150, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 2, 2000.



---

**ORDER OF THE DAY****RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

Senate Bill                      Referred to:

No. 2259                      Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Judiciary

No. 2385                      Jointly to the Committee on Education and Technology and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2649                      Jointly to the Committee on Education and Technology and the Committee on Judiciary, then to the Committee on Ways and Means

No. 2891                      Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

**ADJOURNMENT**

At 11:45 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 2, 2000.

## TENTH DAY

Wednesday, February 2, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Sam Domingo, Harris United Methodist Church, after which the Roll was called showing all Senators present with the exception of Senator Taniguchi who was excused.

The President announced that he had read and approved the Journal of the Ninth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 124 to 131) were read by the Clerk and were placed on file:

Gov. Msg. No. 124, dated January 20, 2000, transmitting the 1999 Compliance Resolution Fund Annual Report prepared by the Department of Commerce and Consumer Affairs, pursuant to Section 26-9, HRS.

Gov. Msg. No. 125, dated January 24, 2000, transmitting the following reports: "Hawaii Energy Strategy 2000" and "Hawaii Energy 2000 Summary," prepared by the Department of Business, Economic Development and Tourism, Energy, Resources, and Technology Division.

Gov. Msg. No. 126, dated January 21, 2000, transmitting the 2000 Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel, pursuant to Sections 672-12 and 671-20, HRS.

Gov. Msg. No. 127, dated January 25, 2000, transmitting the Report of the Patient Rights and Responsibilities Task Force, pursuant to Act 137, SLH 1999, and S.C.R. No. 152 (1999).

Gov. Msg. No. 128, dated January 25, 2000, transmitting a report prepared by the Department of Business, Economic Development and Tourism, Foreign-Trade Zone No. 9, on General-Purpose Zone and Special-Purpose Subzone Activity in the State of Hawaii for Federal Fiscal Year 1999, October 1, 1998 - September 30, 1999.

Gov. Msg. No. 129, letter dated January 31, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2748, which authorizes the issuance of \$3,800,000 in general obligation bonds to finance the planning, design, construction and equipping of a new building for the Measurement Standards and Commodities programs of the Department of Agriculture.

Gov. Msg. No. 130, dated February 1, 2000, transmitting the 1998-1999 Annual Report prepared by the State Foundation on Culture and the Arts, pursuant to Chapter 9, HRS.

Gov. Msg. No. 131, dated January 25, 2000, transmitting the Convention Center Authority's Action Plan for fiscal year ending June 30, 2001.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 21, from the Department of Commerce and Consumer Affairs, Office of Administrative Hearings, dated February 1, 2000, transmitting replacement copies of the Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 7 and 8) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 7, transmitting H.B. No. 1765, which passed Third Reading in the House of Representatives on February 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1765, entitled: "A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATION," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 8, transmitting H.B. No. 1768, which passed Third Reading in the House of Representatives on February 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1768, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 14 and 15) were read by the Clerk and were referred to committees:

## Senate Concurrent Resolution

No. 14 "SENATE CONCURRENT RESOLUTION URGING THAT PU'U O KAPOLEI BE PLACED ON THE STATE AND NATIONAL HISTORIC REGISTERS."

Offered by: Senator Hanabusa.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Education and Technology

No. 15 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS IMPLEMENT REGULATIONS TO ASSURE THAT APPRAISERS OF PERSONAL PROPERTY MEET CERTAIN QUALIFICATIONS AND CONFORM TO THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE."

Offered by: Senator Tam.

Referred to: Committee on Commerce and Consumer Protection

## SENATE RESOLUTION

The following resolution (S.R. No. 5) was read by the Clerk and was referred to committee:

## Senate Resolution

No. 5 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS IMPLEMENT REGULATIONS TO ASSURE THAT APPRAISERS OF PERSONAL PROPERTY MEET CERTAIN QUALIFICATIONS AND CONFORM TO THE

## UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE."

Offered by: Senator Tam.

Referred to: Committee on Commerce and Consumer Protection

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

## ORDER OF THE DAY

## THIRD READING

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

Senator Fukunaga moved that H.B. No. 2150, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Levin rose to support the measure as follows:

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

"House Bill 2150, H.D. 1, appropriates funds to provide for the expenses of the Legislature, the Legislative Auditor, the Legislative Reference Bureau, and the Ombudsman. For the third consecutive year, we are leading by example and living within our means. Members, this is a no growth legislative budget and, in fact, is 1 percent down from our budget of five years ago.

"At yesterday's hearing on this bill, your Committee on Ways and Means had extensive discussions regarding the Senate's expenditures over the past two years. We discussed staff salaries, per diem, travel, dues and subscriptions, office equipment, purchase rentals, repair and maintenance, and the Legislature's information system, among other things. Many questions were raised including the questions about the legislative information system contract which was actually approved by a separate appropriation measure in 1997.

"Ways and Means will be having a follow-up informational briefing on the 'Shadow' contract and related matters next week Monday, February 7, at 9:30 in Room 211, and all of my colleagues are invited to attend.

"We believe that the areas of concern have been addressed and will continue to be addressed, and we urge our colleagues to vote 'yes' on this measure."

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

"Mr. President, I would like to take this time to basically explain that, yes, I was one of the Senators who voted 'no' in the committee on that bill, but today I intend to vote 'yes, with reservations.' I want to make it clear that the vote we had yesterday in committee didn't reflect any kind of disagreement with the chairs because I believe the chairs had a wonderful meeting and it was really well handled and a lot of information came out at that meeting. I want to commend the chairs for running that meeting extremely well.

"But what the concerns were, at least from my point of view, was that, yes it is a no-growth budget, and yes that we are committing, in fact, to hold the line on the expenses. But one of the questions that has come up during this process -- this open process and information exchange -- is the fact that we still have a computer system out there that is being developed, and at this point in time we don't know really, solidly, know how much it is going to cost us, or whether it's going to cost us more in the future or not.

"One of the concerns raised is that once this new system gets in, it will be better and it will do more things than what our current system does. But with that new system also comes additional expenses, and I'm not quite sure today what those additional expenses will be and how much they will cost. Yes, as a matter of policy we can say we're going to hold the line, but holding the line does not mean sacrificing the quality of services.

"I want to just assure all the Senate members and also the public out there that we are just as concerned not only with the monetary point but how much we actually get accomplished; and that money is not the sole criteria as to how much we actually do.

"Those are the questions that we need to ask and we will continue to be asking them in the informational briefing next week.

"But the other reason why there was, basically, a split vote in the committee was that we need to show that we are just as cognizant and just as hard and just as analyzing on our own budget, our own legislative budget, as we are with the executive department's budget.

"We ask hard questions in the executive budget. When the departments come before WAM, we ask them for details. We ask them why they are spending a certain amount on this line item. We ask them what they hope to accomplish on those line items because of this amount. And we also ask them what is the projection, so we can prepare for future budget hearings about whether or not where our state is going to go. We ask hard questions to all departments, and we need to take that kind of hard look at our own budget.

"When we look at this budget this year, this budget for the legislature traditionally does not have these kinds of details. And we need to treat ourselves just as hard as we treat others. We cannot have a double standard for the legislative branch and the executive branch.

"Basically, the intent of the committee members was to make it clear that we're not having a double standard and that we're going to hold ourselves accountable just as we're going to hold departments accountable. And I think this is a step in the right direction.

"The discussions were going very positively and I think we're going to go forward from here on and really have these kinds of exchange of information and to have accountability come to what we do with our money and funds.

"Thank you, Mr. President."

Senator Buen also rose with reservations on the measure and said:

"Mr. President and fellow colleagues, I'll be voting 'yes with reservations' on this bill and I, too, was one who voted 'no' yesterday in the Ways and Means Committee.

"I think the chairs did a great job. But the reason why I voted 'no' is that . . . and I appreciate that the Legislature's budget has remained flat for five years. However, my negative vote yesterday on this legislative pay bill was reflective of the public's demand for this body's accountability. It is imperative that the Legislature be held to the same high standards of public accountability that we as legislators demand of both the executive and judicial branches of government. In this instance, this sort of accountability required a greater level of detail than had been provided to either my colleagues or myself.

"I'm glad to hear that we are assured that we will be given the information we had requested. I certainly do not want to

sign a . . . it's a blank check and we need to have that accountability.

"Thank you, Mr. President."

Senator Slom spoke with reservations on the measure and said:

"Mr. President, I rise in support of the bill with reservations.

"I echo some of the comments and the concerns of my colleagues and the fact that we are patting ourselves on the back for holding the line. Of course, the bill does not total up the total amount of expenditures and in doing so you'd find that we're talking about more than \$20 million -- \$20 million to operate the Legislature, if we don't do anything at all and, of course, some people in the community have accused us of not doing anything at all -- \$20 million.

"We talk about accountability and we talk about detail and I think that we need to do a much better job in showing exactly where these funds are going and to be held responsible and accountable for them. So I will be voting with reservations.

"Thank you, Mr. President."

Senator Nakata rose to speak with reservations and said:

"Mr. President, I was also one of those that voted 'no,' so I thought I needed to at least make a brief explanation of it. Simply that I don't feel comfortable that we have a real budget. We have a lump sum and the items within it are simply projections of previous years, and I don't think that's the proper way of budgeting.

"I'll be voting 'yes, with reservations.' Thank you."

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

"Mr. President, it's never easy, but I rise to speak against the measure.

"Mr. President, first of all I just want to thank the chairs for their courage. If you were at the meeting, you would know that there was a really lively discussion and I think a lot of credit goes to our Chief Clerk. He had all the answers. He knew where the information was. And I think that's a positive thing.

"And my understanding is it's historical. It's never been done. The budget was never given to any Senator and I think this is a real positive step. It makes me proud to be a Senator. My understanding is that more information is going to come out -- more information about travel, more information about per diem, about staffing levels, about the \$600,000 every year for the 'Shadow' system -- and I think that's great. I think that's a move in the right direction.

"But Mr. President, I echo the concerns of our Majority Floor Leader when he says, basically, my opinion was, what is good for the goose is good for the gander. Mr. President, in all of the committee hearings, in all of the committee hearings' subject matter, we grill them. We ask them hard questions, basic questions, and we expect a response. And most of the departments, if not all, have been very positive and very responsive. We have never said, 'Let's vote on the budget and give me the answers tomorrow.' We've always said, 'Let's be held accountable. Let's do the right thing.'

"But Mr. President, in this budget, we don't have the details. It was only yesterday when we began asking these questions. We're going to have the details possibly on Friday, and I respect the Clerk for that. But in the committee when we voted, it was understood we asked for a deferral -- one day, two days. Of course, we did not have the majority, and I understand majority rules. I understand that.

"But Mr. President, this particular budget, because it's not detailed enough, it's very difficult for me to look at my community and feel accountable. I feel that there's enough money there to make some cuts -- not just zero growth, but actually to make some cuts -- so we can go to the public and tell them that we are leading by example. But how can we say that right now. When you look at the budget, all it is is merely numbers, Mr. President.

"It's never easy to be the only person to vote 'no.' Let me tell you, it's very difficult, especially for the staff. It's not that I'm against the staff. It's not that I'm against raises. I just feel, Mr. President, I do not have the sufficient information to make an intelligent decision. And I think that it's only fair that we get this information before we make our decision.

"So Mr. President, you need to know I vote 'no' with a heavy heart. But I do want to thank the chairs for being so open and being historical, if you will, and I hope that we have more and more lively discussions like this in the future.

"Thank you."

Senator Levin then rose and said:

"Mr. President, I wanted to offer one clarification on the comments made by the Senate Minority Floor Leader.

"Of the money in this budget, it is not costing \$20 million to run the Legislature. Three quarters of the funds go to run the Legislative Reference Bureau, the Ombudsman, and Marion Higa and her Legislative Auditor's Office. I thought the record should be clear on that.

"Thank you."

Senator Anderson added his remarks as follows:

"Mr. President, I'm certainly refreshed that our Majority Floor Leader and Senator M. Ige have said that they would like to know more about the Legislature's budget.

"There is a budget analyst position. However, the Legislature has never funded the position. We have never appointed a person to be the budget analyst. This position would be like our Legislative Auditor. It would give the Legislature the information that we need to scrutinize spending in proposed budgets. But we play games here.

"In the hearing in Ways and Means, I said it costs legislators money when we go on trips. It cost me \$500 out of my own pocket because we have stayed with a per diem that is not realistic today.

"We can look at resolutions to take care of the problems that we are dissatisfied with or want more information. That's not the reason to vote 'no.' It may be a good reason to vote 'with reservations.' That's why in committee, I would not vote 'no,' because we have a position that would give us all of the information we want and need. We just won't fund it and we will not appoint anyone to that position.

"Thank you, Mr. President."

The motion was put by the Chair and carried, H.B. No. 2150, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (M. Ige). Excused, 1 (Taniguchi).

**RE-REFERRAL OF SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
No. 2971	Committee on Labor and Environment,
	then to the Committee on Ways and Means

**ADJOURNMENT**

At 12:15 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 3, 2000.

## ELEVENTH DAY

Thursday, February 3, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor O.W. Efurd, Executive Director of the Pacific Baptist Convention in Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga and Kawamoto who were excused.

The President announced that he had read and approved the Journal of the Tenth Day.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 132, informing the Senate that on February 2, 2000, he signed into law House Bill No. 2150 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," was read by the Clerk and was placed on file.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 16 to 22) were read by the Clerk and were deferred:

## Senate Concurrent Resolution

No. 16 "SENATE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS AND THE COSTS THEREOF."

Offered by: Senator Mizuguchi, by request.

No. 17 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO STUDY AND DETERMINE THE FEASIBILITY OF BUILDING A PRISON AT KALAELOA."

Offered by: Senators Kawamoto, Bunda, Iwase.

No. 18 "SENATE CONCURRENT RESOLUTION URGING MILITARY AND FEDERAL AGENCIES TO HONOR THE DEFINITION OF STATE RESIDENT FOR CONTRACTS."

Offered by: Senators Kawamoto, Buen, Bunda, Sakamoto.

No. 19 "SENATE CONCURRENT RESOLUTION SUPPORTING A MISSILE DEFENSE SYSTEM FOR HAWAII."

Offered by: Senators Kawamoto, Buen, Bunda, Chun, Sakamoto.

No. 20 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO USE HAWAII-GROWN FOOD PRODUCTS AT LEAST ONE DAY EACH MONTH IN ALL PUBLIC SCHOOL FOOD SERVICE PROGRAMS."

Offered by: Senators Kawamoto, Bunda, Sakamoto.

No. 21 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES MILITARY TO USE HAWAII-GROWN COFFEE ON ALL MILITARY VESSELS."

Offered by: Senators Kawamoto, Buen, Bunda, Iwase.

No. 22 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A HAWAII FILM INDUSTRY DEVELOPMENT LOAN GUARANTEE PROGRAM."

Offered by: Senators Kawamoto, Buen, Bunda, Iwase.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 6 to 9) were read by the Clerk and were deferred:

## Senate Resolution

No. 6 "SENATE RESOLUTION SUPPORTING A MISSILE DEFENSE SYSTEM FOR HAWAII."

Offered by: Senators Kawamoto, Buen, Bunda, Chun, Sakamoto.

No. 7 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO USE HAWAII-GROWN FOOD PRODUCTS AT LEAST ONE DAY EACH MONTH IN ALL PUBLIC SCHOOL FOOD SERVICE PROGRAMS."

Offered by: Senators Kawamoto, Bunda, Sakamoto.

No. 8 "SENATE RESOLUTION URGING THE UNITED STATES MILITARY TO USE HAWAII-GROWN COFFEE ON ALL MILITARY VESSELS."

Offered by: Senators Kawamoto, Buen, Bunda, Iwase.

No. 9 "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A HAWAII FILM INDUSTRY DEVELOPMENT LOAN GUARANTEE PROGRAM."

Offered by: Senators Kawamoto, Buen, Bunda, Iwase.

## STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2002) recommending that the Senate advise and consent to the nominations of GLADYS A. BRANDT, KEOLAHOU DAVIDSON-COLEMAN, ZACHARY HELM, CLARA KAKALIA, KAMAKI KANAHELE, JOSEPH PAPALIMU and JAMES KAPULE TORIO to the Office of Hawaiian Affairs Salary Commission, in accordance with Gov. Msg. No. 1.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2002 and Gov. Msg. No. 1 was deferred until Friday, February 4, 2000.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2003) recommending that S.B. No. 2052, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2052, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TRAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2004) recommending that S.B. No. 2060 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2060, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT DISCRIMINATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2005) recommending that S.B. No. 2171 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2171, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2006) recommending that S.B. No. 2204 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2204, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LITTER CONTROL AND BEAUTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2007) recommending that S.B. No. 2255 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2255, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Anderson rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I guess it's because of different items that I've read and one of them happened to be on you, Mr. President, where you were saying that you would hope that this was going to be a very successful session. I would hope so too. The people will call it another wasteful three months if we don't do something on fireworks, make decisions regarding our prison site and cost, and some of the other necessary reforms.

"But I want to discuss the other things that I read, Mr. President. I received a call the other day . . . I guess it was an interview for those who opposed my vote on Ms. Bronster's appointment. The media reported I'm out of touch with my community, and I don't seem to realize what's happening. Well, the gentleman who they called to find out how the community felt about me was Mr. Kiefer, who's with the Bank of Hawaii, and Mr. Grimmer, who is Mr. Kiefer's partner. They've never asked me for an appointment at one of my offices. I've been here for twenty-something years and avail myself to all requests for appointments. So I don't know who's out of touch with whom.

"Also Mr. President, we have a number of bills that have passed and the governor has signed into law. Although I don't run upstairs to take pictures with the governor, I supported

these bills because I think they're necessary and the people wanted them.

"We also have many bills here, my fellow colleagues, which will stimulate the economy and help the banking industry. I don't see any of the banks or anybody else coming forth and saying, 'Hey, why don't we try these bills?' If these bills will stimulate the economy and help the banking industry, they should be interested. So who's out of touch with whom? Not once have they ever come forth to discuss their concerns with me, and yet they attempt to make sure that the community knows that I'm out of touch.

"And I am concerned because these skewed perceptions and stories get printed. How I feel, what I say on this floor is the only way that I can accurately communicate to the people and to the media most of the time.

"I also want you to know that we do have many bills that should go forth regardless of the partisanship. They're good bills. If the community doesn't come forth -- be it our constituents or the business community -- we as legislators should move them forward because these bills are for their benefit. That's what we're here for. And I'll fight for their rights, but I'll also call them hypocrites when the same persons or entities cry to the news media without coming here to demand we send out good legislation that would be beneficial to everybody.

"So I just thought I would stand up this morning. If you notice, I'm not angry. (Laughter.) I'm not taking shots at anyone. Like all of you, I read, watch television, and I use judgment that I believe is fair and equitable for everybody.

"So Mr. President, I wish you a very successful session. I hope my colleagues will pass some of the legislation that the community and our constituents are looking for. And thank you for giving me this time."

#### ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 4, 2000.

## TWELFTH DAY

Friday, February 4, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Claudia Wong, C.S.J., Compassionate Counseling, Sisters of Saint Joseph, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Iwase and Matsuura who were excused.

The President announced that he had read and approved the Journal of the Eleventh Day.

At this time, the following international exchange student "shadows" were introduced:

Senator Anderson introduced Vyacheslav Kozyrev from Russia who attends Kalaheo High School;

Senator Nakata introduced Meder Jaylobaev from Kyrgystan who attends Kahuku High School;

Senator D. Ige introduced Tiko Balavadze from the Republic of Georgia who attends St Andrew's Priory;

Senator Matsunaga introduced Arzu Hajizade from Azerbaijan who attends Kalani High School; and

Senator Chun Oakland introduced Tatyana Matyukherich from Belarus who attends Moanalua High School.

Senator Levin then introduced Akash Kumar, a well-rounded student who has attained high achievements in all aspects of his life while showing concern and generosity for the welfare and well-being of others in the community. Accompanying Akash was his father, Dr. Krishna Kumar; and family members, Santosh and Yash Nagpaul; and Raj and Sunita Kumar.

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 133 to 140) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 133, dated January 24, 2000, transmitting a report prepared by the Department of Human Resources Development in response to S.C.R. No. 64 (1999), requesting a comprehensive review of the Hawaii state law on employment of severely disabled persons, was placed on file.

Gov. Msg. No. 134, dated February 1, 2000, transmitting a report prepared by the Department of Health, Health Resources Administration, Family Health Services Division, Maternal and Child Health Branch, pursuant to Act 216, SLH 1997, relating to fees collected by the Department of Health, was placed on file.

Gov. Msg. No. 135, dated February 1, 2000, transmitting the 1999 Annual Report, Board Certification of Operating Personnel in Wastewater Treatment Facilities, prepared by the Department of Health, pursuant to Section 340B-12, HRS, was placed on file.

Gov. Msg. No. 136, dated February 2, 2000, transmitting a report prepared by the University of Hawaii, pursuant to S.C.R. No. 105 (1999), on the status of implementation of the Pacific

Center for Advanced Technology Training and Education, was placed on file.

Gov. Msg. No. 137, letter dated January 31, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2877 and H.B. No. 2536, which makes an emergency appropriation of \$17,735,924 from general funds, \$378,646 from the Child and Adolescent Mental Health special fund, and \$38,866 from the Behavioral Health Administration special fund to allow the DOH to continue to provide mental health services to certain emotionally disturbed children and adolescents, was placed on file.

Gov. Msg. No. 138, letter dated February 2, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2892, to correct the fiscal year reference in Act 304, Section 6, SLH 1999, to permit the appropriation of \$5,055,665 from the Hawaii Tobacco Settlement Special Fund to the Department of Health for fiscal year 1999-2000, was placed on file.

Gov. Msg. No. 139, letter dated February 3, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2883, which makes an emergency appropriation and authorization for an increase of \$367,268 in general fund expenditure levels in fiscal year 2000 for developmental disabilities Title XIX state match costs, was placed on file.

Gov. Msg. No. 140, submitting for consideration and confirmation as Special Advisor for Technology Development, the nomination of JOSEPH F. BLANCO, term to expire June 30, 2003, was referred to the Committee on Education and Technology.

## STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2008) recommending that the Senate advise and consent to the nomination of EDWARD L. CORREA, JR. as Adjutant General, in accordance with Gov. Msg. No. 2.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2008 and Gov. Msg. No. 2 was deferred until Monday, February 7, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2009) recommending that S.B. No. 2003 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2003, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2010) recommending that S.B. No. 2002 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2002, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH



AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2011) recommending that S.B. No. 2004 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2004, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2012) recommending that S.B. No. 2008 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2008, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2013) recommending that S.B. No. 2022, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2022, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AGRICULTURAL LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2014) recommending that S.B. No. 2342 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2342, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2015) recommending that S.B. No. 2359 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2359, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAIIAN ORGANIC AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2016) recommending that S.B. No. 2411 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2411, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2002 (Gov. Msg. No. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 2002 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations of GLADYS A. BRANDT, KEOLAHOU DAVIDSON-COLEMAN, ZACHARY HELM, CLARA KAKALIA, KAMAKI KANAHELE, JOSEPH PAPALIMU and JAMES KAPULE TORIO to the Office of Hawaiian Affairs Salary Commission, terms to expire no later than February 17, 2000, seconded by Senator Tanaka.

Senator Hanabusa rose in support of the nominees as follows:

"Mr. President, colleagues, I rise to speak in support of the confirmation of the seven individuals identified in Gov. Msg. No. 1.

"Mr. President, let me begin first with Aunty Clara Kakalia. Aunty Clara, as we all know, was acknowledged and is in the gallery with us today. She is a person who is very familiar, especially to those members of Water, Land, and Hawaiian Affairs. She has come before us and testified on every bill that has any relevance to Hawaiian matters. Aunty Clara is a member of the Hawaii State Association of Parliamentarians, Ka Lahui Hawaii, and, as mentioned by my colleague from Kona, she is an active member of the Hawaii State Democratic Party, as well as the Kawaihae Church.

"Mr. President, may we acknowledge Aunty Clara who has come to be with us. Aunty Clara, could you please rise again. (Ms. Kakalia rose to be recognized.) Thank you, Aunty Clara.

"The next individual is Kamaki Kanahele, someone that we also introduced earlier. Kamaki's resume goes on and on and on, but let me just highlight it. He is the only person in Hawaii who has served as the administrator and trustee for the Office of Hawaiian Affairs. He is presently the Kahu, as well as the chairman, of the State Council of Hawaiian Homestead Association, or as we know it, SCHHA. He is also the president of the Nanakuli Community Association and has served in that capacity for 14 years, and has served on many other community boards, groups, and organizations. Mr. President, may I also ask that Kamaki rise again and be recognized by this body. (Mr. Kanahele then rose to be recognized.)

"Mr. President, in addition to Aunty Clara and Kamaki, the following individuals must also be mentioned, though they can't be with us today.

"Another name that is very familiar to us all is Aunty Gladys Brandt. Mrs. Brandt is unable to be here because she is undergoing knee surgery. She has a resume that also goes on and on, and we, of course, all know her in the recent capacities that she served, especially on the Bishop Estate matter. Aunty Gladys is a Commissioner of the State Foundation of Culture and the Arts. She serves in the Cancer Research Center of Hawaii. She's also on the Admissions and Selection Committee for the John A. Burns School of Medicine. She's on the Papa Ola Lokahi, the federal Health Care Act, as well as serving on the Native Hawaiian Historic Preservation Council for OHA. Mrs. Brandt has been the chairman of the de facto OHA Salary Commission, and I must mention that she proudly stated that she drafted Kamaki as her vice chair. And as you can imagine, that must have meant very interesting meetings for them all.

"In addition to Mrs. Brandt, we have Keolahou Davidson-Coleman. Ms. Davidson-Coleman served on the Homestead

Association in Maui, as well as the SCHHA Council. She has listed as part of her resume the fact that she has testified on many matters involving the Hawaiian Homestead Commission.

"From Molokai, we have Zachary Helm, a name that I'm sure is familiar to many. Mr. Helm has served on Molokai Little League associations, as well as the Advisory Committee for Molokai Ranch, the president of the Kamehameha Schools ATP on Molokai, and president of the Kalama'ula Homestead Association.

"From the . . . I believe he's from the Big Island. We have Joseph Papalimu. He was present before the committee, and he has served on various committees for the Big Island and he lists among them the Merrie Monarch Commission.

"Last but not least, is James Torio, a name that is very familiar to many of us. We associate Mr. Torio with the Project FAITH of the Island of Kauai. He is a member of the Kauai Jaycees, as well as the Anahola Homestead Council. He is the executive director and that's, of course, how we all know him in terms of Project FAITH.

"Mr. President, this OHA Salary Commission has served in an odd way. They were appointed by the Governor after session; never stood confirmation by us; and their terms are actually scheduled to expire on February 17. If we do not confirm them today, colleagues, there's going to be a question as to what happens to all their work. They must be confirmed, then move on; set a public hearing in compliance with Chapter 92; adopt their report; and then forward it to the Legislature -- all before February 17 of this year.

"Colleagues, I ask that you join me in confirming the seven individuals in Gov. Msg. No. 1.

"Thank you, Mr. President."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Chun Oakland, Fukunaga, Iwase, Kanno, Matsuura).

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, February 3, 2000:

Senate Concurrent Resolution	Referred to:
------------------------------------	--------------

No. 16	Committee on Labor and Environment, then to the Committee on Ways and Means
--------	--

No. 17	Committee on Judiciary, then to the Committee on Ways and Means
--------	--

No. 18	Jointly to the Committee on Transportation and Intergovernmental Affairs, the Committee on Government Operations and Housing and the Committee on Labor and Environment, then to the Committee on Ways and Means
--------	--

No. 19	Committee on Transportation and Intergovernmental Affairs
--------	--

No. 20	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means
--------	---

No. 21	Jointly to the Committee on Transportation and Intergovernmental Affairs and the
--------	---

	Committee on Economic Development, then to the Committee on Ways and Means
--	---

No. 22	Committee on Economic Development, then to the Committee on Ways and Means
--------	---

#### REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, February 3, 2000:

Senate Resolution	Referred to:
----------------------	--------------

No. 6	Committee on Transportation and Intergovernmental Affairs
-------	--

No. 7	Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means
-------	---

No. 8	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
-------	--

No. 9	Committee on Economic Development, then to the Committee on Ways and Means
-------	---

#### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
-------------	--------------

No. 2127	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs
----------	---

No. 2840	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means
----------	---

No. 2841	Jointly to the Committee on Economic Development, the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means
----------	--

No. 2888	Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs
----------	---

No. 3036	Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means
----------	---

No. 3142	Committee on Education and Technology, then to the Committee on Ways and Means
----------	---

No. 3193	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means
----------	--

Senator M. Ige rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I guess I was the one that raised the issue to the chair of Ways and Means. I guess I was a little bit disappointed in the letter, being that, in the past, we've had tremendous cooperation of the Ways and Means staff to work with CIP.

"Unfortunately, that burden has now been shifted to the departments, based on the memo. And for the departments to

respond to legislative add-ons is very difficult and very timely. The application is very detailed, very intricate, and to cross every 't', knowing that any of those projects could be rejected, is somewhat unfortunate. I'm just glad that the Ways and Means chairmen recognize that and will allow a little bit of leeway.

"Thank you."

#### ADJOURNMENT

At 12:15 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 7, 2000.

## THIRTEENTH DAY

Monday, February 7, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Right Reverend Stephen, Orthodox Bishop of Hawaii, The Inclusive Orthodox Church, after which the Roll was called showing all Senators present with the exception of Senator Iwase who was excused.

The President announced that he had read and approved the Journal of the Twelfth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 141 and 142) were read by the Clerk and were placed on file:

Gov. Msg. No. 141, letter dated February 2, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2878 and H.B. No. 2537, which make emergency appropriations and authorizations of \$14,039,984 from general funds to allow the Department of Health, Adult Mental Health Division, to continue to prevent the reduction or discontinuance of services to patients at the Hawaii State Hospital and to develop and provide necessary community-based services for discharged patients of the Hawaii State Hospital, under Chapter 321, HRS, for the period March 1, 2000, through June 30, 2000.

Gov. Msg. No. 142, letter dated February 4, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2755, which makes a supplementary emergency appropriation in fiscal year 1999-2000 for asbestos property damage litigation.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 2008 (Gov. Msg. No. 2):

Senator Kawamoto moved that Stand. Com. Rep. No. 2008 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of EDWARD L. CORREA, JR., as Adjutant General, term to expire December 2, 2002, seconded by Senator Bunda.

Senator Kawamoto rose to speak in support of the nomination as follows:

"Mr. President, your Committee on Transportation and Intergovernmental Affairs heard testimony in reference to Gov. Msg. No. 2, the nomination of Brigadier General Edward L. Correa, Jr., as Hawaii's Adjutant General.

"Testimony in support of the nominee indicated that General Correa is known as an individual with a strong sense of self-discipline and commitment to excellence in fulfilling his responsibilities. He has also demonstrated his ability to be an effective military commander and administrator.

"Your committee further finds that testimony also indicated that General Correa has performed the duties of his various positions with the highest integrity, superior judgment, and utmost professionalism. Mr. President, General Correa is a soldier's soldier.

"After full consideration of the background, character, experience and qualifications of General Correa, your committee finds the nominee to be highly qualified for the position of Adjutant General, and I urge all my colleagues to support this nominee.

"Again, may I present to you Brigadier General Correa and his wife Joanna." (General Correa and his wife rose to be recognized.)

Senator Bunda also rose in support of the nominee and said:

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

"Mr. President, General Correa, I believe, would be a lightening rod to our state, especially to those men and women who serve as reservists for our state.

"I know General Correa -- his style, his demeanor. In the early '70s I was a young officer candidate at the Hawaii Military Academy, trying to aspire to become one of him -- like a one-star or a two-star -- but that never came about, Mr. President. He was the senior TAC officer at the school. At that time, he was a young captain going to law school. I believe he was one of the first graduates at the law school.

"He was real gruff, real strict, and he really pushed us hard. But we endured his ways -- we endured his constant mental and physical torture. (Laughter.) I remember, Mr. President, running up and down that horrible hill, and we thought we had him; we thought we could beat him. But you know what? We had to keep up with him. Coming up the hill, we were all tired and he was ready to go another mile or two. But you know what, Mr. President? As graduation approached, we saw a different person in General Correa. He really cared for his troops; he cared for the school; and he cared for his country.

"Mr. President, General Correa is a gentleman, a fine general officer who loves his family. He has strong family values. He loves the military, and he's an inspirational person for all of us here in the state. He will undoubtedly make a mark in our state's history and will be a fine asset to our state.

"Mr. President, I strongly support this nomination."

Senator Chun added his remarks in support as follows:

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

"Mr. President, I first met General Correa when he was, in another life, a member of the Labor and Industrial Relations Appeals Board, and I feel that he did a very, very good job at that position. However, to my surprise, he left that position and went on to the Department of Defense and that caused me to think, well, Why did he want to do that? But I think it was a good move.

"The next time I saw him it was not a very good or happy situation. The next time I saw him was on Kauai, right after Hurricane Iniki, and I found out that he was the military liaison and in charge of the entire operation. I saw how hard he worked. I saw how much he cares for the people of Kauai. I saw an amazing thing happen. I saw the transformation of different units, both regular military and the national guard, working together as one, to help the people of Kauai. I saw time and time again how that cooperation transformed into the benefit for all of us. I saw how the military, which he was in charge of, helped an island struggling after Hurricane Iniki to cope with the devastation and the ruin after that and work their way out so that they can hold themselves up high, survive, and not only survive, but prosper.

"Mr. President, I'll be very candid. I think the people of Kauai owe General Correa a huge debt of gratitude because of his work on behalf of the people. And because of that, and also because I know him as a person and his hard work and his love for the people, I wholeheartedly agree with the nomination, and I ask all of my colleagues to support it.

"Thank you very much."

Senator Buen also rose in support of the nominee and stated:

"Mr. President, colleagues, I too am strongly supporting General Correa. As I've said in the Senate Transportation and Intergovernmental Affairs Committee, I don't know General Correa personally, but I do know his mother, Sister Correa. And if he is like his mother -- gentle, wonderful, a wonderful person, always thinking of putting family first -- and I heard that General Correa is just like that -- putting family first, putting his men and women first -- then I ask this body, I ask my colleagues for a unanimous confirmation of General Correa.

"Thank you, Mr. President."

Senator Anderson rose for a conflict ruling as follows:

"Mr. President, I'd like to get a ruling on a possible conflict. I do know both the nominee's mother and his wife. Also, his sister-in-law works in my office, so I'd like a ruling of a potential conflict.

"Also, with all the good things that everyone said, before I vote 'aye,' I'd like you to know that one of the other qualifications is that Portuguese boys have lots of patience. (Laughter.)

"Thank you very much."

The Chair ruled that Senator Anderson was not in conflict.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Iwase, Sakamoto).

Senator Taniguchi on behalf of Senator D. Ige, for the Committee on Education and Technology, requested a waiver of the 72-hour Notice of a Public Hearing for S.B. No. 2041, and the Chair granted the waiver.

Senator M. Ige rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, tomorrow there's going to be a measure regarding cruise ships before the Transportation Committee, and I just want to know how it was referred there and not to the Economic Development Committee who handled the bill last year? In fact, we were the lead committee. So how is it that it was by-passed and now being heard by the Transportation Committee?"

The President responded:

"If the chair would like a request for re-referral, there is a process by which the chair could follow."

Senator M. Ige continued:

"Unfortunately, Mr. President, reading the rules, we're beyond the 48-hour notice."

The Chair inquired:

"Was it the 5-day notice?"

Senator M. Ige replied:

"I think it's a 24 or 48-hour notice, and there's no rule for the chair to appeal that because Leadership Committees are exempt because of that 48-hour rule. So how does that happen now?"

"Number one, I'm not the chair, so I shouldn't be asking for the re-referral. All I'm saying is that as a member I feel slighted that we did most of the work last year. We had the priority over that measure. And I'm just standing here thinking, Why don't we have that measure? And I want to know why it was referred there and not to Economic Development? Is it that you don't have . . . I won't finish that sentence. But why wasn't it?"

The Chair responded:

"It may have been an oversight on my part. I'm not too sure."

Senator M. Ige continued:

"Mr. President, then, may I ask for a deferral of that measure and a re-referral if possible, so we have time till next Friday? Or maybe . . ."

The Chair interjected:

"I may take it under advisement."

Senator M. Ige persisted:

"Maybe I can ask the chairman of transportation if it's okay."

The President interjected again:

"I'll discuss this matter with your chair."

Senator M. Ige then said:

"Mr. President, then may I request a very short recess."

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

The Senate reconvened at 11:55 o'clock a.m.

Senator M. Ige rose again and said:

"Mr. President, on personal privilege, what was the resolve?"

The Chair answered:

"The result is that if you had come to see me personally, we could resolve this matter, but after the session I'll confer with you and the two chairs."

Senator M. Ige continued to inquire:

"So what about the hearing, Mr. President? Personal privilege, again. What about the hearing, tomorrow?"

The Chair responded:

"I will be talking to the two chairs who will be responsible for this particular bill, right after the session."

Senator M. Ige persevered:

"I respect that, Mr. President, but the hearing is tomorrow. Could I ask the chair what time is that meeting?"

The President replied:

"Let's conclude the business and we can get this matter resolved after the session is over."

Senator M. Ige then said:

"Okay, I'll succumb to the wishes of the Minority Leader here. Thank you."

Senator Slom then rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"The headline in this morning's paper is very disturbing, talking about the Japanese economy and the fact that the economy may be falling back into recession, particularly since all of our great pundits in our state tell us how closely tied we are to the Japanese and Asian economies, and that we really can't do anything on our own.

"But there are a couple of points, Mr. President, in the story that bears repeating and remembering by our members. First of all, the head of Japan's Economic Planning Agency, Mr. Taichi Sakaiya, has now predicted a sharp decline in the fourth quarter economic estimates of Japan, basically because of fallen consumer and business spending. But the interesting point is, Mr. President, as recently as January 20, Mr. Sakaiya professed confidence that the world's second largest economy had achieved positive growth in the fourth quarter, and he indicated that all conditions that remained were improving, that the economy was turning around, that the worst was behind us, and everything was good for a sustained long term recovery.

"Mr. President, I would suggest that the words of Mr. Sakaiya and the words of the head of the administration, the Governor of the State of Hawaii, seem very similar and the conditions seem very similar, as well. They are now admitting in Japan that the earlier estimates were very badly overestimated in terms of the return to the nation's vigor. And it may be recalled that in 1997, the then Prime Minister of Japan, Mr. Hashimoto, in an attempt to keep from going further into recession, raised taxes on the consumers of Japan which had an immediate effect which took and plunged the country into the deeper situation that it now finds itself in.

"The government then looked for another means of trying to deal with the situation, and that was to try to increase public spending and they launched a mammoth public spending program where they were building projects in areas where no one had asked for the services or anything else. That spending, Mr. President, has now pushed Japan's ratio of debt of its gross domestic product to 130 percent, the highest of any major economy in the world.

"Finally, the nation of Japan has been looking at the need to reduce debt, reduce spending, and reduce taxes. This is a message that all of us should pay attention to in this body here, because we're still talking about raising taxes, increasing spending, increasing our debt -- which at last measure was the sixth highest in terms of per capita debt in the United States of America.

"We've been told what we have to do and that basically is to reduce government, cut taxes, cut spending, and we're not listening. Our economy, in fact, for most people, most residents, most families, most small businesses, has in fact not turned around. Unless we listen to the siren call of those who keep telling us that everything is all right, don't worry about it, we will end up in the rocks, as well. We don't have to listen to them. We know what is right. We know what to do, and we still have time in which to do it in this session, and I would hope that my colleagues would put economic and business reform at the top of the priority list and that we don't talk anymore -- we act on doing it.

"Thank you, Mr. President."

Senator Anderson, also rising on a point of personal privilege, then said:

"Mr. President, I rise on a point of personal privilege.

"First off, I'd like to say that I didn't know that the Minority Floor Leader would make those statements, but mine are pretty close.

"I noted in the Saturday paper that the media is again bringing up the Kakaako project. It just so happens that my brother told me 'never fight with anybody who buys ink by the barrel.' The media does not mind writing skewed stories or editorials, ruining families, and ruining businesses, but they surely abuse their freedom of the press.

"I just wrote a letter to the papers, Mr. President, because I followed the Kakaako project. We try very hard in this Legislature to ask people to bring families together. We want to legislate family values. Well, let me tell you, the Kakaako project, as I looked at it, was for local people, or was going to be built for local families. It would have brought us together.

"I answered an editorial that they never printed on November 15. And that's why in Saturday's paper when they mentioned that Kakaako project, it was called foul, that Andy Anderson didn't know what he was doing, that he needed a thousand more parking stalls, and that his figures were all off. Well, let me tell you, this building is not a friendly building to the visiting public. We circumvented every law there was for parking. It's not friendly to the public. Not one of our state buildings, convention centers or otherwise, are easy on the dollar or for the public access because we circumvented our laws to push construction.

"But there's a paragraph in the editorial I'd like to read. 'That stake should have the Kakaako project . . . a stake in its heart is what is needed.' And let me tell you, Andy Anderson is my brother, and I'm damn proud of him.

"Andy has many accomplishments for himself and the people of Hawaii. When I got home in 1952 from the Army, Andy was working for Kodak of Hawaii. He then purchased Waterhouse Photo and expanded it. He then started Hawaii Ranch and Farm. He created John Dominis in Kakaako. Everyone scoffed at the idea and said, 'Where would you ever build a fine dining restaurant like that? It will be a failure.' And it's not a failure, ladies and gentlemen. And when he built it, it was for the local families. Others told him they will bring bus loads of tourists. And he said, 'You bring a bus load on my land, and I'll kick you off.' The restaurant was built for everybody, not just for one group of people.

"Andy also built John Dominis in Newport Beach. During the massive construction, the headlines in the Newport Beach paper was, 'Local boy from Hawaii makes the longest single-cement pour in the history of Newport Beach.' He also renovated Michel's Restaurant. At that time, he built on Lewers Street. If you remember, a Japanese village, a house of prostitution, illegal drug dealings and other activities surrounded that area.

"These are reasons I respond to the media. They do not share the whole picture. That's why I send in letters. The media can go ahead and editorialize by sending in an editorial, but when you answer it, they refuse to print it. When we have issues on this floor that concern the people of the state, they won't print it. And I would hope that the people, from now on, would have to start looking at other resources -- internet, fax information, or anything else -- to get the information that they need.

"Thank you very much, Mr. President. I'm sorry I held everybody up."

**ADJOURNMENT**

At 12:05 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 8, 2000.

## FOURTEENTH DAY

Tuesday, February 8, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Kyle Smith, Leeward Corps Community Center, Salvation Army, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirteenth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 143 and 144) were read by the Clerk and were placed on file:

Gov. Msg. No. 143, letter dated February 4, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2858, which makes supplementary emergency appropriations of \$4,075,000 of general funds and authorization to increase federal expenditure appropriations by \$4,243,025 in fiscal year 2000 for the Medical Assistance Program.

Gov. Msg. No. 144, letter dated February 3, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of S.B. No. 2750, which makes supplementary appropriations in fiscal year 2000 for operating expenses in the Department of Accounting and General Services, Information and Communication Services Division.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 9 and 10) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 9, returning S.B. No. 1345, S.D. 2, which passed Third Reading in the House of Representatives on February 7, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1345, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY," was deferred until Wednesday, February 9, 2000.

Hse. Com. No. 10, transmitting H.B. No. 1691, H.D. 1, which passed Third Reading in the House of Representatives on February 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

## STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2017) recommending that S.B. No. 2108, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2108, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2018) recommending that S.B. No. 2109, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2019) recommending that S.B. No. 2111 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2111, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS SALARY COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2020) recommending that S.B. No. 2117 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2117, entitled: "A BILL FOR AN ACT RELATING TO PROJECT FAITH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2021) recommending that S.B. No. 2513, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2022) recommending that S.B. No. 2514, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2514, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2023) recommending that S.B. No. 2529, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE IN NORTH KONA, HAWAII," passed



Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2024) recommending that S.B. No. 2842 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2842, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2025) recommending that S.B. No. 2843 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2843, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

### ORDER OF THE DAY

#### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 2299	Jointly to the Committee on Transportation and Intergovernmental Affairs, the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
No. 2303	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
No. 2347	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 2783	Jointly to the Committee on Education and Technology, the Committee on Commerce and Consumer Protection and the Committee on Economic Development, then to the Committee on Ways and Means
No. 3052	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

#### MISCELLANEOUS COMMUNICATION

Misc. Com. No. 9, from the Joint Legislative Committee on Early Childhood Education and Care, dated January 20, 2000, transmitting the joint legislative committee report pursuant to H.C.R. No. 120 (1998), establishing a joint legislative committee on early childhood education and care, was read by the Clerk and was placed on file.

The Chair having so ordered, Misc. Com. No. 9 is identified as ATTACHMENT "A" to the Journal of this day.

Senator Kanno, for the Committee on Commerce and Consumer Protection, requested a waiver of the 72-hour Notice of a Public Hearing on the following bills:

S.B. No. 2166;  
S.B. No. 2326;  
S.B. No. 2356;  
S.B. No. 2783;  
S.B. No. 2787;  
S.B. No. 2799;  
S.B. No. 3002;  
S.B. No. 3055; and  
S.B. No. 3143,

and the Chair granted the waiver.

Senator Anderson rose on a point of information and stated:

"Mr. President, I rise on a point of information.

"Mr. President, recently we all received a communication from Senator Ihara that we all vote on conference committees, on every conference committee. I did send a letter to everybody, and to date, I have had no response.

"Also, in the standing committees, I asked if we could have a committee report such as this and a copy of the amendments that are going to be passed on a particular bill on that day so that we could vote more intelligently. I think every committee should provide this.

"In days past, this would have been circulated and we could have signed 'yes,' 'no,' or 'indifferent,' 'aye,' 'reservations,' or 'I do not concur.' I don't expect anything that elaborate because we don't do it anymore. However, I think that we are entitled to know what the amendments are going to be. And if we're going to have to extend a little longer, Mr. President -- our deadline is internal -- we can do that. I think it's very important to finish our legislative business properly.

"I was wondering if you received my communication and if it is being considered or how are we going to work it?"

The Chair replied:

"We have asked all Senators for their input in terms of that specific proposal."

Senator Anderson continued:

"Okay. If I may, for instance, on these -- if you were running against Whitney Anderson, I'm excused from committee voting, but I go to my committee meetings. I know what the committee's bills involve and what the amendments are going to be. But I go to another committee because it doesn't have a quorum. Then I have to vote 'with reservations' because I don't know what those bills are about.

"And those are the kinds of things that are very upsetting to me because I sit on five or six different committees. So, Senator Slom and I really don't have as much opportunity as some. Some people really don't care. They'll go in and vote, regardless if they know what's on the bill or not. I don't do that.

"So those are the reasons, Mr. President. Thank you very much."

#### ADJOURNMENT

At 11:49 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 9, 2000.

**ATTACHMENT "A"****MISC. COMM. NO. 9**JNT. LEG. COM. REP. NO. 1

Honolulu, Hawaii

January 20, 2000

RE:           H.C.R. No. 120  
              H.D. 1  
              S.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twentieth State Legislature  
Interim of 1999  
State of Hawaii

Honorable Norman Mizuguchi  
President of the Senate  
Twentieth State Legislature  
Interim of 1999  
State of Hawaii

Sirs:

Your Joint Legislative Committee on Early Childhood Education and Care, appointed pursuant to H.C.R. No. 120, H.D. 1, S.D. 1, adopted by the Legislature during the Regular Session of 1998, begs leave to report as follows:

**PART I: FINAL RECOMMENDATIONS**

Your Joint Legislative Committee on Early Childhood Education and Care (Committee) believes that the goal that "all children will be safe, healthy, and ready to succeed in school" will be realized when the State enhances, develops, and coordinates early childhood education and care services. Your Committee finds that the Good Beginnings Alliance (GBA) is a critical link for early childhood education and care efforts, as GBA is the focal point for policy development, disbursement of public funds, and implementation of early childhood community plans.

After two years of discussions and presentations on the status of the statewide early childhood education and care system, your Committee finds that the components of a quality system of care are in place, and that GBA is truly the link and focal point for policy development, disbursement of public funds, and implementation of early childhood community plans. Therefore, your Committee recommends that the Legislature:

- (1) Make GBA a permanent coordinating structure that cuts across existing social service systems to coordinate early childhood services for families with young children, as well as appropriate funds to implement GBA's initiatives;
- (2) Support the Department of Human Service's (DHS) budget request, and give DHS the flexibility to meet early childhood education and care demands; and

- (3) Support the Office of Community Services' (OCS) budget request for Head Start programs.

Your Committee believes that these recommendations will ensure the development of a comprehensive early childhood education and care system by:

- (1) Supporting GBA's partnership with communities to create statewide public education campaigns regarding the importance of quality early childhood experiences;
- (2) Supporting DHS' efforts to provide higher child care subsidy reimbursement rates to National Association for the Education of Young Children (NAEYC) accredited preschools and licensed providers;
- (3) Maintaining and expanding the executive budget request of \$39,000,000 in child care subsidies for low-income and gap group families to provide early childhood education and care;
- (4) Encouraging the Director of Health's advisory group, established in section -4 of Act 304, Session Laws of Hawaii (SLH) 1999, to recommend a substantial proportion of the Tobacco Settlement Special Funds for prevention in the areas of maternal and child health and development programs, such as an expansion of Healthy Start and early childhood education and care;
- (5) Encouraging the executive branch to explore additional resources for professional training for early childhood providers;
- (6) Supporting GBA's efforts to increase a child's readiness to succeed in school by partnering with Alii Trust and the government to expand the availability of Keiki Play Mornings and other community-based initiatives that strengthen parent-child quality interaction;
- (7) Maintaining and expanding state funding for Head Start in OCS' budget, while better utilizing funds to expand it to a full-day/full-year child care program; and
- (8) Supporting the partnership between GBA and the Department of Education (DOE) to provide early childhood programs in school settings -- "getting children ready for school, and schools ready for children."

Through GBA, the Legislature will be able to continue monitoring the development of a coordinated system that is dedicated to enhancing and developing early childhood education and care services.

## **PART II: IMPORTANCE OF EARLY CHILDHOOD EDUCATION AND CARE**

Recent research reveals that infants' brains develop earlier and more rapidly than previously understood, and that the early years of a child are most crucial in the child's cognitive, emotional, social, and physical development. A growing body of research indicates that good early childhood education and care programs can lead to school success, reduced delinquency and crime, and better job opportunities and productivity in both the short- and long-term.

Several recent multistate studies specifically found that quality child care is associated with better language and cognitive skills. A National Institute of Child Health and Human Development study found that children in child care centers that met more quality standards had better language comprehension and school readiness, and had fewer behavioral problems. The study, which tracked children through their first eight years, also found that higher quality care was related to better mother-child relationships.

A 1999 update of another study, "Cost, Quality, and Child Outcomes in Child Care Centers," indicated that the quality of care matters. It confirmed early findings that children in good quality child care centers are more likely to have better academic and social skills by the time they enter second grade. Specifically, this longitudinal study linked high child care classroom quality with better language and math skills. At the same time, it found that children who attended child care centers where there were good child-teacher relationships had better social skills and fewer behavioral problems.

Other research has connected early childhood education and care with positive long-term child outcomes. It was found that good early childhood education and care programs for low-income children lead to academic success, better job achievement, and half as many arrests later in life. Studies have established overwhelming evidence that early childhood education and care programs can produce sizable improvements in school success. Four random studies on children in early childhood education and care programs found long-term, statistically significant positive effects on standardized achievement tests that measure reading and math ability and knowledge. A 1998 RAND report summarized several research projects that found early intervention programs, such as comprehensive preschool programs, generate savings to the government through increased tax revenues, decreased welfare outlays, reduced spending on health, education, and social services, and lower criminal justice costs.

Neuroscience research in early brain development, as well as studies in early child development, affirm not only the tremendous opportunities for preventive work with children and families, but also the predictable, costly consequences of not doing so.

### **PART III: GOOD BEGINNINGS ALLIANCE**

GBA, established by Act 77, SLH 1997, is a public-private partnership charged with the responsibility to improve early childhood outcomes through the development of quality early childhood education and care and related family support services. Specifically, GBA must develop policy recommendations concerning all aspects of a coordinated early childhood education and care system, including coordination strategies, resource development, and advocacy, more particularly described in the Good Beginnings Early Childhood Education and Care Master Plan.

During its first year of formal operation, collaborative efforts were focused on two primary goals to:

- (1) Build and solidify a partnership framework at the community, county, and state levels with the capacity of positively impacting child and family outcomes; and
- (2) Increase public awareness of the importance of a child's early years to assure healthy child outcomes and school readiness.

During the second year of formal operation, GBA partners were committed to further strengthening its operational framework, increasing its capacity to impact primary outcomes predominantly at the community level, and, most importantly, garnering broad support around early childhood indicators. The collaborative efforts focused on the following outcomes:

- (1) Increase public awareness of the importance of early childhood;
- (2) Adopt a results-based accountability system linking performance and child outcomes; and
- (3) Establish a community-based system that is responsive to the health, education, and family support needs of Hawaii's families.

GBA has made substantial progress in addressing these outcomes. To reach the goal that "all of Hawaii's children will enter school safe, healthy, and ready to succeed in school," GBA has established partnerships in the areas of school readiness, nutrition, and quality enhancement.

Additionally, GBA has organized its activities into the following five areas:

- Policy activities include developing child outcomes and indicators; acting as a resource for legislators; presenting partnership plans to the Interdepartmental Council; developing policy positions for the GBA Board of Directors; and identifying state, county, and community needs for service integration around common outcomes and indicators;
- Finance activities include the perpetuation of Alliance Office and activities and working with potential partners (philanthropy, Native Hawaiian Consortium, Legislature, businesses, and county and state agencies) to finance systems development at the state and county levels;
- Supporting Community Councils activities include grant writing (with an emphasis on evaluation and data), financial forecasting, presenting plans, Keiki Contacts, and providing technical assistance as needed;
- Public Awareness/Communication campaigns include GBA's website ([www.goodbeginnings.org](http://www.goodbeginnings.org)), Connections, newsletters, and activities such as Child Watch, Hoolaulima No Na Keiki, and the Speaker's Bureau; and
- Specific Activities include increasing the quality of informal child care, including health and safety packets and Keiki Contacts; facilitating parent leadership development and community mobilization; and supporting efforts to develop a framework and financing for early childhood practitioner training.

GBA is currently attempting to leverage resources through community partnerships to increase services for young children. Additionally, GBA is coordinating the Prenatal to Five Visioning Project to determine the highest priorities of needed services for the prenatal to five age group. The overall goal is to have a sustainable organization that is guided by well-defined child, program, and system-level outcomes that reflect public priorities.

#### **PART IV: HAWAII'S INVESTMENT IN CHILDREN**

According to Hawaii Kids Watch Children's Budget Analysis, Hawaii invested a total of \$1,800,000,000 in programs for children in 1997 out of a total of \$15,800,000,000 in spending for the same year (funds from federal, state, and county government programs and private funds from foundations, trusts, and grant-making agencies are included). This averages to \$5,946 for each child in Hawaii under age eighteen. Although only one person in four is a child, only \$1 out of \$8 is spent for children.

Of the \$1,800,000,000 in spending for children, only four percent, or \$72,000,000 is spent for early childhood education and care programs. Both the state and federal governments contribute \$30,240,000 (42%) each, private funds contribute \$10,800,000 (15%), and county funds contribute \$720,000 (1%) for this population.

Approximately \$68,400,000, or 94%, of the \$72,000,000 for early childhood education and care services go toward five major programs: twenty-two percent for the Dependent Care tax credit; twenty-two percent for DHS child care; nineteen percent for Head Start; eighteen percent for A-Plus Afterschool Care; and thirteen percent for Kamehameha Schools Bishop Estate Preschools. The remaining five percent is spent on all other programs.

#### **PART V: PROCEEDINGS OF THE JOINT LEGISLATIVE COMMITTEE ON EARLY CHILDHOOD EDUCATION AND CARE**

##### **A. Establishing the Committee**

In 1998, H.C.R. No. 120, H.D. 1, S.D. 1, established your Committee that was composed of eleven members: six members from the House of Representatives, with at least one member each from the Committees on Human Services and Housing, Health, Education, Labor and Employment, and Finance, and one member from the minority party, all to be appointed by the Speaker of the House of Representatives; and five members from the Senate, with at least one member each from the Committees on: Human Resources, Health and the Environment, Education, and Ways and Means, and one member from the minority party, all to be appointed by the President of the Senate.

The members were Representative Dennis Arakaki and Senator Suzanne Chun Oakland, Co-Chairs, Representatives Ezra Kanoho, Alex Santiago, David Stegmaier, Nobu Yonamine, and Barbara Marumoto, and Senators David Ige (replacing Senator Brian Kanno), Marshall Ige, Andrew Levin, and Sam Slom.

Your Committee was charged with the following responsibilities:

- (1) Support GBA in the implementation of its duties as delineated in the Good Beginnings Early Childhood Education and Care Master Plan;
- (2) Recommend reallocation of public funds for early childhood education and care;
- (3) Encourage maintaining current levels of funding for early childhood programs and support services;
- (4) Encourage integrated and responsive policy and program plans that focus on the period before birth through the first five years of life in which all state agencies serving children and families shall consider;
- (5) Support the development of a data collection system to track outcomes and program effectiveness;
- (6) Support the State's interdepartmental efforts to implement Title XXI to assure health care coverage for all children in the State;
- (7) Encourage expanding incrementally the capacity of intensive home visitation services through Healthy Start, or other appropriate programs, to meet apparent needs;
- (8) Support the development of a comprehensive, community support system that will:
  - (A) Allow for local decision-making and embrace collaborative approaches to community engagement and oversight;
  - (B) Place a strong focus on achieving results; and
  - (C) Facilitate the creation of flexible financing systems and strategies that link funding to results;
- (9) Adopt a result-based accountability system using benchmarks and indicators to:
  - (A) Set goals to focus and coordinate efforts across agencies, between higher and lower levels of government, and between public and private groups at all levels of government;
  - (B) Track outcomes to provide for informed policy decisions impacting programs and resource allocation; and

- (C) Evaluate programs and policies to determine which programs and policies are effective, and to shed light on reasons for the successes or failures;

and

- (10) Develop a plan of action to implement its recommendations.

## **B. 1998 Legislative Interim**

During the 1998 legislative interim, your Committee held a series of four public meetings for input and discussion at the State Capitol on November 6 and December 1, 17, and 30, 1998.

Information was provided by the Office of the Governor, DOE, the Department of Health (DOH), DHS, UH, the City and County of Honolulu, GBA, the Childcare Business Coalition, Children's Hope International/Asian Media, Family Support Centers, HAEYC, the Hawaii Head Start State Collaboration Project, Hawaii Kids Watch, INPEACE, Kahoolauloa Community Center, MothersCare for Tomorrow's Children, People Attentive to Children, Prevent Child Abuse Hawaii, Queen Liliuokalani Children's Center, Seagull Schools, and a number of individuals.

Presentations to your Committee included additional information on the importance of developmental, cognitive, and social growth in the early years, and the need to design an integrated comprehensive, family-centered delivery system to meet the needs of the whole child.

Your Committee received an overview of current programs in support of early childhood education and care, including the Office of the Governor's focus on children and families; DOE's Primary School Adjustment Project, special education for pre-schoolers, Families for REAL (Resources for Early Access to Learning), Sequenced Transition to Education in the Public Schools, Goals 2000 Grants, and Kindergartners are Most Precious; DOH's Childhood Lead Poisoning Surveillance Project, the Children's Trust Fund, Child Death Review, and programs under DOH's Children and Youth Services Section, Maternal and Child Health Branch, the Psychosocial Support Services Section, the Preschool Development Screening Program, the Family Planning Services Section, the Perinatal Support Services Section, and the Hawaii Early Intervention Coordinating Council; as well as the current level of subsidies for child care to low-income families by DHS.

GBA reported on its activities and priorities for the future and Hawaii Head Start discussed its efforts in collaboration with the State. Presentations were made by Family Support Centers, the Childcare Business Coalition, MothersCare for Tomorrow's Children, and HAEYC.

## **C. Recommended 1999 Legislation**

As a result of its meetings, your Committee recommended for the 1999 legislative session the Omnibus Early Childhood Education and Care bill (Omnibus Bill). The Omnibus Bill attempted to:

- (1) Establish a revolving loan fund that makes loans of up to \$25,000 to start or expand family child care homes or centers;
- (2) Expand the number of child care subsidies to increase the number of children in licensed child care programs;
- (3) Expand and continue the Accreditation-Mentor Project for Early Childhood program;
- (4) Support GBA as it supports the county and statewide efforts to coordinate programs and outcomes in the early childhood arena;
- (5) Expand the Families for REAL project beyond the three current schools;

- (6) Expand the Keiki Play Mornings program;
- (7) Continue to fund programs for pregnant and parenting teens; and
- (8) Provide funding for Childcare Development Associate Training credentials.

In support of the teen pregnancy and parenting programs, your Committee also recommended a concurrent resolution requesting the Board of Education to make parenting classes mandatory.

The Omnibus Bill, as written, did not pass the 1999 Legislature. The House version (H.B. No. 260) was amended to include only a provision to provide a means for early childhood screenings by the time a child reaches the age of three. However, this measure was vetoed by the Governor. The Senate version (S.B. No. 192) failed to pass third reading in the Senate.

While the Omnibus Bill was the only bill submitted on behalf of your Committee, there were many other pieces of legislation of particular interest to your Committee. These included issues such as child care in townhouses; breastfeeding in the workplace; appropriation of funds to provide early intervention screening services to identify infants and children with special needs and to identify children from birth to three years of age who may fall in the Felix class; and the use of the Hawaii Tobacco Settlement Special Fund to fund, among other things, maternal and child health and child development programs.

#### **D. 1999 Legislative Interim**

During the 1999 legislative interim, a series of meetings for input and discussion were held at the State Capitol on May 27, July 7, September 8, October 6, November 3, and December 1, 1999.

During this time, your Committee discussed and heard presentations on service integration, GBA's focus on activities, updates on family care in townhouses, family-friendly policies in business, early childhood screenings, the Head Start State Collaboration Project, financing early childhood education and care, networking and education efforts, child outcome measures, professional preparation, intervention services for the three-to-five-year-old age group, DHS child care, the Children's Budget Analysis, and the Prenatal to Five Visioning Project.

Your Committee will recommend three bills, to be introduced in both the House and the Senate, incorporating these ideas for consideration during the 2000 legislative session.

### **PART VI: CONCLUSION**

Your Committee was very successful in following through with its responsibilities as specified in H.C.R. No. 120, 1998. Through the process of its deliberations, drafting, and introducing the Omnibus Bill, your Committee publicly stated its priorities in the areas of supporting GBA, reallocating public funds for early childhood education and care, encouraging maintaining current levels of funding for early childhood programs and support services, and encouraging policies and programs that focus on the period from birth through age five.

During the 1999 interim, your Committee assessed and monitored the development of a coordinated system for early childhood services by listening to presentations from the early childhood education and care community. Your Committee found that the components of a quality system of care were in place, and that GBA was truly the link and focal point for policy development, disbursing of public funds, and implementation of early childhood community plans. Through GBA, the Legislature will be able to continue to monitor the development of a coordinated system that is dedicated to enhancing and developing early childhood education and care services.

Therefore, your Committee recommends that the Legislature:



- (1) Make GBA a permanent coordinating structure, as well as appropriate funds to implement GBA's initiative;
- (2) Support DHS' budget request, and give DHS the flexibility to meet early childhood education and care demands; and
- (3) Support OCS' budget request for Head Start programs.

Respectfully submitted,

MEMBERS ON THE PART OF THE  
SENATE

MEMBERS ON THE PART OF THE  
HOUSE

/s/ Suzanne Chun Oakland  
SUZANNE CHUN OAKLAND, Co-Chair

/s/ Dennis A. Arakaki  
DENNIS A. ARAKAKI, Co-Chair

/s/ David Y. Ige  
DAVID Y. IGE, Member

/s/ Ezra R. Kanoho  
EZRA R. KANOHO, Member

/s/ Marshall K. Ige  
MARSHALL K. IGE, Member

/s/ Alexander C. Santiago  
ALEXANDER C. SANTIAGO, Member

/s/ Andrew Levin  
ANDREW LEVIN, Member

/s/ David D. Stegmaier  
DAVID D. STEGMAIER, Member

/s/ Sam Slom  
SAM SLOM, Member

/s/ Noboru Yonamine  
NOBORU YONAMINE, Member

/s/ Bertha F.K. Leong  
BERTHA F.K. LEONG, Member

## FIFTEENTH DAY

Wednesday, February 9, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:33 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Reef Makue, Jesus Christ is Calling You Ministry, after which the Roll was called showing all Senators present with the exception of Senators Anderson, D. Ige and Taniguchi who were excused.

The President announced that he had read and approved the Journal of the Fourteenth Day.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 145, letter dated February 8, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2872 and H.B. No. 2531, which make emergency appropriations and authorizations for \$14,500,000 from general funds to allow Hawaii Health Systems Corporation (HHSC) to continue to provide health services in their twelve facilities for the period March 1, 2000, through June 30, 2000, was read by the Clerk and was placed on file.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 23 and 24) were read by the Clerk and were deferred:

## Senate Concurrent Resolution

No. 23 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION ON THE SUBJECT OF JUDICIAL TAXATION."

Offered by: Senator Matsuura.

No. 24 "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF THE REGULATION OF GEOLOGISTS."

Offered by: Senator Matsuura.

## STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2026) recommending that S.B. No. 2444 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2444, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TREATMENT OF VICTIMS OF INTRAFAMILIAL CHILD SEXUAL ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2027) recommending that S.B. No. 2447 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2447, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2028) recommending that S.B. No. 2456 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2456, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BLUEPRINT FOR CHANGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2029) recommending that S.B. No. 2608 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2608, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2030) recommending that S.B. No. 2700, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2700, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATEWIDE PRENATAL OUTREACH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2031) recommending that S.B. No. 2442, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2442, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2032) recommending that S.B. No. 2446, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2446, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2033) recommending that S.B. No. 2062, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2034) recommending that S.B. No. 2007, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2007, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2035) recommending that S.B. No. 2112, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2112, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2036) recommending that S.B. No. 2221 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2221, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2037) recommending that S.B. No. 2415 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2415, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2038) recommending that S.B. No. 2473, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS DEFENDER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2039) recommending that S.B. No. 2528 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2528, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY REPAIR AND MAINTENANCE OF HAMAKUA DITCH FACILITIES,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2040) recommending that S.B. No. 2530 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2530, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2041) recommending that S.B. No. 2549, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION TAX CREDITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2042) recommending that S.B. No. 2948, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2948, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### MATTERS DEFERRED FROM TUESDAY, FEBRUARY 8, 2000

#### AGREE/DISAGREE

S.B. No. 1345, S.D. 2 (H.D. 2):

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 1345, S.D. 2, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President and members, this is merely the correction to the measure which we passed last year, which is the adjustment to the judicial salaries. We have reviewed the bill and found it to be acceptable as to the prior agreement and understanding between the House and the Senate.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1345, S.D. 2, and S.B. No. 1345, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY," was placed on the calendar for Final Reading on Thursday, February 10, 2000.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President and colleagues, this is the fifteenth day of our sixty-day session. One quarter of the session is gone already,

and we look back to see what we've done. And we see that we've passed one bill. One bill has been signed into law by the governor, Act 1, and that's the one that pays for us and pays for the legislative session and the legislative agencies attached to it -- nearly \$20 million.

"At the beginning of this session, we had a lot of discussion from the community when we visited with our constituents during the interim. They said that they wanted action and they wanted urgent action on several areas -- fireworks, fluoridation, guns and criminal control -- and to date, we have not acted upon these measures.

"Those people in the business community, Mr. President, are still waiting to have us do some things that are constructive, that will actually improve our business climate and lift us out of last place in all of the rankings compared to the other 49 states. We haven't done that.

"What we have done is heard bills to remove some of the business reforms advocated by the governor and others during the centerpiece of the governor's legislation for the year 2000 -- his third try at civil service reform. And frankly, Mr. President, I must say that I'm embarrassed if that's the best presentation that could be made, if that's the best that we could have out of a 184-page bill -- when the sponsors of the bill could not even answer the simplest questions; where they overlooked and forgot to put things in the bill; when they talked about collaboration with various parties and in fact there was no collaboration when the final version of the bill came out of left field. When this is what the chief executive is pinning his hopes on for reform this year, I'm not a betting or gambling man, Mr. President, but I wouldn't bet any money on having this bill in its present form get through the Senate, let alone the Legislature.

"Many of my colleagues and I were at the Capitol auditorium until 10:30 last night for a four-hour public hearing on the centerpiece of the governor's legislation for the year 2000 -- his third try at civil service reform. And frankly, Mr. President, I must say that I'm embarrassed if that's the best presentation that could be made, if that's the best that we could have out of a 184-page bill -- when the sponsors of the bill could not even answer the simplest questions; where they overlooked and forgot to put things in the bill; when they talked about collaboration with various parties and in fact there was no collaboration when the final version of the bill came out of left field. When this is what the chief executive is pinning his hopes on for reform this year, I'm not a betting or gambling man, Mr. President, but I wouldn't bet any money on having this bill in its present form get through the Senate, let alone the Legislature.

"So the good news is one quarter of the session is gone, three quarters still remain. But I don't sense an urgency within this 2000 Legislature to do the things that the public has told us over and over and over again that they want done. We have had other bills that talk about other things that they're not interested in. And because we don't have initiative and because we don't have referendum and because we don't have statewide recall, the public feels left out. And more people say that they're not going to vote or participate, which would be a shame. So we have to do everything that we can to encourage them to participate. But one of the first things that we can do is to act, and act responsively and act quickly. The sense of urgency is out in our community, but the public doesn't see it here.

"I'm hoping that the half-empty glass, half-full glass, will become much fuller by the end of our session.

"Thank you, Mr. President."

Senator M. Ige also rose on a point of personal privilege and stated:

"Mr. President, I rise, as well, on a point of personal privilege.

"Mr. President, I just want to echo some of the comments that our Minority Floor Leader made. Last night we were at the hearing. In reading the bill, you cannot help but get a sense of, you know like, hope, when the bill says to the effect that 'and is

a product of collaboration among the stake holders.' I think the Minority Floor Leader accurately described how difficult that meeting was when you have unions saying that it was an ill-conceived strategy, that the bill was hopelessly confused and convoluted and that it was created with haste and carelessness.

"You know, Mr. President, this supposedly is the issue for us, the elected officials. We're going to have to deliver on this bill. But seeing how polarized both sides are, just based on last night, I begin to wonder, and my hope slips to, I guess, hopelessness. And I just hope that this Senate can continue working hard, even if it may seem insurmountable, to bring the parties together. I think having a caucus on fireworks is great, but I think we should also look at priorities like this that are very important, not just to us but the next generation.

"So Mr. President, I hope that we, as I said, can continue working together and come up with a reasonable package dealing with civil service, because, Mr. President, you were there last night and you heard the testimony, it was not good. And unless we bring the people together and start talking about true collaboration, we're going to be in deep trouble -- the people that will be up for re-election, and I'm one of them.

"Thank you, Mr. President."

Senator Chun, also rising on a point of personal privilege, then said:

"Mr. President, I rise on a point of personal privilege.

"Unlike some of the other members that were there last night, I kind of enjoyed myself. It was long and it was tedious, but I think a lot of the issues were talked about. They were brought out. We actually saw where the inconsistencies were within that bill. It was an admirable stab, I guess, in trying to formulate some kind of reform in the civil service. But as the night wore on, it became clear that there were a lot of internal inconsistencies. And there were a lot of policy decisions that were not even mentioned that demanded to be mentioned. And I think we can go forward from there to draft a bill that really addresses the real needs of the civil service laws and the real needs of the workers and the real needs of the managers to get together and the tools to go forward.

"I thought it was a pretty good meeting. I thought the issues were there. I think now the work lies with the committee members and the committee chairs and us, to roll up our sleeves, draft a bill that we feel will accurately reflect what are the needs of the system and to address the needs of both sides. So I look forward to that, and I think it's a good challenge, and thank you for reminding us that we need to go forward from there."

Senator Nakata rose on a point of personal privilege as follows:

"Mr. President, I also rise on a point of personal privilege.

"I appreciate the comments on the hearing last night. It laid out the enormity of the task before us. I want to assure the Senate that our committee will do all it can to bring something together that we can be proud of.

"Thank you."

Senator Levin then rose on a point of personal privilege and said:

"Mr. President, I, too, rise on a point of personal privilege.

"On the issues discussed, I certainly share the views that civil service reform is a major issue that we must address. And I wanted to thank the chair of the Labor Committee, as well as leadership, for scheduling the caucus on civil service reform that we already had. We brought the proper attention to this

issue. We're devoting the proper time to it. And I certainly hope that members will cooperate and work with the chair and leadership to come up with the best possible solution.

"Thank you."

**ADJOURNMENT**

At 11:49 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 10, 2000.

## SIXTEENTH DAY

Thursday, February 10, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Charles Carpenter, District Superintendent of the Missionary Churches of Hawaii, after which the Roll was called showing all Senators present with the exception of Senator Matsuura who was excused.

The President announced that he had read and approved the Journal of the Fifteenth Day.

Senator Slom, with the assistance of Senators Kanno, Matsunaga, Chun Oakland and Ihara, recognized and congratulated the following new inductees to the Junior Achievement Hawaii Business Hall of Fame: James Campbell, who was represented by Quentin Kawanakoa; Ethel Murphy; George Fukunaga, who was represented by his wife Alice Fukunaga; Dr. Ralph Hook; and Jean Fukuda, who was represented by her husband, Wayne Fukuda. Accompanying the new inductees were Larry Richardson and Susan Stuart representing Junior Achievement.

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

The Senate reconvened at 11:59 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 146 to 170) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 146, letter dated February 9, 2000, stating that there is no longer a requirement for an emergency appropriation for S.B. No. 2757, which makes a supplementary emergency appropriation in fiscal year 1999-2000 for gasoline antitrust litigation costs because the court has ruled that the state may apportion a partial amount of settlement moneys for litigation costs, was placed on file.

Gov. Msg. No. 147, submitting for consideration and consent, the nomination of RICHARD W. POLLACK to the office of Judge, 7th Division, Circuit Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 148, submitting for consideration and confirmation to the Board of Directors, Agribusiness Development Corporation, the nominations of BERT L. HATTON, LARRY G. JEFTS, DENIS C.H. KAM, CHRIS J. KANAZAWA, YUKIO KITAGAWA, DIANE L. LEY, ALLAN A. SMITH and ROBERT S. SUTHERLAND, terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 149, submitting for consideration and confirmation to the Board of Agriculture, the nomination of WESLEY H.C. WONG, JR., term to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 150, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nominations of KENNETH R. JOYNER, LANCE M. MARUGAME and RICHARD Y. MITSUMORI, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 151, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of ROBERT E. KLEIN, D.C., term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 152, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of ALLICYN HIKIDA TASAKA, term to expire June 30, 2004, was referred to the Committee on Judiciary.

Gov. Msg. No. 153, submitting for consideration and confirmation to the Civil Service Commission, the nominations of RICARDO MEDINA and TOM SUGITA, terms to expire June 30, 2004, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 154, submitting for consideration and confirmation to the Credit Union Advisory Board, the nomination of BARTON M. SEXTON, term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 155, submitting for consideration and confirmation to the Defender Council, the nomination of DANA S. ISHIBASHI, term to expire June 30, 2002, was referred to the Committee on Judiciary.

Gov. Msg. No. 156, submitting for consideration and confirmation to the Board of Trustees, Deferred Compensation Plan, the nomination of LLOYD Y. KIMURA, term to expire June 30, 2004, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 157, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of GERALD M. YAMAMOTO, term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 158, submitting for consideration and confirmation to the Hawaii Community Development Authority, the nominations of: MICHAEL N. GOSHI, terms to expire June 30, 2000 and June 30, 2004; PATRICK K. KOBAYASHI, term to expire June 30, 2002; and LORI ANN C. LUM, term to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 159, submitting for consideration and confirmation to the Hawaii Performance Partnerships Board, the nominations of: LLOYD I. UNEBASAMI, term to expire June 30, 2002; LORRAINE H. AKIBA and KATHRYN S. MATAYOSHI, terms to expire December 2, 2002; and IRVING LAUBER, TARA LULANI MCKENZIE, RANDOLPH G. MOORE, JANIS A. REISCHMANN, FAITH SERENO REX and RUTHANN S. YAMANAKA, terms to expire June 30, 2004, was referred to the Committee on Ways and Means.

Gov. Msg. No. 160, submitting for consideration and confirmation to the Hawaii Teacher Standards Board, the nomination of LORRAINE HENDERSON, term to expire June 30, 2001, was referred to the Committee on Education and Technology.

Gov. Msg. No. 161, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nominations of: WONDA MAE AGPALSA, term to expire June 30, 2003; and MILTON PA, term to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 162, submitting for consideration and confirmation to the Hoisting Machine Operators Advisory Board, the nominations of GARY MCKEAGUE and CLAYTON E. WINGER, terms to expire June 30, 2004, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 163, submitting for consideration and confirmation to the Board of Directors, Housing and Community Development Corporation of Hawaii, the nominations of DON S. FUJIMOTO and NADINE K. NAKAMURA, terms to expire June 30, 2004, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 164, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of LYNN P. MCCRORY, term to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 165, submitting for consideration and confirmation to the Land Use Commission, the nominations of: BRUCE A. COPPA, terms to expire June 30, 2000, and June 30, 2004; and LAWRENCE N.C. ING, term to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 166, submitting for consideration and confirmation to the Board of Medical Examiners, the nominations of: RONALD Y. FUJIMOTO, D.O., and DAVID T. LEE, D.O., terms to expire June 30, 2003; and PATRICIA L. BLANCHETTE, M.D., term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 167, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nominations of GEORGE W. MAIOHO and PAUL K. ELIA, terms to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 168, submitting for consideration and confirmation to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, the nomination of ROBERT K.U. KIHUNE, term to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 169, submitting for consideration and confirmation to the Public Utilities Commission, the nomination of GREGORY G.Y. PAI, PH.D., term to expire June 30, 2006, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 170, submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nominations of: WALTER NUNOKAWA, PH.D., terms to expire June 30, 2000 and June 30, 2004; and CHARLES KAWAKAMI, term to expire June 30, 2004, was referred to the Committee on Education and Technology.

#### STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2043) recommending that S.B. No. 2426, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2044) recommending that S.B. No. 2427 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2427, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2045) recommending that S.B. No. 615, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION, TO ADD A SECTION ON CRIME VICTIMS' RIGHTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 14, 2000.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2046) recommending that S.B. No. 2323 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2323, entitled: "A BILL FOR AN ACT RELATING TO CEDED LAND REVENUES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2047) recommending that S.B. No. 2551, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2551, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2048) recommending that S.B. No. 2844 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2844, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2049) recommending that S.B. No. 289, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Government Operations and Housing.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No.

289, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was recommitted to the Committee on Government Operations and Housing.

### ORDER OF THE DAY

#### FINAL READING

S.B. No. 1345, S.D. 2, H.D. 2:

Senator Chumbley moved that S.B. No. 1345, S.D. 2, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

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

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

"Just a couple of thoughts on this measure. As the famed philosopher 'anonymous' once stated, 'There is nothing wrong with making mistakes; just don't respond with encores.' And as Tallulah Bankhead once stated, 'If I had to live my life again, I'd make the same mistakes -- only sooner.'

"Mr. President, perhaps if we had made our mistakes with this bill sooner in last year's session, we could have corrected it in 1999. As it is, let's make sure we correct it now. Please join me in supporting this bill that fulfills our promise to Hawaii's judges.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1345, S.D. 2, and S.B. No. 1345, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 1 (Kanno). Excused, 5 (Bunda, Iwase, Matsuura, Tanaka, Taniguchi).

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Wednesday, February 9, 2000:

Senate Concurrent Resolution	Referred to:
No. 23	Committee on Judiciary
No. 24	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

#### RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
No. 289, S.D. 1	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

#### MISCELLANEOUS COMMUNICATION

Misc. Com. No. 10, from the County of Kauai Police Department dated January 13, 2000, transmitting the 1999

Annual Report on Misconduct and Disciplinary Action Regarding Police Officers, pursuant to Act 242, SLH 1995, was read by the Clerk and was placed on file.

Senator M. Ige rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I think all of you would agree that there is nothing more important in what we do here than to insure and protect the safety and welfare of our children both at home and at school. We owe this obligation to them as parents, responsible adults, and legislators.

"I have recently been made aware of a serious problem that may exist in the state's A+ After School Program, currently implemented and in place at the majority of our elementary schools and currently contracted to Kamaaina Kids. I have recently received very distressing and shocking information that the policy of the BOE in hiring on-site staff members for the A+ After School Program is to allow a prospective applicant to be allowed to work at the schools prior to a complete background and, particularly, a criminal history check being completed. This basically means that there may be individuals that are being hired by the state and given access to the schools and our children prior to finding out whether they have a history of committing criminal acts and particularly criminal acts of violence.

"I am sure you'll all agree that as parents and responsible adults, that we would not condone or allow such a dangerous condition to exist anywhere, and certainly not in our schools. It gets worse. I'm afraid to say, that such a condition exists and has existed for some time now. There has apparently been at least one such incident where an individual applying for an A+ staff position at a Windward elementary school was allowed to work at the school prior to the BOE receiving the results of the criminal history background check. We have later learned that this individual had numerous convictions of crimes of violence including robbery and weapons convictions. This individual had apparently been allowed to work at the school for several months until making the discovery of his prior violent criminal history.

"I said it would get worse. Well, apparently after this individual was released, another individual who also possessed a criminal history of crimes of violence was hired by the A+ program at the same school. And that individual may still be working at this school with access to our children.

"My question, and I'm sure the question in the minds of all parents in the state, is whether such a defective hiring policy exists in the state's A+ program. And if so, how did it happen and what are we going to do about it? If it was important enough for us to require a policy of conducting criminal checks for these A+ applicants, why isn't it important enough for us to wait for the results?

"Mr. President, this issue is so crucial that I'm asking that we use Senate Rule No. 84, Questions to state officers, at this time. Mr. President, Rule 84 is self-explanatory and I have a letter that I'd like to read, directed to Dr. LeMahieu at the Department of Education:

"Dr. LeMahieu:

It's been brought to my attention that an A+ program on the Windward side has hired a person convicted of robbery. Will you please verify this allegation?

With warm personal regards, I remain

Sincerely,

/s/Marshall K. Ige



Marshall K. Ige  
State Senator  
Kailua to Kaneohe'

"Mr. President, may I request that the Clerk deliver this letter to Mr. LeMahieu and ask for a response within the Rule 84 guideline of 24 hours."

At this time, the President ordered the Clerk to deliver Senator M. Ige's letter to Dr. LeMahieu.

Senator M. Ige then said:

"Thank you, Mr. President."

#### **ADJOURNMENT**

At 12:08 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 11, 2000.

## SEVENTEENTH DAY

Friday, February 11, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dennis Koshko, St. Anthony's Church, Kailua, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Iwase and Nakata who were excused.

The President announced that he had read and approved the Journal of the Sixteenth Day.

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

Senator Matsunaga introduced and congratulated the following winners of the 1999-2000 Spark Matsunaga Peace Poster Contest: Kit Man Ho, grand prize winner; and Aimee Shaw and May Arvie Godoy, merit winners.

Senator Kawamoto, on behalf of President Mizuguchi and himself, introduced two distinguished officials from the Republic of the Philippines -- the Honorable Luis "Chavit" Singson, Governor of the Province of Ilocos Sur; and the Honorable Fred Fegeras, Mayor of Santa Domingo, Province of Ilocos Sur.

Senator Taniguchi then introduced Coach Les Murakami of the University of Hawaii Rainbow Baseball Team and congratulated him on receiving the distinguished honor of being a Year 2000 inductee to the American Baseball Coaches' Hall of Fame.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 171, letter dated February 8, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2791, which appropriates \$2,132,595 in general funds in FY 1999-2000 to pay the federal government its share of health insurance rebates and rate credits received by the general fund during FY 1999-2000, was read by the Clerk and was placed on file.

## SENATE COMMUNICATION

Sen. Com. No. 1, notice to the Governor dated February 11, 2000, transmitting S.B. No. 615, S.D. 1, which proposes amendments to the Hawaii State Constitution, was read by Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

"February 11, 2000

The Honorable Benjamin J. Cayetano  
Governor of the State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

Dear Governor Cayetano:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following Senate Bill, a copy of which is attached hereto:

S.B. 615, S.D. 1

'PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION, TO ADD A SECTION ON CRIME VICTIMS' RIGHTS'

Respectfully,

/s/ Paul T. Kawaguchi  
Paul T. Kawaguchi  
Clerk of the Senate"

## STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2050) recommending that S.B. No. 2142, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2142, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 14, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2051) recommending that S.B. No. 2533 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2533, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2052) recommending that S.B. No. 2933 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2933, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2053) recommending that S.B. No. 647, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 647, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLASTIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2054) recommending that S.B. No. 2192, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWER PROTECTION ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2055) recommending that S.B. No. 2281 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2281, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2056) recommending that S.B. No. 2545 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2545, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECOVERY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2057) recommending that S.B. No. 2611 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2611, entitled: "A BILL FOR AN ACT RELATING TO HABITAT CONSERVATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 14, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2058) recommending that S.B. No. 2672 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2672, entitled: "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2059) recommending that S.B. No. 2676 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2676, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN ACTIVITIES OF STATE LEGISLATORS AND STATE EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2060) recommending that S.B. No. 2971 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2971, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed

Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
-------------	--------------

No. 3163	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
----------	---

Senator M. Ige rose on a point of personal privilege and said:

"Mr. President, I stand on a point of personal privilege, just to follow up on my point from yesterday.

"Mr. President, if memory serves me right, a while ago there was a book published and may have even been made into a movie and it was entitled, *Who's Watching the Children?* And since yesterday, I can't seem to get that question out of my head -- who's watching the children?

"Yesterday, I asked some questions concerning the DOE's policy regarding hiring A+ workers before their criminal history checks have been completed. The questions I asked were based on disturbing information indicating that persons convicted of crimes of violence have been, in fact, hired by the A+ program because DOE couldn't or wouldn't wait for the results of the criminal checks. Again, this was disturbing and shocking news to me.

"Today, I am further shocked and even more disturbed with the very answers to the questions I had posed yesterday concerning this matter. That is to say, I am shocked that the head of Kamaaina Kids has now said that it has been not just a current policy, but a long standing policy of their company to hire workers without waiting for criminal history checks.

"I am further shocked on hearing that Dr. LeMahieu has stated that he wasn't even aware of such a long standing policy. Is it not true that the DOE oversees the A+ program and that of Kamaaina Kids, which is the company contracted by the state to run the program? As a parent and legislator, these questions and now the answers to these questions both concern me and give rise to even further questions concerning this issue. Questions such as, How long has this policy been in place for Kamaaina Kids? Who set the policy? Who approved it? How many instances have there been in the past where a convicted individual was hired by A+ and later fired after the results of the checks were returned?

"Once we get the answers to these questions, what are we going to do about this policy? Do we need to enact laws to prevent such an unsafe condition to exist again in our schools? These are just some questions that come to mind and that I think need to be answered immediately to gain back the trust and confidence of all parents and children in our schools.

"Recently, a particular word or concept has been rather popular and often quoted in many circles around town, and that word or concept is accountability. The Thesaurus defines the word accountability as meaning 'duty, responsibility and obligation.' The word also means 'burden.'

"In closing, my question to this honorable gathering is, Has the duty, responsibility and obligation owed to our children become such a burden that we are willing to set policy -- that we are willing to set policy -- that establishes an acceptable margin of error concerning the safety and welfare of our kids? And is that not a question that should be posed to a parent and not contrived by any business or government entity?

"Thank you, Mr. President."

Senator Chumbley then rose on a point of inquiry as follows:

"Mr. President, I rise on a point of inquiry.

"Mr. President, was the Clerk successful in getting a response from the Superintendent of the Department of Education pursuant to the Senator from Kaneohe's request for Rule 84?"

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

Senator Chumbley continued:

"Mr. President, could you please order the Clerk to disperse to all the members of this body the response to the Senator from Kaneohe's questions to the Superintendent, please."

The Chair responded:

"Your request has been granted. As soon as we get the response, it will be delivered to all the Senators' offices."

#### ADJOURNMENT

At 12:06 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 14, 2000.

## EIGHTEENTH DAY

Monday, February 14, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Gene Grounds, Christian Science Church, after which the Roll was called showing all Senators present with the exception of Senator Ihara who was excused.

The President announced that he had read and approved the Journal of the Seventeenth Day.

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

Senator D. Ige, on behalf of President Mizuguchi and himself, congratulated Aiea High School on being selected as a Blue Ribbon School in Hawaii and introduced Mike Tokioka, principal; Elizabeth Fujii, student body president; and Jamie Morishigi, student body secretary.

Senator Chumbley, in acknowledgment of Hana High and Elementary School's accomplishment of being selected as a Blue Ribbon School in Hawaii, then introduced Patti Eason, a former principal of that school.

Senator Matsunaga, on behalf of Senator Ihara, also acknowledged the accomplishment of Kaimuki High School on being selected as a Blue Ribbon School in Hawaii by the United States Department of Education and introduced its principal, Gary Oyama.

Senator Chun Oakland, on behalf of President Mizuguchi and Senators Sakamoto and Tam, recognized and congratulated the Susannah Wesley Community Center on the occasion of its 100th year of service to the community and introduced Sharon Amano, president; Joanne Riche, executive secretary; Ron Higashi, executive director; and Dwight Lowrey, board member and former president.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 172 to 176) were read by the Clerk and were placed on file:

Gov. Msg. No. 172, dated February 1, 2000, transmitting the Department of Public Safety, Correctional Industries' Annual Report for Fiscal Year 1999, pursuant to Act 170, SLH 1995.

Gov. Msg. No. 173, dated February 1, 2000, transmitting the Hawaii Paroling Authority's Annual Report for Fiscal Year 1999.

Gov. Msg. No. 174, dated February 4, 2000, transmitting a report prepared by the Department of Health pursuant to H.C.R. No. 190 (1999), urging the Department of Health to extend its services of the neuropsychology department until appropriate and adequate alternatives are found.

Gov. Msg. No. 175, dated February 7, 2000, transmitting the Department of Human Services, Child Welfare Services Citizen Review Panel Annual Report for FFY 1999.

Gov. Msg. No. 176, dated February 7, 2000, transmitting the 1999 Annual Report prepared by the non-government members of the Marine and Coastal Zone Management Advisory Group

(MACZMAG), pursuant to Section 205A-3.5, HRS, and Act 104, Section 3, SLH 1995.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 22 to 25) were read by the Clerk and were placed on file:

Dept. Com. No. 22, from the State Auditor dated February 4, 2000, transmitting a report, "Allocation to New Century Schools Project," (Report No 00-04).

Dept. Com. No. 23, from the Department of Business, Economic Development and Tourism dated February 7, 2000, transmitting the Quarterly Statistical and Economic Report, December 1999.

Dept. Com. No. 24, from the State Auditor dated February 8, 2000, transmitting a report, "Management and Financial Audit of the Department of Public Safety," (Report No. 00-05).

Dept. Com. No. 25, from the State Auditor dated February 9, 2000, transmitting a report, "Follow-Up Management Audit of the Child Support Enforcement Agency," (Report No. 00-06).

## STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2061) recommending that S.B. No. 2024 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2024, entitled: "A BILL FOR AN ACT MEDICAL RESEARCH ON CANCER STUDIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 16, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2062) recommending that S.B. No. 2027 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2027, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DENTAL SERVICES FOR ADULTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2063) recommending that S.B. No. 2039 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2039, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICINE BANK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2064) recommending that S.B. No. 2040, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2065) recommending that S.B. No. 2063, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2063, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2066) recommending that S.B. No. 2064 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2064, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2067) recommending that S.B. No. 2182 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2182, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2068) recommending that S.B. No. 2246 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2246, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2069) recommending that S.B. No. 2370 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2370, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY AMBULANCE SERVICE ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2070) recommending that S.B. No. 2486, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2486, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2071) recommending that S.B. No. 2488 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2488, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2072) recommending that S.B. No. 2489, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2489, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRAIN INJURY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2073) recommending that S.B. No. 2567 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2567, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESPITE CARE SERVICES FOR FAMILIES OF INDIVIDUALS WITH SPECIAL NEEDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2074) recommending that S.B. No. 2865 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2865, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLACTICS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2075) recommending that S.B. No. 2872 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2872, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2076) recommending that S.B. No. 2968 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2968, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No.

2077) recommending that S.B. No. 3022 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3022, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SERVICE MEDICALLY UNDERSERVED AND AT-RISK POPULATIONS IN KONA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2078) recommending that S.B. No. 3120 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3120, entitled: "A BILL FOR AN ACT RELATING TO MAUI MEMORIAL HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2079) recommending that S.B. No. 278, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 278, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was recommitted to the Committee on Education and Technology.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2080) recommending that S.B. No. 2152, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2081) recommending that S.B. No. 2429, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2082) recommending that S.B. No. 2432 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2432, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2083) recommending that S.B. No. 2685 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2685, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2084) recommending that S.B. No. 2688 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2688, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2085) recommending that S.B. No. 2691 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2691, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2086) recommending that S.B. No. 2692, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2692, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2087) recommending that S.B. No. 3155 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3155, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2088) recommending that S.B. No. 460 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 460, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RESIDENTS OF MAUNALAH SUBDIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2089) recommending that S.B. No. 2175, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2090) recommending that S.B. No. 2603, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2603, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI WATERSHED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2091) recommending that S.B. No. 2604, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2604, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI WATERSHED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2092) recommending that S.B. No. 2646, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2646, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAILUPE STREAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2093) recommending that S.B. No. 2736, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2736, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2094) recommending that S.B. No. 2767 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2767, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2095) recommending that S.B. No. 2768, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2768, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHIC INFORMATION SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2096) recommending that S.B. No. 2983, as amended in S.D. 1,

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

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2983, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2097) recommending that S.B. No. 2997, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2997, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WAIALUA-HALEIWA STORMWATER DRAINAGE MASTER PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2098) recommending that S.B. No. 2998, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2998, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE DATA FOR HYDRAULIC AND HYDROLOGIC FLOOD ANALYSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2099) recommending that S.B. No. 3049 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3049, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2100) recommending that S.B. No. 3122, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 615, S.D. 1:

Senator Chumbley moved that S.B. No. 615, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

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



"I think that the bill is well-intended and the idea, of course, is to elevate the rights of victims in the State Constitution to the rights already enjoyed by the criminals in our State Constitution. And the question arises whether or not we could have done some of these things by statute rather than by constitutional amendment and I think the answer is, yes we could. But again, it's a question of equity and trying to emphasize and focus on victims' rights, and I think that that's a very good thing to do.

"So I'll be supporting the bill, but I raise a couple of questions that I think need to be straightened out, and they have to do with possible ambiguity and vagueness.

"The bill states that the victim has the constitutional right to 'appropriate protection,' and I guess the issue or the question that arises is, Exactly what is 'appropriate protection'? Are we talking about a constitutional right to police protection or to something more? I think we need to do a little bit of work on that.

"Also in the bill there is a guaranteed constitutional right to restitution, but again, the bill is silent as to the amount of restitution. And I think it's an unusual bill in that it is due only to the person's arbitrary status as a victim.

"So, I raise these issues, again, in full support with the intent of the bill, but hope that we look at them so that they do stand constitutional muster.

"Thank you, Mr. President."

Senator Anderson then stated:

"Would the Clerk please put me down with a W/R for the same reasons, rather than go through the same speech."

The motion was put by the Chair and carried, S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION, TO ADD A SECTION ON CRIME VICTIMS' RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kanno).

S.B. No. 2142, S.D. 1:

Senator Chumbley moved that S.B. No. 2142, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Levin rose to speak with reservations on the bill and stated:

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

"My concern centers on Section 4 of the bill which appears primarily on page 6. First, the title of the bill may be a problem. The title is 'Rights of Victims and Witnesses in Criminal Proceedings.' Section 4 of the bill deals with what happens to persons if they are committed to a psychiatric facility. I'm not sure that fits within the title.

"But more importantly, with respect to the substance, it seems to provide that a person committed to a psychiatric facility would have a mandatory minimum commitment of six months, and then followed by a hearing, so the mandatory minimum would be extended even beyond six months. I'm not sure that is appropriate or is what was intended, especially in light of the Federal Court mandate to treat persons with mental illness in the least restrictive environment. If, for instance, a person is committed and then, with medication, is restored to normalcy in a month, would we really want to keep that person institutionalized for an additional five months? I think not.

"I know that the Judiciary Committee will work diligently on this issue. Since this is only the first cross, I will be supporting the bill, but I wanted to put my concern on the record.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 2142, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kanno).

S.B. No. 2611:

On motion by Senator Nakata, seconded by Senator M. Ige and carried, S.B. No. 2611, entitled: "A BILL FOR AN ACT RELATING TO HABITAT CONSERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ihara, Kanno).

#### RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
-------------	--------------

No. 2706	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Ways and Means
----------	--

#### RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following concurrent resolution that was offered:

Senate Concurrent Resolution	Referred to:
------------------------------------	--------------

No. 18	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
--------	--

#### MISCELLANEOUS COMMUNICATION

Misc. Com. No. 11, from the Hawaii Health Systems Corporation dated January 31, 2000, transmitting a report pursuant to Act 338, SLH 1997, relating to the Program of All-Inclusive Care for the Elderly (PACE), was read by the Clerk and was placed on file.

Senator Anderson rose on a point of personal privilege as follows:

"I rise on a point of personal privilege, please, Mr. President.

"Mr. President, I've sort of cooled down. I've been a little upset since Sunday. I haven't received a response from the Hawaiian community. Headlines in the paper read -- 'Estate spent \$8 million in 3 years of legal battles.' Well, I ask you, Who wouldn't fight if they were charged with numerous and complex allegations?

"And I've been told by many to 'stay out of this, Whitney. Mind your own business. Don't get involved.' But what bothers me is that the media doesn't say how much the state has spent pursuing this case. I've read everything on this deal. But what really gets me is that on the third page, it notes the amount

of money that was contracted to non-bid, professional services. And if I may, Mr. President, for legal battles the attorneys received \$5,665,822. The accounting firms received \$2,463,000. Those are the same people who contribute politically to the governor and the mayor. Everybody wants the attorneys and the accountants. They made the money.

"But what did we spend? According to the newspaper article, Mr. Anzai claims \$900,000 on this particular legal battle. I would like to know, Mr. President, if you do not have the authority to do an investigation to find out how much we have spent as taxpayers, because I'd like to know what this department spent for the legal fees against Bishop Estate.

"What's even more important -- I've said it before -- with all the probing, checking and investigation, everybody that they uncovered belonged to the majority party. The Broken Trust authors believed they would be trustees. Now, they're too old to be trustees so they believe there's a broken trust. Nonetheless, it should be noted there's a helluva lot of money being spent in this investigation we don't know about.

"Also in this article, Mr. Roy Benham, president of Kamehameha Schools Alumni, says he's astounded at the amount of money spent and believes it should have gone for education. I strongly agree. This is the same message I said when we did not reappoint our attorney general, because every Hawaiian program is going down the tubes. And the Hawaiians only care about where the heck are they -- my aunty works for this one; my cousin works for that one; my friend with this one, and so forth.

"If you read in here, Mr. Anzai says there's \$200 million that he's seeking. But in reality, the trustees only have \$75 million. But it doesn't say that if we get the \$75 million, it's going back to Bishop Estate for the children to further their education. Does that mean, then, that money is going into our general fund? Or is the administration going to say, 'Hey, it cost us X number of tax dollars. We're going to take that amount out, and the balance goes back to Bishop Estate for the education of the youth.' Because that's what we are facing, ladies and gentlemen.

"If we're so concerned about the education of the youth, how then can the AG's department not give an accounting of what they've spent? They're going to go after \$200 million, but in reality it'll be \$75 million, and they don't say where that money is going.

"As I have said many times, I'm the last one that has any Hawaiian blood at all left here, and I have two granddaughters that are still beneficiaries. If we take money away from Bishop Estate, how then are we helping the children of Hawaii? And that's why it annoys me, Mr. President, that the Hawaiian community has said nothing.

"There's also an article in here that says, Senator Whitney Anderson, Herkes and the rest . . . they're going after \$65,000 worth of polling to find out where we stand in the Hawaiian community. I've got 35, 37 years with the Association of Hawaiian Civic Clubs. When Dr. Mills was the president of the Association of Hawaiian Civic Clubs, we had the different people from the Bishop Estate come in and talk to us. When I was president of that association, I had Bishop Estate talk to us to let us know what was going on with their educational program. They knew where I stood. I don't think that I would have been worth a damn for them in their poll.

"I want to know, Mr. President, if you have the authority to go ahead and do a check to find out how much money we have spent of taxpayers' dollars on this particular issue."

The Chair responded:

"I believe that through the Ways and Means Committee we can forward a letter to the attorney general to ask approximately how much is being spent."

Senator Anderson interjected:

"The attorney general says that we spent \$900,000 and the former attorney general, when she was in, said she spent \$900,000. She then wanted another \$900,000 so that she could get involved in the Hawaiian claims.

"I'm not sure how much money has been spent on this one issue because we only had two attorneys when Senator David Ige asked about the Felix/Waihee consent decree. We had seven to nine working on Bishop Estate. So if we've only spent \$900,000, I think that's a farce. I would like to know (we've never gotten the figures), Can we get those figures or can we not? And if so, I would like them to be released to the media, because I believe the media should know exactly what we are spending of the taxpayers' dollars.

"Thank you, Mr. President."

Senator Kawamoto then rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, yesterday a hero of mine passed away. I'd like to ask the Senate to adjourn on a rising vote in honor of Mr. Charles Schulz.

"Thank you."

#### ADJOURNMENT

At 12:19 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 15, 2000, on a rising vote, observing a moment of silence in memory of the late Charles Schulz.

## NINETEENTH DAY

**Tuesday, February 15, 2000**

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Candida Oroc, St. Francis Medical Center, after which the Roll was called showing all Senators present with the exception of Senator Iwase who was excused.

The President announced that he had read and approved the Journal of the Eighteenth Day.

Senators Sakamoto and M. Ige introduced Maryann Joseph and Derek Minakami and congratulated them on becoming the first two teachers in Hawaii to earn certification by the National Board of Professional Teaching Standards.

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

The Senate reconvened at 11:59 o'clock a.m.

## STANDING COMMITTEE REPORTS

Senator Nakata, jointly with Senator Kawamoto, for the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2101) recommending that S.B. No. 2617 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2617, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Kawamoto, for the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2102) recommending that S.B. No. 2890, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2890, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL WASTEWATER SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator D. Ige, for the Committee on Labor and Environment and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2103) recommending that S.B. No. 2329 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2329, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL-TO-WORK COORDINATOR/COUNSELORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2104) recommending that S.B. No. 2012 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No.

2012, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2105) recommending that S.B. No. 2031, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2031, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2106) recommending that S.B. No. 2133, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2133, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROMOTE A STRONG PARTNERSHIP BETWEEN THE MILITARY AND THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2107) recommending that S.B. No. 2135 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2135, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2108) recommending that S.B. No. 2156 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2156, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2109) recommending that S.B. No. 2306, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2306, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a

report (Stand. Com. Rep. No. 2110) recommending that S.B. No. 2307, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2307, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2111) recommending that S.B. No. 2635 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2635, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2112) recommending that S.B. No. 2955 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2955, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2113) recommending that S.B. No. 2742 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2742, entitled: "A BILL FOR AN ACT RELATING TO PORK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2114) recommending that S.B. No. 2909 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2909, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2115) recommending that S.B. No. 2911 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2911, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2116) recommending that S.B. No. 3134, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3134, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION TO STUDY THE FEASIBILITY OF ESTABLISHING A TECHNOLOGY-FOCUSED COMMUNITY-BASED CENTER IN WAIALUA TOWN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2117) recommending that S.B. No. 3137 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3137, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 278, S.D. 1	Committee on Education and Technology, then to the Committee on Ways and Means
No. 2161	Jointly to the Committee on Economic Development and the Committee on Ways and Means
No. 2859	Jointly to the Committee on Labor and Environment and the Committee on Ways and Means
No. 3039	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means
No. 3193	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, requested a waiver pursuant to Senate Rule 20 for S.B. No. 2584, and the Chair granted the waiver.

Senator Matsunaga, for the Committee on Judiciary, then requested a waiver of the 72-hour Notice of a Public Hearing for S.B. No. 3164, and the Chair granted the waiver.

## ADJOURNMENT

At 12:02 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 16, 2000.

## TWENTIETH DAY

Wednesday, February 16, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:35 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Mrs. Shirley Engel, Waianae Seventh-day Adventist Church, after which the Roll was called showing all Senators present with the exception of Senator Mizuguchi who was excused.

The Chair announced that he had read and approved the Journal of the Nineteenth Day.

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

Senator Hanabusa introduced Ciress Cuevo, a student 'shadow' from Waianae High School.

Senator D. Ige, with the assistance of Senators Slom, Hanabusa, Anderson and Matsuura, introduced and congratulated the following recipients of the Milken Family Foundation National Educator Awards: Phyllis Nakasuji, Kalani High School; Candy Suiso, Waianae High School; Estelle Wong, Olomana School; and Jamil Ahmadi, Waiakea Intermediate School.

Senator Tam then recognized and congratulated the 2000 Narcissus Queen Libby Lum, who was represented by her Court -- First Princess Kathryn Kam, Second Princess Serene Wang, Third Princess Dana-Li Dung, and Fourth Princess Jeannie Lim. (Queen Libby Lum and Fourth Princess Jeannie Lim were not able to attend the presentation.) Accompanying the young ladies were Frances Goo and Victor Lim of the Chinese Chamber of Commerce.

At this time, in the absence of Queen Libby, the Chair invited First Princess Kathryn Kam to address the members of the Senate and appointed Senators Tam, Chun Oakland and Chun to escort her to the podium.

First Princess Kathryn addressed the members of the Senate as follows:

"Good morning, Senate Vice President Chumbley and members of the Senate. I'd like to say on behalf of the Narcissus Queen, her Court, and the Chinese Chamber of Commerce, good morning and 'Kung Hee Fat Choy!' It's a pleasure and honor to be here today.

"Ever since we were crowned in January as the Narcissus Court for the Year 2000, it's been very exciting. We've been having a very busy month and we are looking forward to our goodwill tour to China in June. Members of the community are welcome to join this tour by contacting the Chinese Chamber of Commerce.

"We are glad to be here this morning and we just want to wish you all a Happy Chinese New Year. Thank you."

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 25 and 26) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 25 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION FOR THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANCY."

Offered by: Senators Taniguchi, Kanno.

No. 26 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING A DRUG COURT IN HILO."

Offered by: Senators Levin, Matsuura, Inouye.

## STANDING COMMITTEE REPORTS

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2118) recommending that S.B. No. 2414, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2119) recommending that S.B. No. 2893 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2893, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2120) recommending that S.B. No. 2905 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2905, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2121) recommending that S.B. No. 559, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 559, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 18, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2122) recommending that S.B. No. 2110, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2110, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL

CLAIMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2123) recommending that S.B. No. 2118, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2124) recommending that S.B. No. 2181 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2181, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2125) recommending that S.B. No. 2914, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2914, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2126) recommending that S.B. No. 2915, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2915, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2127) recommending that S.B. No. 3181, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2128) recommending that S.B. No. 2030, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2030, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2129) recommending that S.B. No. 2607 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2607, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2130) recommending that S.B. No. 2864, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2864, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WELFARE OF INCOMPETENT PERSONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2131) recommending that S.B. No. 2866, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2866, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2132) recommending that S.B. No. 2873, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2133) recommending that S.B. No. 2876, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2876, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL BACKGROUND CHECKS FOR THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2134) recommending that S.B. No. 2883, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2883, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR

MENTALLY RETARDED PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2135) recommending that S.B. No. 2885 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2885, entitled: "A BILL FOR AN ACT RELATING TO SANITATION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 17, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2136) recommending that S.B. No. 2892 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2892, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 2024:

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, S.B. No. 2024, entitled: "A BILL FOR AN ACT MEDICAL RESEARCH ON CANCER STUDIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Fukunaga, Mizuguchi, Tanaka).

### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 2325	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means
No. 2326	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means
No. 2793	Jointly to the Committee on Commerce and Consumer Protection, the Committee on Labor and Environment and the Committee on Ways and Means
No. 2802	Jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means
No. 3026	Jointly to the Committee on Education and Technology and the Committee on Ways and Means

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"There's going to be a hearing this afternoon in the State House in the Culture and the Arts Committee, and the purpose of this hearing is to give yet more of our taxpayers' money to Mr. Greg Bonann and the Baywatch Hawaii TV crew.

"You may recall, Mr. President, that I was highly critical and voted against giving state taxpayer money to beauty pageants, circuses and bikini television programs. At the time, we were told that this was the most successful program in the world, that this was going to bring all kinds of credit and economic vitality to this state.

"Well, Mr. President, the state has not turned around. Many of us are looking for that vitality. And one of the original objectives of the producers was to have overseas production of this series, and the series' overseas production has not come about. So now, in the words of the producer, if the state doesn't pony up more money, he may be forced to quit the series.

"Well, Mr. President, that's the way it works in business every single day. If the marketplace doesn't respond, then people either make their changes or they go out of business. The difference is, the struggling people of this state -- the taxpayers and the small business men and women -- reach in their own pockets. They don't come over here and take money from the taxpayers.

"We've already given this production \$6 million in credits, in money, in facilities, and improvements. Now they want to start a \$5 million annual fund, and they want to be the first recipients to tap \$2.5 million, initially, because they can't make it. Mr. President, there's no justification for this. And I think the person that said it best is a 17-year-old student at Punahou School. She's a senior. She's also a saleswoman at a local retailing outlet. Her name is Emily Boock, and she said, quote: 'They have no idea what the economy is like. The state doesn't have money to buy books for students. That's not a priority. But they chose to come here and it's not our fault that they're short of funds.' She's absolutely right.

"Everyday we're turning people down and telling them we don't have money for this and we don't have money for that. But when it's something glamorous like a television series, then we seem to be able to find money and we seem to forget about our keiki, to forget about our 'education second to none,' and certainly we long ago forgot about our small business women and men, because this Legislature hasn't done anything to improve the economy.

"So I'm really sad, Mr. President, that Mr. Bonann and his friend the Governor and his other friends are begging for more money. But let them start as charity does -- charity begins at home -- and let them reach in their own pockets, because the taxpayers of this state should not bail out this series.

"And right in line already -- already -- we have the second producer who we were told was going to come here last year, and that is Mr. Bill Nuss, executive producer and creator of Pacific Blue -- the idea of policemen riding on bicycles in shorts in Hawaii, which has great universal appeal. And he's saying, 'What a great idea this is for the taxpayers to subsidize our programs which we can't sell to the mass media.'

"So Mr. President, I would hope that we would get our priorities in order, and we can start by standing up and saying 'no' to anymore of these subsidies, and realizing that if we want better education, and we want to take care of our teachers, and we want to take care of our facilities, and we want to improve the business climate, those things must come first.

"Thank you, Mr. President."

Senator Anderson also rose on a point of personal privilege and said:

"Mr. President, I, too, rise on a point of personal privilege.

## ADJOURNMENT

"I'd like to thank the Minority Floor Leader. My comments are a little different, but he's absolutely right. If we start a precedence, we're dead.

"Mr. President, you may have noticed on the news that there was a group from Pearl City opposed to the use of Waimano Home for a group of young people who are sex offenders and are on the mainland because we don't have a facility for them here. I did call one of the stations this morning because of the concern of the residents who are upset because the home is a mile away from the high school. And I wanted to tell them that I thought that it was wrong that the Health Department, all the rest of them, did not get together to let them know what they were going to do in their backyard.

"But let me tell you, I also told them that in Windward we have the Women's Correctional Facility that's right next door to Kailua High School. We have the State Hospital on the same grounds as Windward College. We're not like the mainland. We are a very small state and we have small islands, so we're going to have to build facilities that are in close proximity to our housing projects. It's something that just can't be helped.

"Waimano Home is land that the state owns. We have a facility there that is deteriorating called Waimano Hospital. I've said for years, we should take the State Hospital and move it out to Waimano because we do have the facilities there that would take and house these people. However, we've got to let the community know what we're doing. It would save a heck of a lot of tax dollars, rather than have a facility like the State Hospital that costs us \$8 million and its administration cost is \$6 million.

"We should use the Waimano Home. That land is available. There's all kinds of buildings on it that can be reconstructed. I've even said in the past the homeless should go there because we've deinstitutionalized so many people that are on our streets. The homeless program has grown to the point that it's not their fault. Also, there are those that are out of work because our economy is down and they can't find the \$80,000 job that they may have had in the past and they're down to \$20,000 or \$15,000, have lost their homes and they have children to support. We could fix up Waimano and utilize it.

"There's all kinds of things that can be done to help. But first, we need to inform the community on what we're doing, why we're doing it, and let them know that we are trying to save money so that we can help in the fields of education, human services, whatever other dollars that we can put out that people need in this state of ours to move forward.

"And just because the governor says, 'If you folks do this, I'm going to veto the bill,' it doesn't mean that everything should come to a complete halt. And that's what's happened in the past. As soon as he disagrees with an issue or a bill, everybody and every committee stops and they look at every aspect -- is he going to like this; is he not going to like this; this is too controversial; the community is going to be upset. No matter if we put a prison somewhere, a mental hospital or whatever we do, it's going to be in someone's backyard. Someone will be upset.

"When I called the radio station, it's because I'm a state legislator -- I represent all of the state. Anybody in this state with family, friends, can vote against me if they think I'm wrong.

"So when you say something here, you've got to remember it's because you either believe in it or you don't. I happen to believe that we better move forward and save as many tax dollars as we can to provide the many needs that we have to have for other services.

"Thank you very much, Mr. President."

At 12:22 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 17, 2000.



## TWENTY-FIRST DAY

Thursday, February 17, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Norman Okasako, Senior Pastor, Mililani Missionary Church, after which the Roll was called showing all Senators present with the exception of Senator Iwase who was excused.

The President announced that he had read and approved the Journal of the Twentieth Day.

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

Senator Bunda introduced Sharon Nakagawa, principal at Waialua Elementary School, and congratulated her on being a recipient of the 1999 National Distinguished Principals Award from the National Association of Elementary School Principals and the United States Department of Education.

Senator M. Ige then introduced Elly Tepper of Keolu Elementary School and congratulated her on being named the Hawaii State Teacher of the Year.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 177 to 179) were read by the Clerk and were placed on file:

Gov. Msg. No. 177, dated February 9, 2000, transmitting the report, "A Study on the Design for Phase III of QUEST," pursuant to Act 116, Section 66.2, SLH 1998.

Gov. Msg. No. 178, dated February 17, 2000, transmitting the 1999 Annual Report on Home Property Liens, prepared by the Department of Human Services pursuant to Section 346-29.5, HRS.

Gov. Msg. No. 179, informing the Senate that on February 16, 2000, he signed into law Senate Bill No. 1345 as Act 2, entitled: "RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY."

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 27 and 28) were read by the Clerk and were referred to committees:

## Senate Concurrent Resolution

No. 27 "SENATE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN STANDARDS IN ALL NEW AND RENOVATED BUILDINGS OF THE PUBLIC SCHOOL AND LIBRARY SYSTEMS."

Offered by: Senator Iwase.

Referred to: Jointly to the Committee on Government Operations and Housing and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 28 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO

COMMUNICATE TO THE GENERAL PUBLIC CONCERNING THE IMPORTANCE OF AND HOW TO MAINTAIN PROPER DENTAL HEALTH AND HYGIENE INSTEAD OF RELYING ON WATER FLUORIDATION."

Offered by: Senator Tam.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 10 and 11) were read by the Clerk and were referred to committees:

## Senate Resolution

No. 10 "SENATE RESOLUTION REQUESTING THE INCORPORATION OF CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN STANDARDS IN ALL NEW AND RENOVATED BUILDINGS OF THE PUBLIC SCHOOL AND LIBRARY SYSTEMS."

Offered by: Senator Iwase.

Referred to: Jointly to the Committee on Government Operations and Housing and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 11 "SENATE RESOLUTION REQUESTING A REVIEW AND EVALUATION OF AIR CONDITIONING MAINTENANCE SERVICE AT THE STATE CAPITOL."

Offered by: Senator Tam.

Referred to: Committee on Government Operations and Housing, then to the Committee on Ways and Means

## STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2137) recommending that S.B. No. 2523, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2138) recommending that S.B. No. 2690, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2690, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2139) recommending that S.B. No. 2200 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2200, entitled: "A BILL FOR AN ACT RELATING TO THE

PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2140) recommending that S.B. No. 2280, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2280, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO QUANTIFY BENEFITS OF UNDERGROUNDING UTILITY LINES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2141) recommending that S.B. No. 2289, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2289, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID TELEPHONE CALLING SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2142) recommending that S.B. No. 2296 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2296, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2143) recommending that S.B. No. 2976, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2976, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2144) recommending that S.B. No. 2075 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2075, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2145) recommending that S.B. No. 2443 pass Second Reading and be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No.

2443, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," passed Second Reading and was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2146) recommending that S.B. No. 2457, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2457, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT MONEYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2147) recommending that S.B. No. 2493, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2493, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE TREATMENT SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2148) recommending that S.B. No. 2496, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2496, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT MONEYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2149) recommending that S.B. No. 2875, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2875, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2150) recommending that S.B. No. 2878, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2878, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2151) recommending that S.B. No. 3019 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3019, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION FOR THE HEALTHY START PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Inouye, for the Committee on Labor and Environment and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2152) recommending that S.B. No. 2746, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2746, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2153) recommending that S.B. No. 2096, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2096, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2154) recommending that S.B. No. 2143, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2143, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2155) recommending that S.B. No. 2189, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2189, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING CITATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2156) recommending that S.B. No. 2193, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS IN SCHOOL ZONES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2157) recommending that S.B. No. 2300, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2158) recommending that S.B. No. 2308, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2308, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2159) recommending that S.B. No. 2318, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2318, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2160) recommending that S.B. No. 2403, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2403, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2161) recommending that S.B. No. 2504, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2504, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2162) recommending that S.B. No. 2686, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2163) recommending that S.B. No. 2760, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2760, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITIGATION INVOLVING HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2164) recommending that S.B. No. 2766, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Government Operations and Housing.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2766, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Government Operations and Housing.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2165) recommending that S.B. No. 2950, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2950, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2166) recommending that S.B. No. 3082 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3082, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2167) recommending that S.B. No. 3104, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3104, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2168) recommending that S.B. No. 2005 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2005, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2169) recommending that S.B. No. 2741 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2741, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 18, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2170) recommending that S.B. No. 2917, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2917, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2171) recommending that S.B. No. 2984, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2984, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN LEASING FOR COMMERCIAL TELECOMMUNICATION USES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2172) recommending that S.B. No. 3163 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3163, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN CULTURAL AND EDUCATIONAL FACILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2173) recommending that S.B. No. 2482, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2482, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY BUSINESS TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2174) recommending that S.B. No. 2709, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2175) recommending that S.B. No. 2748, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2748, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2176) recommending that S.B. No. 2779, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2779, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2177) recommending that S.B. No. 2781, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2781, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2178) recommending that S.B. No. 2910 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2910, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2179) recommending that S.B. No. 2912, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2912, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BOATING FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2180) recommending that S.B. No. 3005 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3005, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AQUACULTURE DISEASE PREVENTION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2181) recommending that S.B. No. 3015, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3015, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL AND INDUSTRIAL IMPROVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2182) recommending that S.B. No. 3018, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2183) recommending that S.B. No. 3064 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 3064, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2184) recommending that S.B. No. 2782 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2782, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL MATERIALS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2185) recommending that S.B. No. 2868, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2868, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT DISPOSAL SURCHARGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2186) recommending that S.B. No. 2869 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2869, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2187) recommending that S.B. No. 2880, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2880, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2188) recommending that S.B. No. 2956 pass Second Reading and be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2956, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS," passed Second Reading and was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2189) recommending that S.B. No. 3054 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3054, entitled: "A BILL FOR AN ACT RELATING TO CARBON SEQUESTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2190) recommending that S.B. No. 2925 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2925, entitled: "A BILL FOR AN ACT RELATING TO THE FUEL TAX," passed Second Reading and was referred to the Committee on Judiciary.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2191) recommending that S.B. No. 2941 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2941, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2192) recommending that S.B. No. 2353, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2193) recommending that S.B. No. 2484, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID RECOVERY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2194) recommending that S.B. No. 2522, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICE OF INFORMATION PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2195) recommending that S.B. No. 2763, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2763, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE TOBACCO SETTLEMENT AGREEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2196) recommending that S.B. No. 3154, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3154, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2197) recommending that S.B. No. 2345, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2198) recommending that S.B. No. 2561, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2199) recommending that S.B. No. 3043, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3043, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE

ADMINISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

### ORDER OF THE DAY

#### THIRD READING

S.B. No. 2885:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, S.B. No. 2885, entitled: "A BILL FOR AN ACT RELATING TO SANITATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Wednesday, February 16, 2000:

Senate Concurrent Resolution	Referred to:
No. 25	Committee on Commerce and Consumer Protection
No. 26	Committee on Judiciary, then to the Committee on Ways and Means

Senator Tam, for the Committee on Government Operations and Housing, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 2521 and 2387, and the Chair granted the waiver.

Senator Kanno, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for S.B. No. 2170, and the Chair granted the waiver.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"You asked earlier in the Order of the Day if there were any governor's messages and we always get governor's messages, but the governor gave us a message last night, gave a message to the people of Pearl City but also to the state, which I find extremely disturbing.

"We talked about the issue of the youthful sex offender treatment center in Pearl City yesterday, but the governor's remarks, I think, bear discussing. The governor said, 'Of course there wasn't a public hearing on it, but it's so inefficient to hold a public hearing every time we want to do something.' That's a message to the people of Pearl City and that's a message to the State of Hawaii -- that it's inconvenient and inefficient to inform them about what the government is going to do to them. This is more of an issue, not of 'NIMBY' (not in my back yard), but a simple courtesy and respect in allowing people to be part of the decision-making process. No wonder they don't vote. No wonder they don't participate. They've given up because here you have the chief administrator saying that it is inconvenient and inefficient to hold a public hearing.

"In addition to that, the governor gave his personal guarantee -- for whatever that's worth -- that there's no safety concerns of these youthful sex offenders. Why, he said for example, these offenders are age 12 to 17 and their victims have only been family members. I would remind my colleagues and the governor that we have six- and seven-year-olds that are killing other people. So to say that, and to make that guarantee, I don't think is solace to the people of Pearl City or anywhere else.

Perhaps the governor would show his good faith by inviting the youthful sex offenders to stay at Washington Place to show, in fact, that there is no danger to the community.

"It also brings up the issue, however, of referendum. We are the only state that has neither initiative, referendum, nor recall, so we don't allow the public to really get involved and give their opinion. And I think that instead of worrying about being inefficient or being inconvenient to the government, we better start thinking about what's convenient and efficient for the public who support all of us and pay all the bills.

"Thank you, Mr. President."

Senator Kawamoto also rose on a point of personal privilege and said:

"Mr. President, in the paper this morning, also, we see here that the 'Senate's fireworks ban effort fizzling.' Let me assure you that the fireworks position of the Senate has not been fizzling but is striving to go forward.

"After we had a caucus, we looked at it and we said to ourselves, all the members of the Conference Committee felt that we needed to get a strong bill out. And so what we did is we looked at the positive. We're asking for the same things we asked for the bill previously. We're asking that fireworks only be used for religious and cultural activities. We're asking for some strict restrictions in the guidelines of the fireworks, but we're leaving the management of fireworks to the counties and its enforcement.

"So we're not fizzling, but we're trying to get a bill passed that we all can say is a strong bill that's going to control fireworks, going to ban the aerials, and these kinds of things are what we passed forward with. So rest assured, fellow Senators, that we are not fizzling. We are trying to do our best to get a bill through.

"The other thing I'd like to add is that the governor also indicated that . . . Besides the sex offender bill that affects us quite a bit -- both Senator D. Ige and myself -- we also have the governor saying that he still supports a total ban and the fact that we should be talking to the victims of the activities this past year. Mr. President, rest assured to you and other Senators and to the governor, we've been talking to these people, and we've been talking to them at one o'clock in the morning, two o'clock in the morning, three o'clock in the morning. Everywhere we go, they talk to us about fireworks, and that's the reason why we find fireworks very interesting and the fact that we need to do something about it.

"Again, we're focussing on the end product of fireworks -- What do we want this bill to do? And that's where we want to go.

"Like my good friend Joe Tanaka here, you know, when he plays golf (going away from fireworks), if he makes an eagle on one hole, it does not matter on the par 4 that he skulled a 5 iron into the hole; what matters is the number is still 2 on the score card. So that's what we're working for -- not on how we got there, but how we arrived and the end product of our bill. So that's what we're looking for at this time.

"Thank you very much, Mr. President."

#### ADJOURNMENT

At 12:03 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 18, 2000.

## TWENTY-SECOND DAY

**Friday, February 18, 2000**

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:32 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend William O'Connell, S.M., Administrator, Marianist Hall Community, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-First Day.

At 11:36 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:38 o'clock a.m.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 180 to 188) were read by the Clerk and were placed on file:

Gov. Msg. No. 180, dated February 4, 2000, transmitting the Quarterly Status Report on Meeting the Requirements of the Felix v. Cayetano Consent Decree, prepared by the Department of Education pursuant to Act 91, Section 46, SLH 1999.

Gov. Msg. No. 181, dated February 10, 2000, transmitting the Final Report of the Motor Vehicle Insurance Benefits Task Force, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Act 142, SLH 1999.

Gov. Msg. No. 182, dated February 11, 2000, transmitting a report prepared by the Department of Health pursuant to Act 148, SLH 1997, establishing within the Department of Health a Pipeline Safety Committee.

Gov. Msg. No. 183, dated February 14, 2000, transmitting a report prepared by the Department of Health pursuant to S.C.R. No. 151 (1999), requesting the Department of Health to develop and implement a five-year statewide, comprehensive strategic plan for services and supports for individuals with developmental disabilities or mental retardation.

Gov. Msg. No. 184, dated February 14, 2000, transmitting a report prepared by the Department of Health pursuant to Act 189, SLH 1995, requesting the Department of Health to keep waiting lists of all individuals with developmental disabilities, mental retardation or both, who are eligible for services and supports but for whom services and supports have not been provided.

Gov. Msg. No. 185, dated February 14, 2000, transmitting a report, "State of Hawaii Primary Care Needs Assessment Databook," prepared by the Department of Health, Family Health Services Division.

Gov. Msg. No. 186, dated February 15, 2000, transmitting a report prepared by the Department of Health pursuant to Act 192, SLH 1999, requesting the Department of Health to conduct soil sample surveys as part of an epidemiologic investigation.

Gov. Msg. No. 187, dated February 15, 2000, transmitting the Hawaii Performance Partnerships Board's Annual Report for the year ending December 31, 1999, pursuant to Act 160, SLH 1999.

Gov. Msg. No. 188, dated February 16, 2000, transmitting a Report from the 1999-2000 Office of Hawaiian Affairs Salary Commission, prepared by the Department of Business,

Economic Development and Tourism, Office of Planning, pursuant to Section 10-9.5, HRS.

**STANDING COMMITTEE REPORTS**

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2200) recommending that S.B. No. 2987 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2987, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2201) recommending that S.B. No. 2990, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2990, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECYCLING OF BATTERIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2202) recommending that S.B. No. 2130, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2130, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ADD AN ADDITIONAL NONVOTING MEMBER TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2203) recommending that S.B. No. 2334 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2334, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2204) recommending that S.B. No. 2474, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL AID," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2205) recommending that S.B. No. 2475, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No.



2475, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2206) recommending that S.B. No. 2832 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2832, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2207) recommending that S.B. No. 2808 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2808, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2208) recommending that S.B. No. 2828, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator D. Ige, for the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2209) recommending that S.B. No. 3070, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3070, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CYBER-TERRORISM," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2210) recommending that S.B. No. 2093, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2093, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Hanabusa and Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs, the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2211) recommending that S.B. No. 2299, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2212) recommending that S.B. No. 2303, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2303, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2213) recommending that S.B. No. 2634, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2634, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2214) recommending that S.B. No. 3073, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3073, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2215) recommending that S.B. No. 3105, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2216) recommending that S.B. No. 3115, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINES FOR TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2217) recommending that S.B. No. 3127, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2218) recommending that S.B. No. 3158, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3158, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC PROBLEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2219) recommending that S.B. No. 2234, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2234, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF PROFESSIONAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2220) recommending that S.B. No. 2527, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2527, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2221) recommending that S.B. No. 2598, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2598, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2222) recommending that S.B. No. 3160, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2223) recommending that S.B. No. 2435, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2435, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2224) recommending that S.B. No. 2938, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2938, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2225) recommending that S.B. No. 2940, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2940, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2226) recommending that S.B. No. 2942 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2942, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 22, 2000.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 559, S.D. 1:

Senator Hanabusa moved that S.B. No. 559, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tanaka.

Senators Anderson and Slom requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 559, 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, 23. Noes, none. Excused, 2 (Fukunaga, Levin).

S.B. No. 2741:

On motion by Senator Hanabusa, seconded by Senator Inouye and carried, S.B. No. 2741, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Levin).

### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
-------------	--------------

No. 2245 Jointly to the Committee on Labor and Environment and the Committee on Ways and Means

No. 2343 Jointly to the Committee on Labor and Environment and the Committee on Ways and Means

No. 2479 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary

No. 2945 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means

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

Senator D. Ige, in recognizing the Department of Education's Electronic School (e-school), introduced Melvin Jadulang and Carissa Leitner of Kohala High School.

Senator Sakamoto then recognized the Magnet Electronic Academy and introduced Tusi Esera of Kahuku Intermediate School and Yiu San Ho of Kaimuki High School.

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 2100 and 3008, and the Chair granted the waiver.

#### STANDING COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that Senate bills pass Second Reading and be referred to committees. The Senate further authorized the adoption of standing committee reports recommending that Senate bills be referred to committees of last referral. In consequence thereof, and subsequent to its recessing at 11:58 o'clock a.m., the Senate took the following actions on the following bills and standing committee reports:

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2227) recommending that S.B. No. 2386, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2386, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE RENOVATION OF STATE OWNED PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2228) recommending that S.B. No. 2451, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2451, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Education and Technology.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2229) recommending that S.B. No. 2521, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL SERVICE CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2230) recommending that S.B. No. 2485 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2485, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR END-OF-LIFE CARE EDUCATION OF PHYSICIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2231) recommending that S.B. No. 2579, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2579, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Tam, for the Committee on Health and Human Services and the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2232) recommending that S.B. No. 2856, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2856, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2233) recommending that S.B. No. 2877 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2877, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2234) recommending that S.B. No. 2974 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2974, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE INSURANCE BENEFITS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2235) recommending that S.B. No. 3016 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3016, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2236) recommending that S.B. No. 2006, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2006, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Kawamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2237) recommending that S.B. No. 2134 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2134, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2238) recommending that S.B. No. 2164, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGANIC AGRICULTURE INDUSTRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senators Kanno and Taniguchi, for the Committee on Economic Development and the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2239) recommending that S.B. No. 2166 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2166, entitled: "A BILL FOR AN ACT RELATING TO WIND FARMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator D. Ige, for the Committee on Economic Development and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2240) recommending that S.B. No. 2409, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2409, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2241) recommending that S.B. No. 2712, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2712, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Inouye, jointly with Senator D. Ige, for the Committee on Economic Development and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2242) recommending that S.B. No. 2738 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2738, entitled: "A BILL FOR AN ACT RELATING TO NEW ECONOMY SKILLS TRAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2243) recommending that S.B. No. 2745 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2745, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2244) recommending that S.B. No. 2913, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2913, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEHOE BAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2245) recommending that S.B. No. 2918, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2918, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING LICENSES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2246) recommending that S.B. No. 3007, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3007, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2247) recommending that S.B. No. 3032, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3032, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2248) recommending that S.B. No. 3058, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3058, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2249) recommending that S.B. No. 3080 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3080, entitled: "A BILL FOR AN ACT RELATING TO MAJOR COMMERCIAL PUBLIC EVENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2250) recommending that S.B. No. 3194, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2251) recommending that S.B. No. 3199, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2252) recommending that S.B. No. 2584, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator D. Ige, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2253) recommending that S.B. No.

2722, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2722, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Nakata, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2254) recommending that S.B. No. 2845 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2845, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator D. Ige, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2255) recommending that S.B. No. 3157, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INTERNATIONAL CULTURAL CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2256) recommending that S.B. No. 2284, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2284, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2257) recommending that S.B. No. 2321 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2321, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2258) recommending that S.B. No. 2731, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2731, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2259) recommending that S.B. No. 2809, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2809, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2260) recommending that S.B. No. 2813, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2813, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2261) recommending that S.B. No. 2815 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2815, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2262) recommending that S.B. No. 3179 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3179, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2263) recommending that S.B. No. 2072, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2072, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Hanabusa, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2264) recommending that S.B. No. 2301, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2301, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2265) recommending that S.B. No. 2991, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2991, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2266) recommending that S.B. No. 3201, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SCENIC HIGHWAYS SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2267) recommending that S.B. No. 2104, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2104, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCING OF AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2268) recommending that S.B. No. 2576, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2576, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OWNED PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the majority of the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2269) recommending that S.B. No. 3159, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 3159, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2270) recommending that S.B. No. 2310 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2310, entitled: "A BILL FOR AN ACT

RELATING TO LABOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator D. Ige, for the Committee on Labor and Environment and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2271) recommending that S.B. No. 2652 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2652, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2272) recommending that S.B. No. 2312 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2312, entitled: "A BILL FOR AN ACT RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2273) recommending that S.B. No. 2369 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2369, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2274) recommending that S.B. No. 2467, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2467, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2275) recommending that S.B. No. 2787, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2787, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2276) recommending that S.B. No. 2807, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2807, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2277) recommending that S.B. No. 3002, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3002, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2278) recommending that S.B. No. 2074, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2074, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2279) recommending that S.B. No. 2082 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2082, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2280) recommending that S.B. No. 2220 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2220, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF NUISANCE SEAWEED," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2281) recommending that S.B. No. 2115, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2282) recommending that S.B. No. 2295 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2295, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIFORM LAWS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2283) recommending that S.B. No. 2425, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPOINTED COUNSEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2284) recommending that S.B. No. 2428 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2428, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CRIME PREVENTION THROUGH THE REHABILITATION OF YOUTH GANG MEMBERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2285) recommending that S.B. No. 2434, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2434, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2286) recommending that S.B. No. 2536, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2287) recommending that S.B. No. 2751, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2751, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2288) recommending that S.B. No. 2755, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2755, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN

EMERGENCY APPROPRIATION FOR THE ASBESTOS PROPERTY DAMAGE LITIGATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2289) recommending that S.B. No. 2759, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2290) recommending that S.B. No. 3177, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the majority of the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2291) recommending that S.B. No. 2094, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2094, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPAIR AND MAINTENANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2292) recommending that S.B. No. 2129, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2293) recommending that S.B. No. 2138, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2294) recommending that S.B. No. 2219, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2219, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO



PUBLIC SCHOOL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2295) recommending that S.B. No. 2380, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2380, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2296) recommending that S.B. No. 2458 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2458, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2297) recommending that S.B. No. 2465, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2465, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2298) recommending that S.B. No. 2466 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2466, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER ACCESS BY MINORS," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2299) recommending that S.B. No. 2572 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2572, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2300) recommending that S.B. No. 2574, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2301)

recommending that S.B. No. 2796, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2796, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Inouye, for the Committee on Education and Technology and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2302) recommending that S.B. No. 2800 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2800, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TELECOMMUNICATIONS AND INFORMATION ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2303) recommending that S.B. No. 2835, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2304) recommending that S.B. No. 2838 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2838, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2305) recommending that S.B. No. 2907, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2907, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2306) recommending that S.B. No. 2961, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2961, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2307)

recommending that S.B. No. 2963 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2963, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2308) recommending that S.B. No. 2964 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2964, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2309) recommending that S.B. No. 2996, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2996, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, jointly with Senator Inouye, for the Committee on Education and Technology and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2310) recommending that S.B. No. 2999 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2999, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Inouye for the Committee on Education and Technology and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2311) recommending that S.B. No. 3036, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3036, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2312) recommending that S.B. No. 3038 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3038, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2313) recommending that S.B. No. 3079 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3079, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the majority of the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2314) recommending that S.B. No. 3132, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 3132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2315) recommending that S.B. No. 3140, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3140, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER AND COMMUNICATION SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2316) recommending that S.B. No. 3141 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3141, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2317) recommending that S.B. No. 2042, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2042, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL RECORDS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2318) recommending that S.B. No. 2437, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2437, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2319) recommending that S.B. No. 2669 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2669, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION FOR THE OFFICE OF ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2320) recommending that S.B. No. 2764, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2321) recommending that S.B. No. 2934 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2934, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL HEALTH CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2322) recommending that S.B. No. 1390, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2323) recommending that S.B. No. 2044 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2044, entitled: "A BILL FOR AN ACT RELATING TO THE CONFISCATION OF FIREARMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2324) recommending that S.B. No. 2311, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2311, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY USE OF SEATBELTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2325) recommending that S.B. No. 2707, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2707, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S

LICENSE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2326) recommending that S.B. No. 2951 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2951, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2327) recommending that S.B. No. 2966, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2966, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2328) recommending that S.B. No. 3051, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3051, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR EXPORT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2329) recommending that S.B. No. 3052 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3052, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WAR MEMORIAL HONORING THE 'TORPEDO GANG' OF WORLD WAR II," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2330) recommending that S.B. No. 3101 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3101, entitled: "A BILL FOR AN ACT RELATING TO LODGING OR TENEMENT HOUSES, HOTELS, AND BOARDINGHOUSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2331) recommending that S.B. No. 3117 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3117, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2332) recommending that S.B. No. 3166 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3166, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC IMPROVEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2333) recommending that S.B. No. 2144, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2334) recommending that S.B. No. 2581 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2581, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ELECTIONS APPOINTMENT AND REVIEW PANEL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2335) recommending that S.B. No. 2654, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2336) recommending that S.B. No. 2671 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2671, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2337) recommending that S.B. No. 2675 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2675, entitled: "A BILL FOR AN ACT RELATING TO THE SALARY OF THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2338) recommending that S.B. No. 2988, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2988, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2339) recommending that S.B. No. 3125, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3125, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF NOTICE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chumbley and Matsunaga, jointly with Senator D. Ige, for the Committee on Judiciary and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2340) recommending that S.B. No. 3047, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3047, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2341) recommending that S.B. No. 2879, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2879, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2342) recommending that S.B. No. 2061, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2343) recommending that S.B. No. 2183, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2183, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2344) recommending that S.B. No. 2320, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2320, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2345) recommending that S.B. No. 2490, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2346) recommending that S.B. No. 2494, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2494, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPOWERMENT OF THE BLIND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2347) recommending that S.B. No. 2655, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2655, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2348) recommending that S.B. No. 2658 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2658, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2349) recommending that S.B. No. 2851 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2851, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2350) recommending that S.B. No. 2853 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2853, entitled: "A BILL FOR AN ACT RELATING TO

FINANCIAL ASSISTANCE PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2351) recommending that S.B. No. 2857, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2857, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2352) recommending that S.B. No. 2930, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2930, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2353) recommending that S.B. No. 3053, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3053, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2354) recommending that S.B. No. 2001, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2001, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY TORT LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, jointly with Senator Tam, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2355) recommending that S.B. No. 2348 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2348, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2356) recommending that S.B. No. 2552, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2552, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HAWAII COUNTY POLICE DEPARTMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Nakata, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2357) recommending that S.B. No. 3121, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3121, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE FUELED VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2358) recommending that S.B. No. 3148, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3148, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LANDSCAPE IMPROVEMENTS TO KAMEHAMEHA HIGHWAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2359) recommending that S.B. No. 2184 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2184, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2360) recommending that S.B. No. 2254, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2361) recommending that S.B. No. 2621, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2621, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2362) recommending that S.B. No. 2847, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No.

2847, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2363) recommending that S.B. No. 2848 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2848, entitled: "A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2364) recommending that S.B. No. 2854 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2854, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2365) recommending that S.B. No. 2855, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2855, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2366) recommending that S.B. No. 2858 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2858, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2367) recommending that S.B. No. 2931 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2931, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2368) recommending that S.B. No. 2218, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2369) recommending that S.B. No. 2469, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2469, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senators Kanno and Taniguchi, and Senator Inouye, for the Committee on Education and Technology, the Committee on Commerce and Consumer Protection and the Committee on Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2370) recommending that S.B. No. 2783 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT FINANCING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2371) recommending that S.B. No. 3025 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3025, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2372) recommending that S.B. No. 3139, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2373) recommending that S.B. No. 3003 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3003, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Nakata, for the Committee on Judiciary and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2374) recommending that S.B. No. 2433, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2433, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2375) recommending that S.B. No. 2578, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2578, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2376) recommending that S.B. No. 2420, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2420, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2377) recommending that S.B. No. 2750 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2750, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Inouye, for the Committee on Education and Technology and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2378) recommending that S.B. No. 2784, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2784, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2379) recommending that S.B. No. 2837, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Chun Oakland, for the Committee on Education and Technology and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2380) recommending that S.B. No. 2862 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and

S.B. No. 2862, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2381) recommending that S.B. No. 2352, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER OFFENSES," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, jointly with Senators Chumbley and Matsunaga, for the Committee on Education and Technology and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2382) recommending that S.B. No. 2962, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2962, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2383) recommending that S.B. No. 2186, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Tam, for the Committee on Commerce and Consumer Protection and the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2384) recommending that S.B. No. 2277, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2277, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2385) recommending that S.B. No. 2287, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2287, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2386) recommending that S.B. No. 2419, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No.

2419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL ACCESS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2387) recommending that S.B. No. 3176, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2388) recommending that S.B. No. 2313, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND TIPS OF EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2389) recommending that S.B. No. 2059, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2059, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WELFARE REFORM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Kawamoto, for the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2390) recommending that S.B. No. 2116 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2116, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING A SECOND AMBULANCE TO SERVICE THE WAIANAE COAST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Kawamoto, for the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2391) recommending that S.B. No. 2163 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2163, entitled: "A BILL FOR AN ACT RELATING TO AEROMEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2392) recommending that S.B. No. 2247, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.



On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FERAL ANIMALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2393) recommending that S.B. No. 2448, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2448, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTISM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2394) recommending that S.B. No. 2487, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2487, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDER ABUSE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2395) recommending that S.B. No. 2657, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2657, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, jointly with Senator Nakata, for the Committee on Health and Human Services and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2396) recommending that S.B. No. 2852 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2852, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Kawamoto, for the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2397) recommending that S.B. No. 2863, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2863, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2398) recommending that S.B. No. 2874, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2874, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2399) recommending that S.B. No. 2884, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2884, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THERAPY SERVICES FOR EXCEPTIONAL CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2400) recommending that S.B. No. 2891, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH PARITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2401) recommending that S.B. No. 3033 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3033, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG TREATMENT, COUNSELING, AND INTERVENTION SERVICES FOR SUBSTANCE-ABUSING YOUTHS AT WAIPAHU HIGH SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2402) recommending that S.B. No. 3123, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3123, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2403) recommending that S.B. No. 2728, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2728, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO PUBLIC ACCESS TO GOVERNMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2404) recommending that S.B. No. 2170, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2405) recommending that S.B. No. 2452, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2452, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE COVERAGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2406) recommending that S.B. No. 2459, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2459, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Nakata, for the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2407) recommending that S.B. No. 2993, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2993, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2408) recommending that S.B. No. 2605, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2409) recommending that S.B. No. 2100 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2100, entitled: "A BILL FOR AN ACT RELATING TO PARKING STRUCTURES," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Tam, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2410) recommending that S.B. No. 2132, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Nakata, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Labor and Environment, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2411) recommending that S.B. No. 2317, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2317, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS OF WATER SUPPLY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Chun Oakland, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2412) recommending that S.B. No. 2664, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2664, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2413) recommending that S.B. No. 2727, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2727, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ACQUIRE LAND FOR A PARK IN WAIKIKI, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senators Chumbley and Matsunaga, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2414) recommending that S.B. No. 2952, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2952, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a

report (Stand. Com. Rep. No. 2415) recommending that S.B. No. 3008 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 3008, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC RECORDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2416) recommending that S.B. No. 2333, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2333, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2417) recommending that S.B. No. 2387, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2387, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2418) recommending that S.B. No. 2021, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2021, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, jointly with Senator Nakata, for the Committee on Government Operations and Housing and the Committee on Labor and Environment, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2419) recommending that S.B. No. 2509, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2509, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator D. Ige, for the Committee on Health and Human Services and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2420) recommending that S.B. No. 2720, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2720, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDERS," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2421) recommending that S.B. No. 278, S.D. 1, as amended in S.D. 2, be referred to Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 278, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2422) recommending that S.B. No. 2158 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2158, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2423) recommending that S.B. No. 2571, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2424) recommending that S.B. No. 2575, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2575, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES IMPROVEMENTS SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2425) recommending that S.B. No. 2573, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2573, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Tam, for the Committee on Education and Technology and the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2426) recommending that S.B. No. 3084, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3084, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," passed Second Reading and was referred to the Committee on Ways and Means.

---

**ADJOURNMENT**

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 22, 2000.

## TWENTY-THIRD DAY

Tuesday, February 22, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Gary Secor, Rector, Cathedral of Our Lady of Peace Church, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Ihara, Inouye, Iwase, Tam and Tanaka who were excused.

The President announced that he had read and approved the Journal of the Twenty-Second Day.

## STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2427) recommending that S.C.R. No. 5, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 5, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2428) recommending that S.B. No. 2849 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2849, entitled: "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 1, 2000.

Senators Kanno and Taniguchi, jointly with Senator Nakata, for the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2429) recommending that S.B. No. 2293 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2293, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 1, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2430) recommending that S.B. No. 3118 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3118, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN TERMINOLOGY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 1, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2431) recommending that S.B. No. 2850, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2850, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 1, 2000.

## ORDER OF THE DAY

## THIRD READING

S.B. No. 2938, S.D. 1:

On motion by Senator Levin, seconded by Senator Buen and carried, S.B. No. 2938, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Fukunaga, Ihara, Inouye, Iwase, Tam, Tanaka).

S.B. No. 2940, S.D. 1:

Senator Levin moved that S.B. No. 2940, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Buen.

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

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

"I think that we can support a measure which puts caps on fees. The only problem is that the purpose of this measure is to establish what's called 'reasonable and consistent fees for financial institutions' in being reimbursed for charges that they incur in terms of providing documentation for state and other agencies.

"The problem that I have with the bill, Mr. President, is that what is called 'reasonable and consistent' is not a one-size-fits-all situation, and different financial institutions and different requirements for reporting may differ among those institutions, and some, in fact, may be penalized.

"In addition to that, Mr. President, I wish we would put half as much effort into restricting the fees that we continue to raise on the tax-paying public on various governmental agencies. So I will be voting, but with reservations.

"Thank you."

Senator Anderson added:

"Mr. President, I have the same reservations."

The motion was put by the Chair and carried, S.B. No. 2940, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Fukunaga, Ihara, Inouye, Iwase, Tam, Tanaka).

S.B. No. 2942:

On motion by Senator Levin, seconded by Senator Buen and carried, S.B. No. 2942, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES," having been read

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

Ayes, 19. Noes, none. Excused, 6 (Fukunaga, Ihara, Inouye, Iwase, Tam, Tanaka).

## ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 1, 2000.

## RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill                      Referred to:

No. 2170, S.D. 1      Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

Senator Slom rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"I note that the governor is out of state again on his way to Silicon Valley, and he's taken a number of our colleagues and a number of other people from around the state. First of all, the 100 percent Republican delegation here is a little disappointed that there is no Republican representation. I thought that we looked at technology as a bipartisan or a nonpartisan effort, but obviously not.

"Also, I think that in deliberations we've had on existing high technology bills, again, what people from the technology professions tell us is -- clean up your act; clean up your business climate here; clean up your public school system; do those kinds of things. So I think that many of the problems are right here at home and they could be solved.

"And then, Mr. President, I am a little troubled because I do remember the last time that our governor went to, supposedly, Silicon Valley and he wound up formulating, at that time, the bill that later became known as the infamous 'Stop Linda Lingle' bill. So, I would hope, Mr. President, you could give the governor a call this afternoon, make sure everything is going well, and make sure he doesn't have any spare time so that he can work on legislation like that.

"Thank you very much, Mr. President."

Senator M. Ige also rose on a point of personal privilege as follows:

"Mr. President, I stand on a point of personal privilege as well.

"Mr. President, thank you for allowing me to use Rule 84. It was last Thursday that I was confronted with a situation that, in my opinion, needed immediate attention and response. So to all of you, I appreciate your patience.

"Mr. President, this situation should never have gotten this far. Compromising the health and safety of our children while learning should never, ever, be compromised. In an incident like this, parents should not have to come to this body for desperate action. Our departments must respond. Our government must not be too big to serve our people in a timely manner.

"Dr. LeMahieu speaks about accountability. This report, via its conclusions and recommendations, clearly -- I mean clearly -- proves that Dr. LeMahieu is good for his word. Accepting responsibility and being held accountable is truly refreshing. I now look forward to the codification of these recommendations in rules in June.

"Again, Mr. President, to you and all of my colleagues, thank you for your patience."

## TWENTY-FOURTH DAY

Wednesday, March 1, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Most Reverend Father Daniel of Mount Carmel, Archangel Sanctuary of Waikiki, The Inclusive Orthodox Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

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

Senator Ihara, in recognition of the Public Access Room's ten years of service at the Legislature, introduced the following honorees: Electra Anderson, Evelyn Bender, Marguerite Peach, and the Reverend Robert Fraser.

Senator D. Ige, on behalf of President Mizuguchi and himself, commended the Aiea High School Cheerleading Squad on capturing the title of National Champions at the National Cheerleading Championship Competition held in Dallas, Texas, and introduced Coaches Kathy Moniz and Elizabeth Godinet.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 191 to 207) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 191, submitting for consideration and confirmation to the State Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nominations of THEODORE E. GARDUQUE, LESTER H. INOUE, ARNALDO E. PREPOSE and OSCAR PORTUGAL, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 192, submitting for consideration and confirmation to the Hawaii Community Development Authority, the nomination of AUDREY HIDANO, term to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 193, submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nominations of: HOWENA HIU BLUME, term to expire June 30, 2001; DOLORES FOLEY, PH.D., and MILTON Y. FUKU, terms to expire June 30, 2003; and BRUCE Y. NAKAMURA and JAMES H. YASUDA, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 194, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nominations of RICHARD L. KLEMM, CALVIN H. ODA and BLAKE VANCE, PH.D., terms to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 195, submitting for consideration and confirmation to the Board of Pharmacy, the nomination of MILES T. NAKATSU, term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 196, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nominations of STEVE GOODENOW and FREDERICK WM. HACKBARTH, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 197, submitting for consideration and confirmation to the Real Estate Commission, the nominations of CASEY K. CHOI and PETER RICE, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 198, submitting for consideration and confirmation to the Rental Housing Trust Fund Advisory Commission, the nomination of LESLIE Y. KURISAKI, term to expire June 30, 2004, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 199, submitting for consideration and confirmation to the Reproductive Rights Protection Committee, the nominations of: ROSEMARY C. ADAM-TEREM, PH.D., term to expire June 30, 2002; and JENNIFER SCHEMBER-LANG and GAIL YNN WILLIAMSON, PH.D., terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 200, submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District (Oahu), the nomination of CAROL RAE BAPTISTA, term to expire June 30, 2004, was referred to the Committee on Ways and Means.

Gov. Msg. No. 201, submitting for consideration and confirmation to the Board of Taxation Review, Second Taxation District (Maui County), the nominations of: ALAN K. BERNALDO, terms to expire June 30, 2000 and June 30, 2004; and RANDOLPH R. CABANILLA, term to expire June 30, 2004, was referred to the Committee on Ways and Means.

Gov. Msg. No. 202, submitting for consideration and confirmation to the Board of Taxation Review, Third Taxation District (Hawaii), the nominations of: BRADLEY T. KINOSHITA, term to expire June 30, 2003; and GORDON Y. INABA and RICHARD G. WITHINGTON, terms to expire June 30, 2004, was referred to the Committee on Ways and Means.

Gov. Msg. No. 203, submitting for consideration and confirmation to the Board of Taxation Review, Fourth Taxation District (Kauai), the nomination of SANDRA I. KLUTKE, term to expire June 30, 2004, was referred to the Committee on Ways and Means.

Gov. Msg. No. 204, submitting for consideration and confirmation to the Advisory Board on Veterans' Services, the nominations of ROGELIO EVANGELISTA and DANIA S. KRAWEC, terms to expire June 30, 2004, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 205, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nominations of WAYNE SALAS and ROBERT O. VALENTINE, terms to expire June 30, 2004, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 206, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Water Treatment Plants, the nominations of STEPHEN C. GREEN and NORA R. MACARIOLA-SEE, terms to expire June 30, 2004, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 207, submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), the nomination of CLYDE T. KODANI, term to expire June 30, 2004, was referred to the Committee on Education and Technology.

### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 11 and 12) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 11, transmitting H.B. No. 2020, which passed Third Reading in the House of Representatives on February 18, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2020, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 12, transmitting H.B. No. 2022, which passed Third Reading in the House of Representatives on February 18, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2022, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed First Reading by title and was referred to the Committee on Judiciary.

### JUDICIARY COMMUNICATIONS

The following communications from the Judiciary (Jud. Com. Nos. 1 to 3) were read by the Clerk and were disposed of as follows:

Jud. Com. No. 1, submitting for consideration and consent, the nomination of BARBARA P. RICHARDSON to the office of Judge, District Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of six years, was referred to the Committee on Judiciary.

Jud. Com. No. 2, submitting for consideration and consent, the nomination of ALEY K. AUNA, JR., to the office of Judge, District Family Court of the Third Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of six years, was referred to the Committee on Judiciary.

Jud. Com. No. 3, submitting for consideration and consent, the nomination of TERENCE T. YOSHIOKA to the office of Judge, District Family Court of the Third Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of six years, was referred to the Committee on Judiciary.

### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 29 to 39) were read by the Clerk and were referred to committees:

#### Senate Concurrent Resolution

No. 29 "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO INCORPORATE INTO THE COUNTY BUILDING CODES PROVISIONS FOR DISABILITY ACCESSIBILITY."

Offered by: Senators Chun Oakland, Kanno.

Referred to: Jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 30 "SENATE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE POTENTIAL NURSING SHORTAGE."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 31 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE GUARDIANS AD LITEM FEES."

Offered by: Senator Chun Oakland.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 32 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR DIABETES SELF-MANAGEMENT EDUCATION AND TRAINING."

Offered by: Senator Chun Oakland.

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

No. 33 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF THE OPEN ACCESS TAXI SYSTEM AND THE OPEN ACCESS TAXI MANAGEMENT CONCESSIONAIRE AT HONOLULU INTERNATIONAL AIRPORT."

Offered by: Senator Slom.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 34 "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO DEVELOP A QUICK AND EASY METHOD FOR THE CHILD SERVICE ORGANIZATIONS AND THE DEPARTMENT OF EDUCATION TO ACCESS SEX OFFENDER REGISTRATION INFORMATION."

Offered by: Senator Chun Oakland.

Referred to: Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 35 "SENATE CONCURRENT RESOLUTION SUPPORTING FEDERAL EFFORTS TO COMBAT TRAFFICKING IN WOMEN AND CHILDREN."

Offered by: Senators Chun Oakland, Kanno.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 36 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY



TO PROVIDE GENDER SPECIFIC AND COMMUNITY BASED SERVICES FOR WOMEN OFFENDERS."

Offered by: Senators Chun Oakland, Kanno.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 37 "SENATE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF HOW SLIDING-SCALE, HOME- AND COMMUNITY-BASED SERVICES AFFECTS THE RISK AND INCIDENCE OF INSTITUTIONALIZED CARE."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 38 "SENATE CONCURRENT RESOLUTION REQUESTING CONTINUED DISCUSSION FOR A COMPREHENSIVE REVIEW OF CURRENT CHILD PROTECTION LAWS."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 39 "SENATE CONCURRENT RESOLUTION REQUESTING AUDITS OF HOUSING PROGRAMS OF THE CITY AND COUNTY OF HONOLULU AND THE STATE."

Offered by: Senator Tam.

Referred to: Jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 12 to 16) were read by the Clerk and were referred to committees:

**Senate Resolution**

No. 12 "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO DEVELOP A QUICK AND EASY METHOD FOR THE CHILD SERVICE ORGANIZATIONS AND THE DEPARTMENT OF EDUCATION TO ACCESS SEX OFFENDER REGISTRATION INFORMATION."

Offered by: Senator Chun Oakland.

Referred to: Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 13 "SENATE RESOLUTION SUPPORTING FEDERAL EFFORTS TO COMBAT TRAFFICKING IN WOMEN AND CHILDREN."

Offered by: Senators Chun Oakland, Kanno.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 14 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO PROVIDE GENDER SPECIFIC AND COMMUNITY BASED SERVICES FOR WOMEN OFFENDERS."

Offered by: Senators Chun Oakland, Kanno.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 15 "SENATE RESOLUTION REQUESTING AN EXAMINATION OF HOW SLIDING-SCALE, HOME- AND COMMUNITY-BASED SERVICES AFFECTS THE RISK AND INCIDENCE OF INSTITUTIONALIZED CARE."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 16 "SENATE RESOLUTION REQUESTING CONTINUED DISCUSSION FOR A COMPREHENSIVE REVIEW OF CURRENT CHILD PROTECTION LAWS."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

**STANDING COMMITTEE REPORTS**

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2432) recommending that S.B. No. 2056, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2056, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2433) recommending that S.B. No. 2088 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2088, entitled: "A BILL FOR AN ACT RELATING TO SHORT-TERM INVESTMENT OF STATE MONEYS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 2, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2434) recommending that S.B. No. 2785, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2785, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2435) recommending that S.B. No. 2939, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2939, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," passed Second Reading

and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2436) recommending that S.B. No. 2946, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2946, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2437) recommending that S.B. No. 3045, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3045, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2438) recommending that S.B. No. 2067 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2067, entitled: "A BILL FOR AN ACT RELATING TO AWARDING CUSTODY AND VISITATION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 2, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2439) recommending that S.B. No. 2069, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2069, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2440) recommending that S.B. No. 2120, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2120, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2441) recommending that S.B. No. 2121, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2121, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO OBSOLETE LAWS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2442) recommending that S.B. No. 2153, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2443) recommending that S.B. No. 2154, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2154, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2444) recommending that S.B. No. 2629 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2629, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 2, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2445) recommending that S.B. No. 2927, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2927, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2446) recommending that S.B. No. 2160, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2447) recommending that S.B. No. 2308, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2447 and S.B. No. 2308, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO TAXATION," was deferred until Friday, March 3, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2448) recommending that S.B. No. 2512 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 2, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2449) recommending that S.B. No. 2747, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2747, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2450) recommending that S.B. No. 2831, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2451) recommending that S.B. No. 3182, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2452) recommending that S.B. No. 2354, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2354, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 2849:

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, S.B. No. 2849, entitled: "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Taniguchi).

S.B. No. 2293:

On motion by Senator Kanno, seconded by Senator Nakata and carried, S.B. No. 2293, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Taniguchi).

S.B. No. 3118:

Senator Hanabusa moved that S.B. No. 3118, having been read throughout, pass Third Reading, seconded by Senator Tanaka.

Senator Slom rose in opposition to the measure and said:

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

"Regretfully, I must speak against the bill, and I'm really sorry that this has become a divisive issue within our communities that one must be forced to apparently choose sides between veterans, military history, and the Hawaiian movement and restoration of Hawaiian names.

"I think that the City and County of Honolulu took a more reasonable approach to name changes within our community. We all recognize that names are significant and they're very important and they're very emotional, but the city ordinance made it mandatory that all new names -- all new street names, all new location names -- be given preference for Hawaiian terminology. I think that as I read S.B. No. 3118 it does not give an option but, in fact, requires changes in names. The bill talks about historic sites and significant facility settings and locations shall be preserved, but then goes on to talk about renaming these streets.

"The military in Hawaii is inseparable from our history, and the sacrifices that the men and women in the military have made within our community for our behalf -- all of us, including native Hawaiians -- I think is a matter of record, and is historic fact. Too often, I think, we take the military and what they tell us and what they feel for granted. We're very happy to take the money that's generated. We're very happy to accept the jobs that are generated. We're very happy to accept the voluntary contributions that they make to organizations, individual schools and community establishments, and once a year we do have Military Appreciation Week. But oftentimes there are problems with how we view the military and their perception of how they are viewed in our community.

"Also, our history, which seems to be more and more difficult to retain, to discuss, to remember . . . we seem to be making changes all the time and changes that are not always positive changes, particularly when we try to erase or forget contributions or symbolic names that mean something.

"We've been told by the veterans in our community and veterans' organizations, including our state Department of Veterans Affairs, that they think it is important because of history, because of the sacrifices, that the names remain in this area. If there were an option, if there were more input from the community, if there was an idea that we would still revere what has been done and the contributions made by the military, I doubt that we would have as much of an issue on this bill or this type of legislation.

"And so I repeat again, I think it's unfortunate that we are called upon to choose or to be put in a position where we must choose between various groups. But if that be the choice, then somebody's got to stand up for our military. Somebody's got to stand up for our veterans of all races and creeds and ethnic

backgrounds, and they have told us very clearly it's very important to them that they retain these names.

"Some people have perceived the stripping away of the names from the old Barbers Point area as being akin to the desecration at Punchbowl. I think that we should put everything in proper perspective. And if, in fact, we're going to make changes, I think that the changes should be beneficial for everyone.

"Thank you, Mr. President."

At this time, Senators Matsuura, Chun Oakland, Tanaka, Matsunaga, Kawamoto, Sakamoto and D. Ige requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Iwase rose and stated:

"Mr. President, just a short comment.

"I can agree with everything that the Senator from Hawaii Kai has said and I agree with everything that he has said -- we are American citizens; this is a state in the union; the military has contributed in the past to our country -- but as I understand it, in talking to the chair of the committee, this measure does not mandate the authority that will control Kalaeloa to give the streets Hawaiian names and remove the historic military names. This is something that is going to be left to the governing authority, hopefully with sensitivity to all of the community concerns, as well as the legitimate concerns of the veterans.

"Had this bill been a mandate to name all those streets Hawaiian names and to remove all of the military names without regard to precedent, without regard to history, without regard to tradition, without regard to honor, I would have voted 'no.' But because this bill does not appear, as I looked at it, to mandate the name change, I am going to be supporting the bill for that reason, and with that understanding. We have a bill moving through now that would turn Kalaeloa over to HCDA. Whether it's HCDA or the Barbers Point Redevelopment Commission, I'm voting for this bill with the clear understanding that either agency will not be mandated -- mandated -- to change the names.

"Thank you."

Senator Hanabusa rose to support the measure as follows:

"Mr. President, as my colleague from Hawaii Kai has stated, I guess this is an issue that has unfortunately divided the community and forced people to take sides.

"As I've stated and the Senator from Mililani correctly has quoted, this is basically guiding policies for the Kalaeloa Development Association.

"Mr. President, this bill is best described by a speaker that we had on another bill which followed 3118, and that was on the Hawaiian Immersion Program. The speaker was Paul LeMahieu, someone we are all familiar with. The superintendent, in his very strong statement in support of the immersion program, said it was time for him to step up to the plate, because he grew up with his fellow classmates, who dared to speak Hawaiian in the classroom, literally having the Hawaiian beaten out of them.

"Kalaeloa is Kalaeloa. It is not Barbers Point anymore. Why that change was made, who knows? But it was significant enough that Kalaeloa has technically, symbolically, been returned to the people of the State of Hawaii. Now, Barbers Point was Kalaeloa before it was Barbers Point, and now it is Kalaeloa. This area, which I represent, is to become integrated into the bigger community of Kapolei, Makakilo, the areas which Senator Kanno represents, and this means that we want to see an integration of Kalaeloa into the neighboring communities.

"This bill, which you introduced by request, Mr. President, was introduced by request from OHA. The reason OHA requested it is because of the concern of heiau, historic sites, and really the underlying principles that we are all hearing so much about today, which is the concept of that which is Hawaiian and that which is native Hawaiian. It is unfortunate that it is appearing to be a divisive issue.

"I would like to say that those who testified before the committee were veterans. We did not receive an official statement from the military saying that they would take personal affront if this Committee or this Legislature changed the names or, in fact, enacted this bill. The veterans were there, but the veterans who were Hawaiians who testified in testimony, in most part, wanted the names changed, because they felt that their identity as Hawaiians and being Hawaiian was most significant.

"Let us not forget the host culture here is Hawaiian. And yes, the military has done great sacrifices for us, but there is probably no group who has sacrificed as much as the Hawaiians. As Paul LeMahieu said, 'At the cost of the loss of their own identities, the prohibition of being able to speak their own language, dance their hula.' As my colleague from Kaneohe and Kahaluu once put it, he said, 'You know, it looks to me like what we have had over history is that the Hawaiians have become strangers in their own home.' There is nothing as sacred as the language and we must start to make things right.

"How many of us stumble over Hawaiian street names because we did not grow up with Hawaiian, something that was part of what we were taught. This is a step. And for that reason, I ask my colleagues to support this measure.

"Thank you, Mr. President."

The motion was put by the Chair and carried, S.B. No. 3118, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN TERMINOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Bunda, Sлом). Excused, 2 (Fukunaga, Taniguchi).

S.B. No. 2850, S.D. 1:

Senator Chun Oakland moved that S.B. No. 2850, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Iwase.

Senator Sлом rose in support of the measure with reservations and said:

"Mr. President, I rise to speak in favor of the measure, but with strong reservations.

"While I think we all agree with the intent and purpose of the legislation, it vests with the Department of Human Services a great deal of rule-making authority, which results in treating blood relatives differently from non-related foster parents when placing children subject to the DHS jurisdiction. And I think, if you look through the bill, it raises at least the possibility of possible discriminatory impact due to the arbitrary application of rules as they apply to non-blood related foster parents.

"So, for this reason and also the reason of the non-determined reasonable fee for criminal background checks, I will support the legislation, but with strong reservations.

"Thank you, Mr. President."

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

The motion was put by the Chair and carried, S.B. No. 2850, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Taniguchi).

#### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 13	Committee on Judiciary
No. 2438	Committee on Judiciary
No. 2477	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary

Senator Kanno, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for S.B. No. 2205, and the Chair granted the waiver.

Senator Levin, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for the following Senate Bills:

S.B. No. 800;  
S.B. No. 2426;  
S.B. No. 2433;  
S.B. No. 2716;  
S.B. No. 2742;  
S.B. No. 2856;  
S.B. No. 2857;  
S.B. No. 2933; and  
S.B. No. 3002,

and the Chair granted the waiver.

At 12:31 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:37 o'clock p.m.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, requested a waiver pursuant to Senate Rule 20 for S.B. No. 2477, and the Chair granted the waiver.

Senator Nakata, for the Committee on Labor and Environment, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 2245, 2343 and 2859, and the Chair granted the waiver.

#### ADJOURNMENT

At 12:41 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 2, 2000.

## TWENTY-FIFTH DAY

Thursday, March 2, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:49 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Mark Lee, Associate Pastor, Community Church of Honolulu, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Fourth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 189 and 190) were read by the Clerk and were placed on file:

Gov. Msg. No. 189, dated February 18, 2000, transmitting the Progress Report of the Gasoline Overcharge Antitrust Case, prepared by the Attorney General pursuant to H.C.R. No. 9 (1999).

Gov. Msg. No. 190, dated February 18, 2000, transmitting the Financial Report of the Occupational Safety and Health Training and Assistance Special Fund Revenues for Fiscal Year Ending June 30, 1999, pursuant to Section 396-4, HRS.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 13 to 22) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 13, transmitting H.B. No. 1757, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1757, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 14, transmitting H.B. No. 1761, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1761, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 15, transmitting H.B. No. 1984, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1984, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 16, transmitting H.B. No. 2213, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2213, entitled: "A BILL FOR AN ACT RELATING TO BINDING ARBITRATION AWARDS,"

passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 17, transmitting H.B. No. 2344, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2344, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Judiciary.

Hse. Com. No. 18, transmitting H.B. No. 2412, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2412, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 19, transmitting H.B. No. 2488, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2488, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETURN OF PRESCRIPTION DRUGS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 20, transmitting H.B. No. 2562, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2562, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 21, transmitting H.B. No. 2563, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 22, transmitting H.B. No. 2565, which passed Third Reading in the House of Representatives on March 1, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2565, entitled: "A BILL FOR AN ACT RELATING TO GARMENT INDUSTRY HOMEWORK," passed First Reading by title and was referred to the Committee on Labor and Environment.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 40 to 43) were read by the Clerk and were referred to committees:

## Senate Concurrent Resolution

No. 40 "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN."

Offered by: Senators Fukunaga, Chun Oakland, Hanabusa, Inouye, Bunda, Chumbley, D. Ige, Ihara, Iwase, Kanno, Kawamoto, Levin, Matsunaga, Nakata, Taniguchi.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 41 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO INVESTIGATE OCEANIC CABLE FOR POSSIBLE UNFAIR AND MONOPOLISTIC PRACTICES FOR CHARGING BULK RATES TO MULTIDWELLING BUILDINGS THAT ARE PASSED ON AS PART OF BUILDING MAINTENANCE FEES."

Offered by: Senator Tam.

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

No. 42 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE HEALTH BENEFITS OF TOFU AND SOY BASED FOOD PRODUCTS."

Offered by: Senators Kawamoto, Chun Oakland, Fukunaga.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 43 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE ISSUES AND IMPLICATIONS OF INSTITUTING A TAX ON ELECTRONIC COMMERCE."

Offered by: Senators Kawamoto, Bunda, D. Ige.

Referred to: Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means

### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 17 to 19) were read by the Clerk and were referred to committees:

#### Senate Resolution

No. 17 "SENATE RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN."

Offered by: Senators Fukunaga, Chun Oakland, Hanabusa, Inouye, Bunda, Chumbley, D. Ige, Ihara, Iwase, Kanno, Kawamoto, Levin, Matsunaga, Nakata, Taniguchi.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 18 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE HEALTH BENEFITS OF TOFU AND SOY BASED FOOD PRODUCTS."

Offered by: Senators Kawamoto, Chun Oakland, Fukunaga.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 19 "SENATE RESOLUTION REQUESTING A STUDY ON THE ISSUES AND IMPLICATIONS OF INSTITUTING A TAX ON ELECTRONIC COMMERCE."

Offered by: Senators Kawamoto, Bunda, D. Ige.

Referred to: Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means

### STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2453) recommending that S.B. No. 2146, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2454) recommending that S.B. No. 2201 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2201, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2455) recommending that S.B. No. 2535 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2535, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2456) recommending that S.B. No. 2631 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2631, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2457) recommending that S.B. No. 2667 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2667, entitled: "A BILL FOR AN ACT RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2458) recommending that S.B. No. 2670 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2670, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2459) recommending that S.B. No. 2711, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2460) recommending that S.B. No. 2924, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2924, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2461) recommending that S.B. No. 2935, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2935, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2462) recommending that S.B. No. 2106, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2106, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FUNDING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2463) recommending that S.B. No. 2421, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2421, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2464) recommending that S.B. No. 2791 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2791, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2465) recommending that S.B. No. 2947 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2947, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF TAX INFORMATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2466) recommending that S.B. No. 2150, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2150, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2467) recommending that S.B. No. 2666, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2468) recommending that S.B. No. 2147, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2147, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2469) recommending that S.B. No. 2480, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2480, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2470) recommending that S.B. No. 2758, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2758, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.



Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2471) recommending that S.B. No. 2639 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2639, entitled: "A BILL FOR AN ACT RELATING TO BURGLARY," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 3, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2472) recommending that S.B. No. 2637, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2637, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS AND WITNESSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2473) recommending that S.B. No. 2470, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2470, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 2088:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2088, entitled: "A BILL FOR AN ACT RELATING TO SHORT-TERM INVESTMENT OF STATE MONIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Tam, Taniguchi).

S.B. No. 2067:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2067, entitled: "A BILL FOR AN ACT RELATING TO AWARDING CUSTODY AND VISITATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Tam, Taniguchi).

S.B. No. 2629:

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

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Tam, Taniguchi).

S.B. No. 2512:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION," having been

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

Ayes, 23. Noes, none. Excused, 2 (M. Ige, Tam).

Senator Kanno, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for S.B. No. 2974, and the Chair granted the waiver.

Senator Chumbley, for the Committee on Judiciary, requested a waiver pursuant to Senate Rule 20 for S.B. No. 2311, and the Chair granted the waiver.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:12 o'clock p.m.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver pursuant to Senate Rule 20 for S.B. No. 2151, and the Chair granted the waiver.

At 12:16 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

## ADJOURNMENT

At 12:18 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 3, 2000.

## TWENTY-SIXTH DAY

Friday, March 3, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:49 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Regina Mary Jenkins, SS.CC, Provincial Superior of the Sisters of the Sacred Hearts, after which the Roll was called showing all Senators present with the exception of Senators D. Ige and Iwase who were excused.

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

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 208, submitting for consideration and consent, the nomination of MICHAEL D. WILSON to the office of Judge, 6th Division, Circuit Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was read by the Clerk and was referred to the Committee on Judiciary.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 23 to 51) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 23, transmitting H.B. No. 1764, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1764, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 24, transmitting H.B. No. 1836, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1836, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 25, transmitting H.B. No. 1874, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1874, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 26, transmitting H.B. No. 1893, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1893, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed First Reading by title and was referred to the Committee on Labor and Environment.

Hse. Com. No. 27, transmitting H.B. No. 1982, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1982, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 28, transmitting H.B. No. 2021, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2021, entitled: "A BILL FOR AN ACT RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 29, transmitting H.B. No. 2040, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2040, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 30, transmitting H.B. No. 2216, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2216, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 31, transmitting H.B. No. 2218, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2218, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 32, transmitting H.B. No. 2220, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2220, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 33, transmitting H.B. No. 2222, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2222, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on

Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 34, transmitting H.B. No. 2297, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2297, entitled: "A BILL FOR AN ACT RELATING TO FAMILY OR HOUSEHOLD MEMBER ABUSE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 35, transmitting H.B. No. 2418, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2418, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 36, transmitting H.B. No. 2457, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2457, entitled: "A BILL FOR AN ACT RELATING TO VETERANS LOANS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 37, transmitting H.B. No. 2459, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2459, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TELECOMMUNICATIONS AND INFORMATION ACT," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 38, transmitting H.B. No. 2487, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2487, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 39, transmitting H.B. No. 2491, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2491, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 40, transmitting H.B. No. 2505, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2505, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE

PROGRAMS," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 41, transmitting H.B. No. 2507, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2507, entitled: "A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 42, transmitting H.B. No. 2508, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2508, entitled: "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS," passed First Reading by title and was referred to the Committee on Health and Human Services.

Hse. Com. No. 43, transmitting H.B. No. 2519, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2519, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 44, transmitting H.B. No. 2544, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2544, entitled: "A BILL FOR AN ACT RELATING TO SANITATION," passed First Reading by title and was referred to the Committee on Health and Human Services.

Hse. Com. No. 45, transmitting H.B. No. 2567, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2567, entitled: "A BILL FOR AN ACT RELATING TO BLUE LIGHTS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 46, transmitting H.B. No. 2584, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2584, entitled: "A BILL FOR AN ACT RELATING TO THE FUEL TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 47, transmitting H.B. No. 2763, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2763, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 48, transmitting H.B. No. 2822, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2822, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ADMINISTRATORS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 49, transmitting H.B. No. 2964, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2964, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 50, transmitting H.B. No. 3018, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 3018, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 51, transmitting H.B. No. 3021, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 3021, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 44 to 46) were read by the Clerk and were referred to committees:

##### Senate Concurrent Resolution

No. 44 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF TRAFFIC ACCIDENTS INVOLVING CELLULAR PHONE USE."

Offered by: Senator Chun Oakland.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 45 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO REQUIRE DETAILED JUSTIFICATION FROM THE HAWAII HEALTH SYSTEMS CORPORATION IN ANY CERTIFICATE OF NEED PROPOSAL TO REDUCE LONG-TERM CARE BEDS."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 46 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO STUDY THE IMPLICATIONS OF INCREASED ACCESS TO STERILE SYRINGES FOR THE HEALTH OF THE CITIZENS OF HAWAII."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

#### STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2474) recommending that S.B. No. 2544, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2544, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE ANALYST," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2475) recommending that S.B. No. 2668, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2668, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2476) recommending that S.B. No. 3023, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3023, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2477) recommending that S.B. No. 3133, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3133, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2478) recommending that S.B. No. 2387, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2478 and S.B. No. 2387, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2479) recommending that S.B. No. 3159, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2479 and S.B. No. 3159, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2480) recommending that S.B. No. 2429, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2480 and S.B. No. 2429, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2481) recommending that S.B. No. 2533, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2481 and S.B. No. 2533, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2482) recommending that S.B. No. 2883, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2482 and S.B. No. 2883, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2483) recommending that S.B. No. 2905 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2483 and S.B. No. 2905, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2484) recommending that S.B. No. 2221, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2484 and S.B. No. 2221, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2485) recommending that S.B. No. 2948, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2485 and S.B. No. 2948, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2486) recommending that S.B. No. 2783 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2486 and S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT FINANCING," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2487) recommending that S.B. No. 2277, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2487 and S.B. No. 2277, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2488) recommending that S.B. No. 2296 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2488 and S.B. No. 2296, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2489) recommending that S.B. No. 2925 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2489 and S.B. No. 2925, entitled: "A BILL FOR AN ACT RELATING TO THE FUEL TAX," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2490) recommending that S.B. No. 3049 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2490 and S.B. No. 3049, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2491) recommending that S.B. No. 3079 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2491 and S.B. No. 3079, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2492) recommending that S.B. No. 3194, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2492 and S.B. No. 3194, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2493) recommending that S.B. No. 2064 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2493 and S.B. No. 2064, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2494) recommending that S.B. No. 2848 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2494 and S.B. No. 2848, entitled: "A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2495) recommending that S.B. No. 2192, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2495 and S.B. No. 2192, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WHISTLEBLOWER PROTECTION ACT," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2496) recommending that S.B. No. 2672 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2496 and S.B. No. 2672, entitled: "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTERESTS," was deferred until Tuesday, March 7, 2000.

Senator Hanabusa, jointly with Senators Chumbley and Matsunaga, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2497) recommending that S.B. No. 2477, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2477, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Hanabusa, jointly with Senators Chumbley and Matsunaga, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2498) recommending that S.B. No. 2479, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2479, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTION OF THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2499) recommending that S.B. No. 2830 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2830, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF SCHOOL PRINCIPALS AND VICE PRINCIPALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2500) recommending that S.B. No. 2836, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2836, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2501) recommending that S.B. No. 2278, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2278, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2502) recommending that S.B. No. 2279, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2503) recommending that S.B. No. 2282, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2282, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2504) recommending that S.B. No. 2283, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2283, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2505) recommending that S.B. No. 2304, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2304, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2506) recommending that S.B. No. 2811, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2811, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2507) recommending that S.B. No. 2814, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2814, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2508) recommending that S.B. No. 2819, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2819, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2509) recommending that S.B. No. 3190, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2510) recommending that S.B. No. 3192, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 2056, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2056, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2785, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2785, S.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, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2939, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2939, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2946, S.D. 1:

Senator Fukunaga moved that S.B. No. 2946, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"Currently, the law is that any taxpayer who wishes to make an appeal of his or her assessment must pay the assessment value first before going to the Board of Tax Review, and then, should they want to appeal that to the court, they must pay again, and they must pay in cash the full assessment amount. This bill comes half-way to rectify this condition by allowing the taxpayer to appeal directly to the Tax Review Board without paying. Should they lose at the Tax Appeal Board, however, and wish to appeal to the court, they still must put up the total value in cash.

"What I would like to see the bill do is to make sure that they don't have to pay anything until they've been fully adjudicated. So I will support the bill with reservations.

"Thank you, Mr. President."

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

The motion was put by the Chair and carried, S.B. No. 2946, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 3045, S.D. 1:

Senator Fukunaga moved that S.B. No. 3045, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to inquire as follows:

"Just a question, Mr. President. I was just curious as to why this bill had been referred to WAM rather than to Judiciary, since there were no monetary considerations? Could I get an answer from someone?"

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

Senator Slom then rose and said:

"I was just going to say thank you for the information regarding legislative management issues that automatically go to WAM. Thank you for that clarification."

The motion was put by the Chair and carried, S.B. No. 3045, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, D. Ige, Iwase).

S.B. No. 2069, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2069, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, D. Ige, Iwase).

S.B. No. 2120, S.D. 1:

Senator Chumbley moved that S.B. No. 2120, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose in support of the bill with reservations and said:

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

"I note that originally the crime victim compensation special fund was to do certain things -- the primary purpose is to maintain support for the Crime Victim Compensation Commission -- and was supposed to be self-sufficient and be independent of state appropriations, and then the sunset date on the fund was 2001, and this bill will remove that. I guess I'm a little curious as to what the bill actually will do and what we've actually done for the crime victims in terms of compensation.

"I think there have been some examples in the past where an alleged victim of a crime had actually been compensated and then went back to the situation that had created the crime in the first place so that the state was actually paying money and supporting this particular activity. So I would like to see more about the bill and I'm really a little troubled that we don't have a sunset date on it, but I will support it with reservations."

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

The motion was put by the Chair and carried, S.B. No. 2120, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2121, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2121, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2153, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2154, S.D. 1:

Senator Chumbley moved that S.B. No. 2154, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose to speak in favor of the measure with reservations and said:

"Mr. President, I rise in support with reservations.

"Mr. President, I think you and many of us are supportive of the family, and traditionally, the family unit is a very important unit. My reservations are that this bill states that, 'alleges to be a family or household member on the basis that the petitioner is or was in a dating relationship with the respondent.' Expanding the family unit is very important; to now blur it by saying, 'was in a dating relationship,' Mr. President, I think we are blurring what has built our nation and our community.

"Thank you."

Senators Slom and Anderson then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2154, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2927, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2927, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2160, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

Stand. Com. Rep. No. 2447 (S.B. No. 2308, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2447 was adopted and S.B. No. 2308, 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, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2747, S.D. 1:



On motion by Senator Inouye, seconded by Senator Buen and carried, S.B. No. 2747, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

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

By unanimous consent, action on S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until Tuesday, March 7, 2000.

S.B. No. 3182, S.D. 1:

Senator Sakamoto moved that S.B. No. 3182, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Bunda.

Senator Slom rose to support the bill and stated:

"Mr. President, I do rise in support of the bill, because I think we all like holidays and we certainly want to represent and recognize King Kalakaua. The bill, as being proposed today, of course, does not call for this to be a state holiday or paid holiday, and I'd just like to make sure that we do all understand that this is the purpose and it will be recognized, but not as a state official holiday.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 3182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2354, S.D. 1:

Senator Fukunaga moved that S.B. No. 2354, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations as follows:

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

"We just had a floor presentation the other day recognizing the wonderful efforts of the volunteer citizens that have opened up our government by providing more legislative access, and I think we all support this. However, I note that we have gotten farther and farther away from the original purpose, and that was citizen involvement and volunteers. We now have a full paid staff to operate the access center. We're, in this bill, appropriating more money for an additional part-time position for the public access room. And we are appropriating money to make the materials more available by the internet, and I don't have any problem with that.

"But the third part of the bill, I do have a serious objection to, and that is we are now putting the state in the baby-sitting department. And we're saying that we will provide for care -- baby-sitting -- for those people who want to come down and use and access it. It's a baby-sitting pilot project, but there is no dollar amount, and I very seriously object to that. I don't think we should be doing it, first of all. And secondly, the fact that we're passing this without a dollar amount, without a clue as to how much this is going to cost and how it may expand, I think is fiscally irresponsible.

"Thank you, Mr. President."

Senator Anderson rose with reservations and said:

"I have some reservations, but I don't have line item veto, so that's the only reason. If I had a line item veto, I could do that."

The motion was put by the Chair and carried, S.B. No. 2354, 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, 22. Noes, none. Excused, 3 (D. Ige, M. Ige, Iwase).

S.B. No. 2201:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2201, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, M. Ige, Iwase).

S.B. No. 2535:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2535, 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, 22. Noes, none. Excused, 3 (D. Ige, M. Ige, Iwase).

S.B. No. 2631:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2631, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, M. Ige, Iwase).

S.B. No. 2667:

Senator Chumbley moved that S.B. No. 2667, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I'm a little perplexed by this bill. I don't know why we actually have a bill here and whether or not we've actually had a situation where no candidates have filed. But I think that if we have a deadline for anything, that we should meet the deadline, and if candidates don't file by that time, then we should be asking ourselves why.

"I think I'll go 'no' on the bill, just to be honest about it. I'll vote 'no.'"

The motion was put by the Chair and carried, S.B. No. 2667, entitled: "A BILL FOR AN ACT RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (D. Ige, Iwase).

S.B. No. 2670:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2670, 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, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2791:

Senator Fukunaga moved that S.B. No. 2791, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose with reservations on the measure and said:

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

"This is another one of my favorite bills -- appropriating emergency funds. Everything here is an emergency. We can never budget for it properly.

"This is brought about because of rebates and refunds made by various health carriers to the state in terms of health insurance premiums, and then the state has an obligation to repay the federal government because some of those funds were derived initially from the federal government. The only problem is that this bill is very poorly constructed. It appropriates \$2,132,595 to the federal government, but there's been no communication from the federal government so we don't know whether that number is high, low, or indifferent. And I think that before we act and before we call this an emergency appropriation, we should be more fiscally prudent and find out what the true figures are.

"So, I vote with reservations."

The motion was put by the Chair and carried, S.B. No. 2791, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2947:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2947, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF TAX INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

S.B. No. 2639:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2639, entitled: "A BILL FOR AN ACT RELATING TO BURGLARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (D. Ige, Iwase).

#### STANDING COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that Senate bills and a House bill pass Second Reading and be placed on the calendar for Third Reading. The Clerk was further authorized to receive standing committee reports recommending that Senate bills be placed on the calendar for Third Reading. In consequence thereof, and subsequent to its recessing at 12:14 o'clock p.m.,

the Senate took the following actions on the following Senate bills and standing committee reports:

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2511) recommending that S.B. No. 2040, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2511 and S.B. No. 2040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2512) recommending that S.B. No. 2059, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2512 and S.B. No. 2059, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WELFARE REFORM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2513) recommending that S.B. No. 2062, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2513 and S.B. No. 2062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2514) recommending that S.B. No. 2247, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2514 and S.B. No. 2247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FERAL ANIMALS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2515) recommending that S.B. No. 2320, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2515 and S.B. No. 2320, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE COMMISSION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2516) recommending that S.B. No. 2448, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2516 and S.B. No. 2448, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AUTISM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2517) recommending that S.B. No. 2456, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2517 and S.B. No. 2456, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BLUEPRINT FOR CHANGE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2518) recommending that S.B. No. 2489, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2518 and S.B. No. 2489, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO BRAIN INJURY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2519) recommending that S.B. No. 2493, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2519 and S.B. No. 2493, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE TREATMENT SERVICES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2520) recommending that S.B. No. 2494, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2520 and S.B. No. 2494, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPOWERMENT OF THE BLIND," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2521) recommending that S.B. No. 2579, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2521 and S.B. No. 2579, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2522) recommending that S.B. No. 2658 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2522 and S.B. No. 2658, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2523) recommending that S.B. No. 2856, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2523 and S.B. No. 2856, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2524) recommending that S.B. No. 2873, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2524 and S.B. No. 2873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2525) recommending that S.B. No. 2892 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2525 and S.B. No. 2892, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2526) recommending that S.B. No. 3123, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2526 and S.B. No. 3123, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2527) recommending that S.B. No. 2061, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2527 and S.B. No. 2061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2528) recommending that S.B. No. 2171, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2528 and S.B. No. 2171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2529) recommending that S.B. No. 2545 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2529 and S.B. No. 2545, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECOVERY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2530) recommending that S.B. No. 2605, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2530 and S.B. No. 2605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2531) recommending that S.B. No. 2652, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2531 and S.B. No. 2652, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2532) recommending that S.B. No. 2971 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2532 and S.B. No. 2971, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2533) recommending that S.B. No. 2289, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2533 and S.B. No. 2289, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREPAID TELEPHONE CALLING SERVICE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2534)

recommending that S.B. No. 2312, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2534 and S.B. No. 2312, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2535) recommending that S.B. No. 2419, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2535 and S.B. No. 2419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL ACCESS PROGRAM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2536) recommending that S.B. No. 2561, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2536 and S.B. No. 2561, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2537) recommending that S.B. No. 2808 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2537 and S.B. No. 2808, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2538) recommending that S.B. No. 2074, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2538 and S.B. No. 2074, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2539) recommending that S.B. No. 2144, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2539 and S.B. No. 2144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2540) recommending that S.B. No. 2220, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2540 and S.B. No. 2220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF NUISANCE SEAWEED," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2541) recommending that S.B. No. 2353, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2541 and S.B. No. 2353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2542) recommending that S.B. No. 2432, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2542 and S.B. No. 2432, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2543) recommending that S.B. No. 2484, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2543 and S.B. No. 2484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID RECOVERY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2544) recommending that S.B. No. 2685 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2544 and S.B. No. 2685, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2545) recommending that S.B. No. 2691 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2545 and S.B. No. 2691, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2546) recommending that S.B. No. 2751, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2546 and S.B. No. 2751, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2547) recommending that S.B. No. 2764, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2547 and S.B. No. 2764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2548) recommending that S.B. No. 2993, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2548 and S.B. No. 2993, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2549) recommending that S.B. No. 2779, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2549 and S.B. No. 2779, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2550) recommending that S.B. No. 2342, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2550 and S.B. No. 2342, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2551) recommending that S.B. No. 2409, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2551 and S.B. No. 2409, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2552) recommending that S.B. No. 2473, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2552 and S.B. No. 2473, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS DEFENDER," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2553) recommending that S.B. No. 2482, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2553 and S.B. No. 2482, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY BUSINESS TAXATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2554) recommending that S.B. No. 2530, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2554 and S.B. No. 2530, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2555) recommending that S.B. No. 2549, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2555 and S.B. No. 2549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION TAX CREDITS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2556) recommending that S.B. No. 2745, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2556 and S.B. No. 2745, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2557) recommending that S.B. No. 2005 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2557 and S.B. No. 2005, entitled: "A BILL FOR AN ACT

RELATING TO PUBLIC LANDS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2558) recommending that S.B. No. 2109, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2558 and S.B. No. 2109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2559) recommending that S.B. No. 2118, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2559 and S.B. No. 2118, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2560) recommending that S.B. No. 2843 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2560 and S.B. No. 2843, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2561) recommending that S.B. No. 2093, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2561 and S.B. No. 2093, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2562) recommending that S.B. No. 2299, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2562 and S.B. No. 2299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2563) recommending that S.B. No. 2300, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2563 and S.B. No. 2300, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2564) recommending that S.B. No. 3104, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2564 and S.B. No. 3104, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2565) recommending that S.B. No. 2571, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2565 and S.B. No. 2571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2566) recommending that S.B. No. 2961, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2566 and S.B. No. 2961, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2567) recommending that S.B. No. 2509, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2567 and S.B. No. 2509, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT PRACTICES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2568) recommending that S.B. No. 3160, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2568 and S.B. No. 3160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2569) recommending that S.B. No. 2412, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2412, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2570) recommending that S.B. No. 2717, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2717, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2571) recommending that S.B. No. 2804 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2804, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2572) recommending that S.B. No. 2805 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2805, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE BOARD OF NURSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2573) recommending that S.B. No. 2826, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2826, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2574) recommending that S.B. No. 2827 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2827, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC LICENSURE REQUIREMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2575) recommending that S.B. No. 2829, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2829, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETURN OF PRESCRIPTION DRUGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2576) recommending that S.B. No. 3041, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3041, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2577) recommending that S.B. No. 3129 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3129, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HEALING PRACTICES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2578) recommending that S.B. No. 2674 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2674, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL EMPLOYEE ORGANIZATION MEETINGS HELD DURING STATE WORKING HOURS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2579) recommending that S.B. No. 2769 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO REDUCING GREENHOUSE GAS EMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2580) recommending that S.B. No. 2867 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2867, entitled: "A BILL FOR AN ACT RELATING TO USED OIL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2581) recommending that S.B. No. 2906 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2906, entitled: "A BILL FOR AN ACT RELATING TO GARMENT INDUSTRY HOMEWORK," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2582) recommending that S.B. No. 278, S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2582 and S.B. No. 278, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2583) recommending that S.B. No. 2218, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2583 and S.B. No. 2218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2584) recommending that S.B. No. 2475, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2584 and S.B. No. 2475, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2585) recommending that S.B. No. 2722, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2585 and S.B. No. 2722, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2586) recommending that S.B. No. 2837, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2586 and S.B. No. 2837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2587) recommending that S.B. No. 2964 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2587 and S.B. No. 2964, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2588) recommending that S.B. No. 3141 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2588 and S.B. No. 3141, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2589) recommending that S.B. No. 800, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2589 and S.B. No. 800, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2590) recommending that S.B. No. 2303, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2590 and S.B. No. 2303, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2591) recommending that S.B. No. 2686, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2591 and S.B. No. 2686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2592) recommending that S.B. No. 3201, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2592 and S.B. No. 3201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SCENIC HIGHWAYS SYSTEM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2593)

recommending that S.B. No. 2181, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2593 and S.B. No. 2181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2594) recommending that S.B. No. 2513, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2594 and S.B. No. 2513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2595) recommending that S.B. No. 2584, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2595 and S.B. No. 2584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2596) recommending that S.B. No. 2736, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2596 and S.B. No. 2736, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2597) recommending that S.B. No. 2915, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2597 and S.B. No. 2915, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2598) recommending that S.B. No. 2917, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2598 and S.B. No. 2917, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2599) recommending that S.B. No. 2021, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2599 and S.B. No. 2021, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2600) recommending that S.B. No. 2521, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2600 and S.B. No. 2521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL SERVICE CONTRACTS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2601) recommending that S.B. No. 2058, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2058, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2602) recommending that S.B. No. 2131, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2131, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2603) recommending that S.B. No. 2194, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2604) recommending that S.B. No. 2003, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2604 and S.B. No. 2003, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2605) recommending that S.B. No. 2134, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2605 and S.B. No. 2134, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2606) recommending that S.B. No. 2166 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2606 and S.B. No. 2166, entitled: "A BILL FOR AN ACT RELATING TO WIND FARMS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2607) recommending that S.B. No. 2152, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2607 and S.B. No. 2152, S.D. 1, entitled: "A BILL FOR AN ACT



RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2608) recommending that S.B. No. 2369, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2608 and S.B. No. 2369, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2609) recommending that S.B. No. 2522, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2609 and S.B. No. 2522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICE OF INFORMATION PRACTICES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2610) recommending that S.B. No. 2536, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2610 and S.B. No. 2536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2611) recommending that S.B. No. 2654, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2611 and S.B. No. 2654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2612) recommending that S.B. No. 2675, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2612 and S.B. No. 2675, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALARY OF THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2613) recommending that S.B. No. 2692, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2613 and S.B. No. 2692, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2614) recommending that S.B. No. 2759, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2614 and S.B. No. 2759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2615) recommending that S.B. No. 2781, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2615 and S.B. No. 2781, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2616) recommending that S.B. No. 2809, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2616 and S.B. No. 2809, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2617) recommending that S.B. No. 2933 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2617 and S.B. No. 2933, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION COMMISSION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2618) recommending that S.B. No. 3032, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2618 and S.B. No. 3032, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2619) recommending that S.B. No. 3043, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2619 and S.B. No. 3043, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2620) recommending that S.B. No. 3177, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2620 and S.B. No. 3177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2621) recommending that S.B. No. 3179 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2621 and S.B. No. 3179, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2622) recommending that S.B. No. 2863, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2622 and S.B. No. 2863, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2623) recommending that S.B. No. 2254, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2623 and S.B. No. 2254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2624) recommending that S.B. No. 2815, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2624 and S.B. No. 2815, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2625) recommending that S.B. No. 2527, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2625 and S.B. No. 2527, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2626) recommending that S.B. No. 2918, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2626 and S.B. No. 2918, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING LICENSES," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2627) recommending that S.B. No. 1390, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2627 and S.B. No. 1390, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2628) recommending that S.B. No. 2635 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2628 and S.B. No. 2635, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2629) recommending that S.B. No. 2955 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2629 and S.B. No. 2955, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2630) recommending that S.B. No. 2436, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2436, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2631) recommending that S.B. No. 2930, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2631 and S.B. No. 2930, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2632) recommending that S.B. No. 2931, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2632 and S.B. No. 2931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2633) recommending that S.B. No. 2847, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2633 and S.B. No. 2847, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2634) recommending that S.B. No. 2982, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2982, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2635) recommending that S.B. No. 2441, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2441, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DOGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2636) recommending that S.B. No. 2869 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2636 and S.B. No. 2869, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2637) recommending that S.B. No. 3051, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2637 and S.B. No. 3051, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR EXPORT," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2638)

recommending that S.B. No. 2983, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2638 and S.B. No. 2983, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2639) recommending that S.B. No. 2224 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2224, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2640) recommending that S.B. No. 2437, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2640 and S.B. No. 2437, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2641) recommending that S.B. No. 3038, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2641 and S.B. No. 3038, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2642) recommending that S.B. No. 2941 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2642 and S.B. No. 2941, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS," was deferred until Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2643) recommending that S.B. No. 2114, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2644) recommending that S.B. No. 2405 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2405, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com.

Rep. No. 2645) recommending that S.B. No. 2443 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2645 and S.B. No. 2443, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," was deferred until Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2646) recommending that S.B. No. 2621, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2646 and S.B. No. 2621, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 7, 2000.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2647) recommending that S.B. No. 2643, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2643, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2648) recommending that S.B. No. 2725 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2725, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2649) recommending that S.B. No. 2903 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2903, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2650) recommending that S.B. No. 2904 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2904, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2651) recommending that S.B. No. 2953, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2953, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

CONTROL OF VENDING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2652) recommending that S.B. No. 3100 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3100, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY INSTRUCTION PERMIT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2653) recommending that S.B. No. 2205, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2654) recommending that S.B. No. 2306, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2654 and S.B. No. 2306, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was deferred until Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2655) recommending that S.B. No. 2307, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2655 and S.B. No. 2307, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was deferred until Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2656) recommending that S.B. No. 2562, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2657) recommending that S.B. No. 2657, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2657 and S.B. No. 2657, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2658) recommending that S.B. No. 2866, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2658 and S.B. No. 2866, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2659) recommending that S.B. No. 35 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2659 and S.B. No. 35, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE HAWAII FORESTRY AND COMMUNITIES INITIATIVE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2660) recommending that S.B. No. 364, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2660 and S.B. No. 364, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2661) recommending that S.B. No. 2200, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2661 and S.B. No. 2200, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2662) recommending that S.B. No. 2317, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2662 and S.B. No. 2317, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS OF WATER SUPPLY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2663) recommending that S.B. No. 2446, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2663 and S.B. No. 2446, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2664) recommending that S.B. No. 2716, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2716, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2665) recommending that H.B. No. 164, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

164, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP IN THE SENATE OR HOUSE OF REPRESENTATIVES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2666) recommending that S.B. No. 2311, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2666 and S.B. No. 2311, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY USE OF SEATBELTS," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2667) recommending that S.B. No. 2318, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2667 and S.B. No. 2318, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSES," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2668) recommending that S.B. No. 2634, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2668 and S.B. No. 2634, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2669) recommending that S.B. No. 3125, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2669 and S.B. No. 3125, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF NOTICE," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2670) recommending that S.B. No. 2001, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2670 and S.B. No. 2001, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY TORT LIABILITY," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2671) recommending that S.B. No. 2467, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2671 and S.B. No. 2467, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2672) recommending that S.B. No. 2465, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2672 and S.B. No. 2465, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, jointly with Senator Kawamoto, for the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2673) recommending that S.B. No. 2151, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2674) recommending that S.B. No. 2438 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2438, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2675) recommending that S.B. No. 2430 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2430, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2676) recommending that S.B. No. 539, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2676 and S.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY," was deferred until Tuesday, March 7, 2000.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2677) recommending that S.B. No. 3031, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 3031, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2678) recommending that S.B. No. 2316, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2316, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2679) recommending that S.B. No. 3102 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3102, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSE RENEWAL BY MAIL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Kawamoto, jointly with Senators Fukunaga and Levin, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2680) recommending that S.B. No. 2706, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2706, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Nakata, jointly with Senators Fukunaga and Levin, for the Committee on Labor and Environment and the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2681) recommending that S.B. No. 2343, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2682) recommending that S.B. No. 2870, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2870, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2683) recommending that S.B. No. 2766, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2683 and S.B. No. 2766, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was deferred until Tuesday, March 7, 2000.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2684) recommending that S.B. No. 2986, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2986, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator D. Ige, jointly with Senators Fukunaga and Levin, for the Committee on Education and Technology and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2685) recommending that S.B. No. 3026, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 3026, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Nakata, jointly with Senators Fukunaga and Levin, for the Committee on Labor and Environment and the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2686) recommending that S.B. No. 2859, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, jointly with Senators Fukunaga and Levin, for the Committee on Commerce and Consumer Protection and the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2687) recommending that S.B. No. 3193, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE EXCHANGE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2688) recommending that S.B. No. 2292, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2689) recommending that S.B. No. 2655, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2689 and S.B. No. 2655, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2690) recommending that S.B. No. 2782, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2690 and S.B. No. 2782, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL MATERIALS," was deferred until Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2691) recommending that S.B. No. 2974 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2691 and S.B. No. 2974, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE INSURANCE BENEFITS," was deferred until Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2692) recommending that S.B. No. 3117 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2692 and S.B. No. 3117, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2693) recommending that S.B. No. 2108, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2693 and S.B. No. 2108, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2694) recommending that S.B. No. 2110, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2694 and S.B. No. 2110, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2695) recommending that S.B. No. 2529, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2695 and S.B. No. 2529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LAND EXCHANGE IN NORTH KONA, HAWAII," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2696) recommending that S.B. No. 2914, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2696 and S.B. No. 2914, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2697) recommending that S.B. No. 2186, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2697 and S.B. No. 2186, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2698) recommending that S.B. No. 3176, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2698 and S.B. No. 3176, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2699) recommending that S.B. No. 2348, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2699 and S.B. No. 2348, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL SERVICES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2700) recommending that S.B. No. 2132, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2700 and S.B. No. 2132, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2701) recommending that S.B. No. 2301, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2701 and S.B. No. 2301, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2702) recommending that S.B. No. 2219, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2702 and S.B. No. 2219, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2703) recommending that S.B. No. 2474, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2703 and S.B. No. 2474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL AID," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2704) recommending that S.B. No. 2572 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2704 and S.B. No. 2572, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2705) recommending that S.B. No. 2750, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2705 and S.B. No. 2750, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2706) recommending that S.B. No. 2576, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2706 and S.B. No. 2576, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE OWNED PUBLIC HOUSING," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2707) recommending that S.B. No. 2598, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2707 and S.B. No. 2598, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2708) recommending that S.B. No. 2987, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2708 and S.B. No. 2987, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2709) recommending that S.B. No. 2988, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2709 and S.B. No. 2988, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2710) recommending that S.B. No. 2909, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2710 and S.B. No. 2909, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2711) recommending that S.B. No. 2499, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2499, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2712) recommending that S.B. No. 2990, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2712 and S.B. No. 2990, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RECYCLING OF BATTERIES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2713)

recommending that S.B. No. 2879, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2713 and S.B. No. 2879, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2714) recommending that S.B. No. 2490, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2714 and S.B. No. 2490, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2715) recommending that S.B. No. 2607, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2715 and S.B. No. 2607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2716) recommending that S.B. No. 2857, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2716 and S.B. No. 2857, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2717) recommending that S.B. No. 3019, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2717 and S.B. No. 3019, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HEALTHY START PROGRAM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2718) recommending that S.B. No. 2872, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2718 and S.B. No. 2872, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2719) recommending that S.B. No. 2893, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2719 and S.B. No. 2893, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2720) recommending that S.B. No. 2112, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2720 and S.B. No. 2112, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY



BENCHMARKING PILOT PROJECT," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2721) recommending that S.B. No. 2742 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2721 and S.B. No. 2742, entitled: "A BILL FOR AN ACT RELATING PORK," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2722) recommending that S.B. No. 3199, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2722 and S.B. No. 3199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2723) recommending that S.B. No. 2345, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2723 and S.B. No. 2345, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2724) recommending that S.B. No. 2690, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2724 and S.B. No. 2690, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2725) recommending that S.B. No. 2523, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2725 and S.B. No. 2523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," was deferred until Tuesday, March 7, 2000.

Senator Nakata, jointly with Senators Fukunaga and Levin, for the Committee on Labor and Environment and the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2726) recommending that S.B. No. 2245, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL FEE SCHEDULES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2727) recommending that S.B. No. 2898, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2898, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH," passed Second

Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2728) recommending that S.B. No. 2899, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2899, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR LAW," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2729) recommending that S.B. No. 2115, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2729 and S.B. No. 2115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2730) recommending that S.B. No. 2426, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2730 and S.B. No. 2426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2731) recommending that S.B. No. 2138, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2731 and S.B. No. 2138, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2732) recommending that S.B. No. 2574, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2732 and S.B. No. 2574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2733) recommending that S.B. No. 2575, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2733 and S.B. No. 2575, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES IMPROVEMENTS SPECIAL FUND," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2734) recommending that S.B. No. 2164, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2734 and S.B. No. 2164, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ORGANIC AGRICULTURE INDUSTRY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2735)

recommending that S.B. No. 2411, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2735 and S.B. No. 2411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2736) recommending that S.B. No. 2287, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2736 and S.B. No. 2287, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2737) recommending that S.B. No. 2459, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2737 and S.B. No. 2459, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2738) recommending that S.B. No. 3003, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2738 and S.B. No. 3003, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2739) recommending that S.B. No. 3002, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2739 and S.B. No. 3002, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2740) recommending that S.B. No. 2731, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2740 and S.B. No. 2731, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2741) recommending that S.B. No. 2542, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2542, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2742) recommending that S.B. No. 2578, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2742 and S.B. No. 2578, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION," was deferred until Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2743) recommending that S.B. No. 2563, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2563, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2744) recommending that S.B. No. 2729, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2729, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2745) recommending that S.B. No. 2818, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, jointly with Senators Fukunaga and Levin, for the Committee on Commerce and Consumer Protection and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2746) recommending that S.B. No. 2945, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2945, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2747) recommending that S.B. No. 2589, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2589, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEPENDENT MEDICAL EXAMINATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2748) recommending that S.B. No. 2333, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2748 and S.B. No. 2333, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO CONDOMINIUMS PROPERTY REGIMES," was deferred until Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2749) recommending that S.B. No. 2165, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2165, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC PHYSICIANS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, jointly with Senators Fukunaga and Levin, for the Committee on Commerce and Consumer Protection and the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2750) recommending that S.B. No. 2326, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2326, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE BENEFITS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2751) recommending that S.B. No. 2416, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2416, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2752) recommending that S.B. No. 3195 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3195, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2753) recommending that S.B. No. 13 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 13, entitled: "A BILL FOR AN ACT RELATING TO PROCESS SERVERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2754) recommending that S.B. No. 2442, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2754 and S.B. No. 2442, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2755) recommending that S.B. No. 3073, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2755 and S.B. No. 3073, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2756) recommending that S.B. No. 2996, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2756 and S.B. No. 2996, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2757) recommending that S.B. No. 2374, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2374, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2758) recommending that S.B. No. 2352, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2758 and S.B. No. 2352, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER OFFENSES," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2759) recommending that S.B. No. 2466, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2759 and S.B. No. 2466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER ACCESS BY MINORS," was deferred until Tuesday, March 7, 2000.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2760) recommending that S.B. No. 862, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2760 and S.B. No. 862, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2761) recommending that S.B. No. 445, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 445, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2762)

recommending that S.B. No. 2075, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2762 and S.B. No. 2075, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2763) recommending that S.B. No. 2163, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2763 and S.B. No. 2163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AEROMEDICAL SERVICES," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2764) recommending that S.B. No. 2486, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2764 and S.B. No. 2486, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2765) recommending that S.B. No. 2496, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2765 and S.B. No. 2496, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT MONEYS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2766) recommending that S.B. No. 2858, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2766 and S.B. No. 2858, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2767) recommending that S.B. No. 2880, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2767 and S.B. No. 2880, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," was deferred until Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, jointly with Senator Nakata and Senators Fukunaga and Levin, for the Committee on Commerce and Consumer Protection, the Committee on Labor and Environment and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2768) recommending that S.B. No. 2793, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2793, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Kanno and Taniguchi, jointly with Senators Fukunaga and Levin, for the Committee on Commerce and Consumer Protection and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2769) recommending that S.B. No. 2802, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2770) recommending that S.B. No. 1427, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2770 and S.B. No. 1427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2771) recommending that S.B. No. 2910, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2771 and S.B. No. 2910, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2772) recommending that S.B. No. 2911 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2772 and S.B. No. 2911, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2773) recommending that S.B. No. 2877, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2773 and S.B. No. 2877, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2774) recommending that S.B. No. 2434, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2774 and S.B. No. 2434, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2775) recommending that S.B. No. 2427, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2775 and S.B. No. 2427, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2776) recommending that S.B. No. 2433, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2776 and S.B. No. 2433, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2777) recommending that S.B. No. 2469, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2777 and S.B. No. 2469, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2778) recommending that S.B. No. 2838, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2778 and S.B. No. 2838, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2779) recommending that S.B. No. 3122, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2779 and S.B. No. 3122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2780) recommending that S.B. No. 791, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2780 and S.B. No. 791, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2781) recommending that S.B. No. 3132, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2781 and S.B. No. 3132, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," was deferred until Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2782) recommending that S.B. No. 1242, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1242, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2783) recommending that S.B. No. 2420, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 2783 and S.B. No. 2420, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred until Tuesday, March 7, 2000.

#### ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Tuesday, March 7, 2000.

## TWENTY-SEVENTH DAY

**Tuesday, March 7, 2000**

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

The Divine Blessing was invoked by Mrs. Marilyn Chinen, Senate Majority Office, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Sixth Day.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 52 to 132) were read by the Clerk and were disposed of as follows:

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 101, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 53, transmitting H.B. No. 536, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 536, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 54, transmitting H.B. No. 750, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1387, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 56, transmitting H.B. No. 1762, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1762, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 57, transmitting H.B. No. 1763, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1763, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 58, transmitting H.B. No. 1773, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1776, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 60, transmitting H.B. No. 1780, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1882, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 63, transmitting H.B. No. 1906, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1909, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 65, transmitting H.B. No. 1922, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2005, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 69, transmitting H.B. No. 2090, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

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

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2129, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWN BROKERS AND SECONDHAND DEALERS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 73, transmitting H.B. No. 2148, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2148, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 74, transmitting H.B. No. 2219, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2289, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 76, transmitting H.B. No. 2315, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2315, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

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

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

title and was referred jointly to the Committee on Economic Development, the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means.

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2378, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2403, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 81, transmitting H.B. No. 2409, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2409, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 82, transmitting H.B. No. 2414, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

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

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

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2468, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 87, transmitting H.B. No. 2471, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 99, transmitting H.B. No. 2510, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2510, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 100, transmitting H.B. No. 2512, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE PAYMENTS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 101, transmitting H.B. No. 2514, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2514, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 102, transmitting H.B. No. 2517, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2521, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 104, transmitting H.B. No. 2524, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2524, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLACTICS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 105, transmitting H.B. No. 2525, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2530, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 108, transmitting H.B. No. 2531, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2531, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 109, transmitting H.B. No. 2536, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2536, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 110, transmitting H.B. No. 2551, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2551, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 111, transmitting H.B. No. 2559, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2575, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF WATER RIGHTS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 113, transmitting H.B. No. 2586, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2588, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 115, transmitting H.B. No. 2601, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2615, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 118, transmitting H.B. No. 2616, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

Operations and Housing, then to the Committee on Ways and Means.

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

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

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2751, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 122, transmitting H.B. No. 2761, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2761, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 123, transmitting H.B. No. 2762, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2774, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 125, transmitting H.B. No. 2782, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2782, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 126, transmitting H.B. No. 2797, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2802, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 128, transmitting H.B. No. 2834, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2983, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 131, transmitting H.B. No. 2997, which passed Third Reading in the House of Representatives on March 3, 2000, was placed on file.

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

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

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 3022, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILD CARE CERTIFICATION," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means.

**SENATE RESOLUTION**

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

**Senate Resolution**

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

Offered by: Senators Matsuura, D. Ige.

**STANDING COMMITTEE REPORTS**

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

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

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2785) recommending that the Senate consent to the nomination of RICHARD W. POLLACK to the office of Judge, 7th Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 147.

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

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

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

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

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

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

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

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

**THIRD READING**

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2150, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2666, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2480, S.D. 1:

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, S.B. No. 2470, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3023, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 3023, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2485 was adopted and S.B. No. 2948, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2490 was adopted and S.B. No. 3049, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2491 (S.B. No. 3079):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Hanabusa, seconded by Senator Chumbley and carried, S.B. No. 2477, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2479, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chumbley and carried, S.B. No. 2479, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTION OF THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2830:

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

Ayes, 25. Noes, none.

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

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, S.B. No. 2836, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2278, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2278, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2814, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3190, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 3190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 3192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2511 (S.B. No. 2040, S.D. 1):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2519 was adopted and S.B. No. 2493, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE TREATMENT SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2522 (S.B. No. 2658):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2524 was adopted and S.B. No. 2873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2526 (S.B. No. 3123, S.D. 2):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2538 was adopted and S.B. No. 2074, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2540 (S.B. No. 2220, S.D. 1):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2542 was adopted and S.B. No. 2432, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2543 (S.B. No. 2484, S.D. 1):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2545 was adopted and S.B. No. 2691, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2546 (S.B. No. 2751, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2546 was adopted and S.B. No. 2751, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2550 was adopted and S.B. No. 2342, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2551 was adopted and S.B. No. 2409, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2553 (S.B. No. 2482, S.D. 1):

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2554 was adopted and S.B. No. 2530, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2555 (S.B. No. 2549, S.D. 1):

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2559 was adopted and S.B. No. 2118, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2560 (S.B. No. 2843):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2560 was adopted and S.B. No. 2843, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2561 (S.B. No. 2093, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2561 was adopted and S.B. No. 2093, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2565 (S.B. No. 2571, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2565 was adopted and S.B. No. 2571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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



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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2717, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2804:

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

Ayes, 25. Noes, none.

S.B. No. 2805:

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

S.B. No. 2827:

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

S.B. No. 3129:

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

Ayes, 25. Noes, none.

S.B. No. 2867:

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

Ayes, 25. Noes, none.

S.B. No. 2906:

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2584 was adopted and S.B. No. 2475, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2585 (S.B. No. 2722, S.D. 1):

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2587 was adopted and S.B. No. 2964, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2589 (S.B. No. 800, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2589 was adopted and S.B. No. 800, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2590 (S.B. No. 2303, S.D. 2):

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2593 was adopted and S.B. No. 2181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2614 was adopted and S.B. No. 2759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2616 (S.B. No. 2809, S.D. 1):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2623 was adopted and S.B. No. 2254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2624 (S.B. No. 2815, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2624 was adopted and S.B. No. 2815, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2625 (S.B. No. 2527, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2625 was adopted and S.B. No. 2527, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2628 was adopted and S.B. No. 2635, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2436, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2631 (S.B. No. 2930, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2631 was adopted and S.B. No. 2930, S.D. 2, entitled: "A BILL FOR AN

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2632 (S.B. No. 2931, S.D. 1):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2641 was adopted and S.B. No. 3038, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2642 (S.B. No. 2941):

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

S.B. No. 2405:

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

Ayes, 25. Noes, none.

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

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, Stand. Com. Rep. No. 2645 was adopted and S.B. No. 2443, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2646 (S.B. No. 2621, S.D. 1):

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

Ayes, 25. Noes, none.

S.B. No. 2725:

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

Ayes, 25. Noes, none.

S.B. No. 2903:

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

Ayes, 25. Noes, none.

S.B. No. 2904:

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

S.B. No. 3100:

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2658 (S.B. No. 2866, S.D. 2):

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2659 was adopted and S.B. No. 35, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE HAWAII FORESTRY AND COMMUNITIES

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2660 was adopted and S.B. No. 364, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2661 (S.B. No. 2200, S.D. 1):

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2663 was adopted and S.B. No. 2446, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 164, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP IN THE SENATE OR HOUSE OF REPRESENTATIVES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2668 was adopted and S.B. No. 2634, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2669 (S.B. No. 3125, S.D. 2):

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2670 was adopted and S.B. No. 2001, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY TORT LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2672 (S.B. No. 2465, S.D. 1):

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

Ayes, 25. Noes, none.

S.B. No. 2438:

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2694 was adopted and S.B. No. 2110, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2695 (S.B. No. 2529, S.D. 1):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2714 was adopted and S.B. No. 2490, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2720 was adopted and S.B. No. 2112, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2721 (S.B. No. 2742):

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2722 was adopted and S.B. No. 3199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2725 was adopted and S.B. No. 2523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2730 was adopted and S.B. No. 2426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2731 (S.B. No. 2138, S.D. 2):

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2732 was adopted and S.B. No. 2574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2735 (S.B. No. 2411, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2735 was adopted and S.B. No. 2411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2740 was adopted and S.B. No. 2731, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2563, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, S.B. No. 2563, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2748 (S.B. No. 2333, S.D. 2):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

S.B. No. 13:

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2374, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2758 (S.B. No. 2352, S.D. 2):

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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



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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2764 was adopted and S.B. No. 2486, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2766 (S.B. No. 2858, S.D. 1):

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2770 was adopted and S.B. No. 1427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2775 was adopted and S.B. No. 2427, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2783 was adopted and S.B. No. 2420, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### THIRD READING

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

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

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

Senator Nakata rose in support of the measure as follows:

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

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

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

"Thank you."

Senator Slom rose in favor of the measure and said:

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

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

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

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

"Thank you, Mr. President."

Senators Kanno and Bunda then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

#### **THIRD READING**

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

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

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2776 was adopted and S.B. No. 2433, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

#### **THIRD READING**

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

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

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

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

#### **THIRD READING**

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

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

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

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

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

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

Senator Slom rose and said:

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

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

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

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

The motion was put by the Chair and carried, S.B. No. 2421, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

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

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

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

Senators Taniguchi, Chun, M. Ige and Iwase requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2147, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawamoto).

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

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

Senator Anderson rose in support of the measure as follows:

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

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

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

"Thank you very much, Mr. President."

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

The motion was put by the Chair and carried, S.B. No. 2544, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE ANALYST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

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

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

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

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

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

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

"Thank you."

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

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

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

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

Senator Sakamoto rose in opposition to the measure as follows:

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

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

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

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

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

"Thank you, Mr. President."

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

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

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

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

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

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

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

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

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

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

"Thank you."

Senator Inouye rose to oppose the measure and said:

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

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

The Chair so ordered.

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

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

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

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

Senator Fukunaga moved that Stand. Com. Rep. No. 2480 be adopted and S.B. No. 2429, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

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

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

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

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

Senator Inouye rose and said:

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

The Chair so ordered.

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

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

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

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

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

Senator Sakamoto rose in opposition to the measure as follows:

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

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

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

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

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

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

"Thank you."

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

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

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

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

"Thank you."

Senator Anderson rose to oppose the measure and stated:

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

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

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

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

"Thank you very much, Mr. President."

Senator Slom rose in rebuttal as follows:

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

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

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

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

"Thank you, Mr. President."

Senator Tam rose to support the measure and said:

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

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

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

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

"Thank you."

Senator Chumbley rose to support the measure and stated:

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

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

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

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

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

Senator Matsunaga rose again to support the measure and said:

"Mr. President, I rise in support again.

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

"Thank you very much."

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

"February 2, 2000

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

Dear Chairs Chumbley and Matsunaga and Members:

Subject: Senate Bill No. 2429, Relating to Crime

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

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

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

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

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

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

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

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

Thank you for the opportunity to testify.

Sincerely,

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

APPROVED:

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

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

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

Senator Sakamoto rose again and said:

"Mr. President, a short rebuttal.

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

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

"Thank you."

Senator Anderson rose again also and said:

"Mr. President, a short rebuttal.

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

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

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

"Thank you very much, Mr. President."

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

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

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

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

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

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

"Thank you, Mr. President."

Senators Bunda and Matsuura then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2480 was adopted and S.B. No. 2429, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, M. Ige, Inouye, Kawamoto, Sakamoto, Slom).

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

Senator Fukunaga moved that Stand. Com. Rep. No. 2481 be adopted and S.B. No. 2533, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

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

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2481 was adopted and S.B. No. 2533, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

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

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

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

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

Senator Slom rose to oppose the measure and stated:

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

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

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

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

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

"Thank you."

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

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

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

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

Ayes, 24. Noes, 1 (Anderson).

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

Senator Fukunaga moved that Stand. Com. Rep. No. 2486 be adopted and S.B. No. 2783, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in support of the measure with reservations as follows:

"Mr. President, I will support the bill with reservations.

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

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

"Thank you, Mr. President."

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

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

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2486 was adopted and S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT FINANCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2493 (S.B. No. 2064):

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

Senator Sakamoto rose to speak against the measure and said:

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

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

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

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

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

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

"Thank you."

Senator Matsunaga rose to support the measure and stated:

"Mr. President, I rise in support.

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

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

"Thank you, Mr. President."

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

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

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

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

Ayes, 25. Noes, none.

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

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

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

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

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



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

"Thank you."

Senators Iwase, Buen, Bunda and Anderson then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

Senator Kanno moved that S.B. No. 2811, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak against the measure and said:

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

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

The motion was put by the Chair and carried, S.B. No. 2811, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

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

Senator Tam rose for a conflict ruling a follows:

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

The Chair ruled that Senator Tam was not in conflict.

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

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

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

"Thank you."

The motion was put by the Chair and carried, S.B. No. 2819, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2512 (S.B. No. 2059, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2512 be adopted and S.B. No. 2059, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in support of the measure with reservations as follows:

"Mr. President, I will support the bill, again, with reservations.

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

"Thank you."

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

Ayes, 25. Noes, none.

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

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

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

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

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

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

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

"Thank you."

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

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

Ayes, 25. Noes, none.

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

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

Senator Slom rose in favor of the measure and said:

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

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

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

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

"Thank you."

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

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

Ayes, 25. Noes, none.

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

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

Senator Slom rose and said:

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

"Thank you."

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

Ayes, 25. Noes, none.

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

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

Senator Chun rose in opposition to the measure as follows:

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

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

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

"Thank you."

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

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

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

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

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

Ayes, 24. Noes, 1 (Chun).

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

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

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

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

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

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

"Thank you, Mr. President."

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

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

Ayes, 25. Noes, none.

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

Senator Fukunaga moved that Stand. Com. Rep. No. 2521 be adopted and S.B. No. 2579, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

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

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

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

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

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

"Thank you."

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

Ayes, 24. Noes, 1 (Slom).

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

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

Ayes, 25. Noes, none.

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

Senator Fukunaga moved that Stand. Com. Rep. No. 2528 be adopted and S.B. No. 2171, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

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

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

"Thank you."

Senator Anderson rose to speak against the measure and said:

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

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

"Thank you."

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

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

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

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

"Thank you, Mr. President."

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

Ayes, 24. Noes, 1 (Anderson).

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

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

Senator Slom rose in favor of the measure and said:

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

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

"Thank you, Mr. President."

Senators Kanno and Taniguchi then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2530 was adopted and S.B. No. 2605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:28 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:34 o'clock a.m.

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

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

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

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

Ayes, 25. Noes, none.

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2536 was adopted and S.B. No. 2561, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2537 (S.B. No. 2808):

Senator Fukunaga moved that Stand. Com. Rep. No. 2537 be adopted and S.B. No. 2808, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

"Mr. President, I speak on the bill with reservations.

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

"Thank you."

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

Ayes, 25. Noes, none.

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

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

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

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

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

"Thank you."

Senator Taniguchi rose and said:

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

The Chair so ordered.

Senator Sakamoto rose and stated:

"Similar reservations, Mr. President."

The Chair so ordered.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2539 was adopted and S.B. No. 2144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Senator Slom rose to oppose the measure and stated:

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

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

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

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

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

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

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

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

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

Senator Sakamoto rose to support the measure and stated:

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

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

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

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

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

Senator Slom rose in favor of the measure and said:

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

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

"Thank you."

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

Ayes, 25. Noes, none.

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

Senator Fukunaga moved that Stand. Com. Rep. No. 2556 be adopted and S.B. No. 2745, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure and stated:

"Mr. President, I'll be voting 'no' because it establishes the aquaculture development special fund for the reasons I've previously given.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2556 was adopted and S.B. No. 2745, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

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

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

Ayes, 25. Noes, none.

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

Senator Fukunaga moved that Stand. Com. Rep. No. 2558 be adopted and S.B. No. 2109, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

"Reservations, Mr. President. Again we're adding legal counsel for yet another department, the Hawaiian Home Lands Department."

The Chair so ordered.

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

Ayes, 25. Noes, none.

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

Senator Fukunaga moved that Stand. Com. Rep. No. 2562 be adopted and S.B. No. 2299, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

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

"Thank you."

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

Ayes, 25. Noes, none.

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

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

Senator Kawamoto rose in support of the measure as follows:

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

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

"Thank you."

Senator Tam rose to speak against the measure and said:

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

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

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

7. Cargo revenue represents 81 percent of the harbor special fund, which is sure to be depleted by tariff credits;

8. While this bill is expected to contain costs, it will increase costs up to the \$2 million level. As written, there is no incentive to keep cost down;

9. Turning to small boat harbors, current tenants of the Ala Wai Boat Harbor are concerned that too much commercialization will turn these quiet passive harbors into major traffic zones; and

10. Other tenants of small boat harbors are afraid that they will lose their berths to mainland interests who are not sensitive to the needs of the area.

"Thank you."

Senator Taniguchi rose and said:

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

The Chair so ordered.

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

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

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

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

"And I guess, finally, my concern is that there is no oversight within the bill.

"Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2563 was adopted and S.B. No. 2300, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Tam).

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

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2564 was adopted and S.B. No. 3104, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2567 (S.B. No. 2509, S.D. 2):

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

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2674:

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

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

The motion was put by the Chair and carried, S.B. No. 2674, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL EMPLOYEE ORGANIZATION MEETINGS HELD DURING STATE WORKING HOURS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2769:

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

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

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

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

"Mr. President, in the Committee I did vote against this measure. We all support the reduction of greenhouse gas. We know that it's a global problem. But Mr. President, I believe that the question that we have asked is, At what cost? At what cost to ratepayers? At what cost to our state's gross product, personal income, and employment? And until we answer these questions, Mr. President, I do not believe we have enough information to make the reduction of this greenhouse gas a part of our goals and objectives and policy for this state.

"Thank you."

Senator Buen rose and said:

"A 'no' vote for me, please."

The motion was put by the Chair and carried, S.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO REDUCING GREENHOUSE GAS EMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Buen, M. Ige). Excused, 1 (Chun).

Stand. Com. Rep. No. 2586 (S.B. No. 2837, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2586 be adopted and S.B. No. 2837, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator D. Ige rose to support the measure as follows:

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

"Mr. President, educational accountability has been one of the catch words of this session, and this measure before us

really does move the system toward a more accountable product for all of our constituents in the state.

"The Senate can be proud of making three improvements to the superintendent's accountability program. First, we've given him a deadline, because we believe that accountability should and must be implemented as soon as possible. Second, we're requiring assessments in core subject matters so that we can be certain that our students in our public school system are making progress in reading and writing and math and science. And third, we've mandated that the superintendent implement a collaborative process so that all stakeholders, including teachers, administrators, students, community members and parents are involved with designing an accountability system that we can all take ownership of.

"I urge all of my colleagues to vote in support of this measure."

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

Senator Anderson rose to speak with reservations as follows:

"Mr. President, I'll be voting with reservations on this particular measure.

"I believe in accountability. We've been trying to hold all state employees and leaders accountable for years. But when we mandate accountability for students, principals, and the teachers, we should also mandate accountability for department heads. As my colleague said earlier, we don't hold them accountable for what they do. We don't hold the Department of Education accountable for the monies that we give them that they decide to restrict so it doesn't get funneled down to benefit the children.

"We don't hold ourselves accountable. The people who elect us will hold us accountable. So I believe that everybody here should be voting for this bill.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2586 was adopted and S.B. No. 2837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2588 (S.B. No. 3141):

Senator Fukunaga moved that Stand. Com. Rep. No. 2588 be adopted and S.B. No. 3141, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Tam rose to speak on the measure with reservations and said:

"Mr. President, I wish to register my vote with reservations on this for the following reasons:

1. This bill is a bill for complete autonomy which is very questionable due to the fact that it's questionable whether the University of Hawaii is ready. There are no concrete University of Hawaii goals and objectives and no plans for implementation at this time, not even a drafted plan;
2. The University of Hawaii lacks the communication between the parties. When I say parties, I'm talking about administration, faculty, the students, etc. A lack of communication means a breakdown in partnership; and

3. The University of Hawaii has no other authority to raise funds other than student tuition. And therefore complete autonomy is impossible.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2588 was adopted and S.B. No. 3141, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2591 (S.B. No. 2686, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2591 be adopted and S.B. No. 2686, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

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

"I think that the fine of \$500 is excessive and I think that there is no discussion about a window for paying bills late, and those people that are at low income and having difficulty paying the ever-increasing burdens we're putting on motor vehicle owners probably would have an even greater difficulty paying the \$500 fine."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2591 was adopted and S.B. No. 2686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2592 (S.B. No. 3201, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2592 be adopted and S.B. No. 3201, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose with reservations and said:

"Reservations please, Mr. President.

"I don't know what scenic byways are because it is vague and ill-defined in the bill."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2592 was adopted and S.B. No. 3201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SCENIC HIGHWAYS SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2594 (S.B. No. 2513, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2594 be adopted and S.B. No. 2513, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure and stated:

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

"A few years ago we doubled the conveyance tax and the justification or the excuse then was to improve the conveyance tax application and also to improve the computer system. Now what we're seeing that we do, as we've done in so many other areas, we raise the tax and then we find other areas to put the tax revenues, and then I would not be surprised if people come

back and say we need to raise the conveyance tax further. So I will be voting 'no.'"

Senators Iwase and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2594 was adopted and S.B. No. 2513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2595 (S.B. No. 2584, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2595 be adopted and S.B. No. 2584, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"A number of people in the area have supported the transfer for the Hawaii Community Development Authority to take over. My problem is in the testimony given and the questions that I asked during the public hearing. I'm very disappointed with the track record of the Hawaii Community Development Authority. They have not done what they said that they were going to do in Kakaako. They keep turning down developments but have nothing else to show for it. They have not listened to people within the area. But if the people in Barbers Point, a.k.a. Kalaeloa, would like to have them there, then I will pass the bill with reservations.

"Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2595 was adopted and S.B. No. 2584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2598 (S.B. No. 2917, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2598 be adopted and S.B. No. 2917, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

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

"Again it is another bill starting yet another special management fund within the department, and for the reasons previously given, I oppose it.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2598 was adopted and S.B. No. 2917, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).



At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:42 o'clock p.m.

S.B. No. 2131, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2131, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson, Buen).

S.B. No. 2194, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson, Buen).

Stand. Com. Rep. No. 2605 (S.B. No. 2134, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2605 be adopted and S.B. No. 2134, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Taniguchi rose and said:

"Mr. President, would you note my reservations on this bill. Thank you."

The Chair so ordered.

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

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

"Mr. President, I support the bill with reservations.

"My reservations basically are that while we certainly want to support our military, and they do pay an unequal burden in terms of the quarantine for animals, I think the larger issue is that we need a total reform of the quarantine effort so that the prices and the costs are reduced for everyone, because it is a hardship for local families as well.

"Thank you."

Senator D. Ige rose and stated:

"Mr. President, I'd like to note my reservations as well."

The Chair so ordered.

Senator Kawamoto rose in support of the measure as follows:

"Mr. President, I'd like to speak in favor of this bill.

"Mr. President, the CINC (Commander-in-Chief of the Pacific, all of the Pacific command -- Army, Air Force, Navy, Marine, Coast Guard) considers this his number one bill. Even in the article that we had a couple of days ago about Admiral Blair, this item came up as his number one concern.

"What we give to this bill is a small amount for what they give us, and we have a lot of bills in here relying on the military and their efforts. These people are called to serve their country in Hawaii, although it's a plush place, at a moment's notice

(which could be as little as 30 days' notice), and they cannot afford the price that's being paid at this time. A young enlisted E-3 makes \$1,400 a month and to have to pay \$1,200 for quarantine is far too excessive.

"Therefore, I urge my colleagues in support of the military to support this bill.

"Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2605 was adopted and S.B. No. 2134, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (M. Ige). Excused, 1 (Anderson).

Stand. Com. Rep. No. 2606 (S.B. No. 2166):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2606 was adopted and S.B. No. 2166, entitled: "A BILL FOR AN ACT RELATING TO WIND FARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2608 (S.B. No. 2369, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2608 be adopted and S.B. No. 2369, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"The bill will allow retirees to make a withdrawal under certain hardship or emergency conditions. And I note that in the committee report it says that this was done because of the economic hardship and burden on people that are forced to contribute. One of the best ways that we could really help everybody, of course, is to reduce the tax burden so that more people would have more take-home pay.

"Absent that, however, I'm a little concerned by the bill because there is no pay back provision within the bill as to what happens after the money has been taken out. And it leaves it up to the board to develop rules later on in terms of the actuarial impact of the withdrawal. I think the actuarial impact should be determined before any withdrawal is allowed. So I'll vote in support with reservations.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2608 was adopted and S.B. No. 2369, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson, M. Ige).

Stand. Com. Rep. No. 2611 (S.B. No. 2654, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2611 be adopted and S.B. No. 2654, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Chun rose and said:

"Mr. President, I'd like to just have the comments I made on S.B. No. 2489, S.D. 2, incorporated into this bill. Thank you."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2611 was adopted and S.B. No. 2654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Chun). Excused, 2 (Anderson, M. Ige).

Stand. Com. Rep. No. 2612 (S.B. No. 2675, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2612 be adopted and S.B. No. 2675, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

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

"I'm going to be voting against this bill, Mr. President. I'm very concerned. We talk about ethics all the time and I'm concerned about the State Ethics Commission. It seems to be very selective in how it applies ethics rules and laws in this state, particularly when it comes to political personages.

"For example, during the 1998 election campaign, there were reported by the commission itself more than three dozen complaints about the incumbent gubernatorial candidate and activities that took place. To date, more than a year-and-a-half after the election, there has been no advisory opinions, no actions taken, no follow-up on the complaints made by citizens by the executive director.

"So I have a real difficulty with this position because while we're talking about ethics, I think ethics begin at home and we should have examples by the current commission rather than rewarding them with additional salaries.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2612 was adopted and S.B. No. 2675, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALARY OF THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Kanno, Slom). Excused, 2 (Anderson, M. Ige).

Stand. Com. Rep. No. 2613 (S.B. No. 2692, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2613 was adopted and S.B. No. 2692, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kanno). Excused, 2 (Anderson, M. Ige).

Stand. Com. Rep. No. 2615 (S.B. No. 2781, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2615 be adopted and S.B. No. 2781, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to support the measure as follows:

"Mr. President, I'd like to speak in support of this measure.

"As you know, Mr. President, construction is one of the backbones of our economy, and the enactment of this legislation will help to stabilize and strengthen this industry.

"I would like to add that I believe the tax credit needs to be higher, that we need to broaden the definition of a hotel facility, to decrease the qualifying minimum of one million dollars, and to really help more of the small and medium size businesses because they really can't benefit unless the bill is more broadly based, Mr. President.

"Because of the importance of the construction industry, I hope this bill goes forward, but consideration on broadening it can be looked at. Thank you."

Senator Slom rose for the bill with reservations and said:

"Mr. President, I will be voting for the bill, but with reservations for some of the reasons that my colleague has just expressed, but some additional reasons.

"One of the things that we had talked about this bill last year, the famous defective flawed bill, was that it should apply to more construction, more commercial construction, and that the time period should be longer. This bill, as it's drafted right now, ends December 31 of next year. And we've seen in the past when we've tried to provide credits as stimulation for the construction industry that there is a time that is necessary for the planning and preparation for major projects. This time, I think, is too short.

"One final comment, and that is, that this only applies to modifications and alterations in excess of \$1 million. If we really are concerned about cleaning up Waikiki, other areas, and having commercial renovations, then in fact we would have either no limit whatsoever or a much smaller limit than \$1 million. That way, smaller projects and smaller construction companies would be beneficiaries.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2615 was adopted and S.B. No. 2781, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 2618 (S.B. No. 3032, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2618 was adopted and S.B. No. 3032, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 2619 (S.B. No. 3043, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2619 be adopted and S.B. No. 3043, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition as follows:

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

"If this bill is passed, Hawaii would be the first state in the nation to be a captive insurer. While we have done everything possible to encourage captive insurance companies and while I fully support that, I don't want to see the State of Hawaii in any more businesses. We haven't done a good job in the past and I

doubt that we'll do a good job in the future. And with so many private insurance companies available and with the interest in the industry, I think it would be incumbent upon us to make sure that it was privately insured.

"In addition to that, there is nothing in the bill that talks about the impact, staff costs or office costs of allowing the state to do this, so I will be voting 'no.'

"Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2619 was adopted and S.B. No. 3043, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

Stand. Com. Rep. No. 2626 (S.B. No. 2918, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 2626 was adopted and S.B. No. 2918, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Stand. Com. Rep. No. 2627 (S.B. No. 1390, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2627 be adopted and S.B. No. 1390, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

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

"Mr. President, one thing that unites practically all adults in our state, in our country, regardless of age, gender, religion, economic status or ethnic background, is that deep down inside we all believe that we are above average drivers. Mr. President, unfortunately that's not true. And for anyone who drives regularly in Honolulu traffic, no one can doubt that road rage is on the rise. We've seen drivers who speed, weave in and out of lanes without signaling, follow too close, and exhibit other signs of aggression.

"Mr. President, this measure will help protect responsible drivers and their families, and I'd like to thank the Senator from Ewa Beach and the Senator from Nuuanu for bringing up concerns in their districts, and also the chair of the TIA Committee.

"Thank you, Mr. President."

Senator Tam rose and said:

"Mr. President, I wish to thank the chairmen of the Judiciary Committee for moving this bill forward, and a lot of mahalo from the residents of Nuuanu.

"Thank you."

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2627 was adopted and S.B. No. 1390, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 2441, S.D. 1:

Senator Chumbley moved that S.B. No. 2441, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

"Mr. President, I'll speak in favor of the bill with reservations. Lest it be said that I was partisan in any manner supporting the cat measure earlier today, let me speak in favor of this dangerous dog measure with reservations.

"My reservations are that we continue to criminalize through state or federal law more and more conduct and activities. And I notice that we hold the owner of the dog responsible and I think that's a good thing, but only for attacks on persons. If the dog were to attack another dog or another cat, for example, or any other pet, there's nothing in the bill that discusses that. So I do have reservations about that. I think all species should be treated equally in a bipartisan effort. (Laughter.)

"Thank you, Mr. President."

Senator Anderson rose and added his remarks as follows:

"Mr. President, I'll be going with reservations. There's no teeth to this bill." (More laughter.)

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

"Mr. President, I speak in favor of this bill with reservations.

"I believe the intent of the bill is laudable because it makes a person more accountable for the actions of the dog. However, I believe it goes a little bit too far because it also defines attack as long as the dog just jumps on a person, and sometimes we all know that just the jumping of a dog does not necessarily mean that a dog is attacking or is unfriendly. In fact, one of my fellow colleagues has a dog which is pretty small and jumps on me all the time and I don't consider that an attack.

"So I believe there is the potential for this bill to go a little bit too far and to foment litigation as opposed to prevent litigation.

"Thank you."

Senator Matsunaga rose to support the measure and said:

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

"Mr. President, this bill will address a very real problem in our community which is that of the increasing number of dogs being trained or bred for protection and which, unfortunately, can also be used for intimidation or to harm others.

"For over a year now, the City and County of Honolulu has been wrestling with this issue under their authority to adopt ordinances related to animal control. However, they have been stymied with what they perceive as an inability to adopt an ordinance that supersedes the penal code provisions of assault. Therefore, we have been asked as a legislature to address this matter.

"Mr. President, I would like to address the comments of the Senator from Hawaii Kai who may feel that this is biased

against dogs. We did consider making this a dangerous animals bill to include those rare and exotic pet jaguars, those infrequent yet pesky pet tiger sharks, and those all too aggressive pet killer bees. However, we realized that we would also inadvertently capture the poor innocent peach faced love birds or the family geckos who may be attempting solely to nuzzle the visiting neighbor.

"Thank you, Mr. President."

The motion was put by the Chair and carried, S.B. No. 2441, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DOGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2638 (S.B. No. 2983, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2638 be adopted and S.B. No. 2983, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senators Slom and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2638 was adopted and S.B. No. 2983, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2224:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 2224, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2640 (S.B. No. 2437, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2640 be adopted and S.B. No. 2437, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2640 was adopted and S.B. No. 2437, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2643, S.D. 1:

Senator Kawamoto moved that S.B. No. 2643, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Bunda.

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

"Reservations please, Mr. President.

"We had testimony that certain people don't like to use the term 'accident' because they don't believe that there is any such

thing as an accident and they would like to use the politically correct term 'collision.' Unfortunately, every traffic mishap does not result in a collision, and some of us still believe in accidents. I think that for comparison purposes we're going to have a very difficult time if we're trying to compare statistics between this state and other states that still use the term 'accidents.'

"Thank you."

The motion was put by the Chair and carried, S.B. No. 2643, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2205, S.D. 1:

Senator Kanno moved that S.B. No. 2205, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Tam rose to request a conflict ruling as follows:

"Mr. President, I believe I have a conflict of interest. I am a board member of the Hawaii Chinese Museum."

The Chair responded:

"No conflict. You may vote on this matter."

The motion was put by the Chair and carried, S.B. No. 2205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2657 (S.B. No. 2657, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 2657 be adopted and S.B. No. 2657, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Bunda rose to speak against the measure and stated:

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

"Mr. President, I'd like to clarify that I do recognize and acknowledge that diabetes is a serious health problem in Hawaii. What I am voting against, Mr. President, is circumventing Act 270 which we passed in 1996. Specifically, Sections 23-51 and 52 require us to ask the legislative auditor to conduct a social and financial assessment before we enact any legislation to mandate a health benefit. We enacted this law to help keep health care costs in check by providing a comprehensive review and study of the cost implications of any proposed health care mandate. There is value in this law, Mr. President, that we have a credible source like the legislative auditor. If we really do intend to exempt measures such as this bill before us, then perhaps we should consider repealing Sections 23-51 and 52.

"So, we say we want to help the small business owner and boost our economy, yet this proposed legislation is not being business friendly. This mandate will add to the cost of premiums paid by employers who already pick up the majority of costs for providing health insurance for their employees. Mr. President, where will all of this end?

"If we had done our homework and sensed the urgency of this legislation, then we should have passed a concurrent resolution last year and have a report on our desks this session.

I do believe that diabetics are currently getting the services they need to manage their disease. But before we mandate, let's first be accountable to the laws we enact and look at the comprehensive social and financial impact of this measure. We must have the information at hand in order to balance the needs of all consumers in this decision.

"For these reasons, Mr. President, I am voting 'no' on this measure.

"Thank you."

Senator Slom rose to oppose the measure and stated:

"Mr. President, I'm in concurrence with the remarks of my colleague from Wahiawa, and I would just like to add, though, that we're talking about a disease where about 1 percent of our population are afflicted right now -- not to diminish the seriousness of it -- but in many health plans pre-existing, the concerns are already taken care of. But a number of other concerns have been raised, including the fact that the requirement in the bill that all diabetes educators be certified public diabetic educators is not yet the case in the State of Hawaii, and so that would be a problem.

"The biggest problem of all continues to be the fact that we add mandates to the employer paid prepaid health care act, which when enacted in 1974 was supposed to be a partnership between employer and employee. It never was. Employers always picked up most of the costs and now in most cases pick up total costs. And in the time since 1974, we have continued to add mandates for all kinds of symptoms and diseases and facilities, but we have not changed the percentage share that employees could participate in at all since that period of time. So I'll be voting 'no' also.

"Thank you."

Senators Inouye and Chumbley then requested their votes be cast "aye, with reservations," and the Chair so ordered.

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

"Mr. President, similarly, with reservations on the concerns expressed about if a study was required, let's do that."

Senators Anderson and Chun also requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2657 was adopted and S.B. No. 2657, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Bunda, D. Ige, Iwase, Slom).

Stand. Com. Rep. No. 2662 (S.B. No. 2317, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2662 be adopted and S.B. No. 2317, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

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

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

"And the reservations have to do with two things. First of all, when we pass the civil service reform bill, this bill will not be necessary. And in addition to that, this bill only applies to the City and County of Honolulu by the population mandate. If it's a good bill and if it's worthwhile for a pilot program, it should apply to neighbor island counties that wish to participate also.

"Thank you."

Senators Kanno and Hanabusa requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Kawamoto rose in support of the measure as follows:

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

"Mr. President, this bill was a collection of ideas and minds, both the unions and the Board of Water Supply leadership. It's a pilot project, and any conflicts with the big civil service reform supersedes any conflicts in this bill.

"Thank you very much."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2662 was adopted and S.B. No. 2317, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS OF WATER SUPPLY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2666 (S.B. No. 2311, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 2666 be adopted and S.B. No. 2311, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

"Mr. President, this is the so-called 'Tanya Bill' or 'Tanya Act' and I will support the bill with reservations.

"The reservations are, again, that we continue to deprive adult citizens of choices and responsibility, and I'm a little confused in the bill as to if a person were not wearing a seat belt, who in fact would be cited -- the passenger or the driver. And finally, I think there is a real problem of enforceability in terms of back seat passengers.

"Thank you."

Senator Tam rose with reservations on the measure:

"Mr. President, please register my vote as W/R due to the fact of the ability to implement.

"Thank you."

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

"Mr. President, I will vote for this bill with reservations.

"My major concern on this bill is basically on the requirement of seat belts. We've had testimony indicating that lap belts by themselves are not sufficient and they oftentimes can be more dangerous to certain passengers than not even wearing seat belts to begin with. And I'm just thinking back upon the times when we were mandating, or other government agencies started to mandate, air-bags and that caused more harm than it is solving. I think we need to sit down and look at the situation on whether or not it is better overall for all passengers, including the ones in the rear seat, to wear seat belts.

"My second basis for voting on this bill with reservations is I think there needs to be a time where a person's responsibility needs to take over, and government needs to recognize that.

"Thank you, Mr. President."

Senator Kawamoto rose in support of the measure and stated:

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

"Mr. President, there was a lot of testimony on this bill, a lot of which was positive, saving lives and in the interest of safety for people in the back seat. We have named it the 'Tanya Bill' because of the fact that the Shirai family had lost a daughter named Tanya in 1997.

"Therefore, I urge all my colleagues to vote 'aye' on this bill. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2666 was adopted and S.B. No. 2311, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY USE OF SEATBELTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2671 (S.B. No. 2467, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2671 be adopted and S.B. No. 2467, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

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

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

"Senate bill 2467 seeks to protect our citizens from unlicensed contractors who illegally take on contracting jobs, without providing the consumer the necessary assurance that they will competently do the job they were hired for, and those who fail to complete a job or do so inadequately.

"This measure clarifies that unlicensed contracting is an unfair and deceptive practice, establishes an administrative forfeiture of materials and tools, and requires the unlicensed contractor to reimburse moneys to the injured homeowner.

"I want to recognize the efforts of the Department of Commerce and Consumer Affairs for working continuously with the construction and building industry groups to develop an effective enforcement mechanism to protect the innocent homeowner. I believe this measure will work, and I urge your support."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2671 was adopted and S.B. No. 2467, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2151, S.D. 1:

Senator Chumbley moved that S.B. No. 2151, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawamoto.

Senator Slom rose to speak against the measure and said:

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

"The premise in the legislation is that we need to strengthen our laws to prevent criminals and other prohibited individuals from possessing and using firearms. This bill will not do that. It will not prevent criminals from access to firearms or other weapons, and it will not necessarily prevent individuals who have mental incapacities.

"A couple of the things that we should understand about the bill -- first of all, in terms of criminals, since criminals don't obey the laws for registration right now, they're not going to be obeying the law to re-register. Secondly, they seem to have no difficulty in getting ammunition or access to firearms the way it is in Hawaii, which has the strictest gun control laws in the nation. In addition to that, if we're talking about giving the police or others an opportunity to re-examine people every five years in case they have mental problems and to give immunity to the doctors who examine them, we are presuming that the person with the mental problem will in fact seek medical help. I think that, again, is a false assumption.

"We are giving people the belief that we're doing something here about the serious crime problem, when in fact we're not. We're going after the innocent, law abiding, registered firearm owners who are not involved either in accidents or in crimes.

"The argument has come up frequently and repeatedly that since we have to re-register our automobile, it's only common sense that we should have to re-register a firearm which is a much serious device. The only flaw in that argument is that there is a very basic fundamental and constitutional difference between an automobile and a firearm. Under the United States Constitution, the Second Amendment, which I think was still in effect when we started this morning, an individual has the right to possess and utilize a firearm. The ability to drive one's automobile is a privilege that is granted. So we're not talking about the same level of exercising rights.

"In addition to that, what we are going to do is develop a data base of registered legal firearm owners in the state which will be available to the police and probably available to anyone else who wants it, and what we're further doing then is having more government incursion into the lives of those people who have not broken any laws, who have not violated any conditions to cause accidents or anything else. We further will have a mandatory identification card in order to get ammunition.

"I keep wondering why we keep talking about gun control and we don't talk about crime control. I keep wondering in seeing how people walk out of our prisons or never walk into them, how we allow people that have committed some of the most heinous crimes not even to be tried because of their so-called mental condition, no matter whether they've used a firearm or their hands or a knife or a hammer or something else.

"I think if we really want to protect the public, which is what government is supposed to do, then what we should do is enforce the laws that we have right now to the maximum extent possible, stop finding loopholes for people because of various conditions, and thirdly, to authorize an option for those people that want to take the responsibility of their own lives and the protection of their family and property in their hands by giving them an unfettered and unrestricted option. This bill does not do that. It is not a bill that expands freedom; it is not a bill that will deter criminals. It is a bill that will do more harm than good, and I cast my 'no' vote."

Senator Anderson rose and said:

"Mr. President, kindly put the words of the Minority Floor Leader in the Journal as though they were my own. I lost my notes somewhere, and it sounded good." (Laughter.)

Senator Hanabusa rose to oppose the measure as follows:

"Mr. President, I signed the original version of this bill, and I do believe in the registration of firearms. However, I cannot support the bill as it is now drafted.

"My major concern is in subsection (i) found on page 11 of the bill. This is where we basically mandate treating physicians to report to the police anyone who qualifies under sections (c)(1) to (c)(3). Mr. President and colleagues, this is not the

same situation as someone waiving the physician-patient privilege. We are requiring the physicians to, in essence, waive the privilege which he or she has no right to do. People are seeking treatment, but they shouldn't seek treatment with the fear that if their physician thinks they fall in any one of these categories, they're somehow going to be reported. For that reason, I cannot cast my vote in favor of this bill.

"Thank you, Mr. President."

Senator Chun rose in favor of the measure with reservations and said:

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

"Mr. President, I appreciate the comments from the Honorable Senator from Waianae. However, I believe that those kinds of issues can be talked about and discussed in conference as this bill progresses.

"Yes, I agree that section (i) specifically does run a substantial risk of violating, in fact it does violate, the patient-client privilege. However, I believe that there are other ways we can address these same concerns and at the same time not violate the privilege. Other suggestions have been made in terms of submitting a list to the physicians as to who owns handguns and then have the physician designate whether or not that person is under treatment or not, but not being specific as to the type of treatment.

"Mr. President, I think the Committee has done a laudable job in trying to balance the rights of all people involved and yet at the same time address the real, main concern of insuring that people who own handguns are mentally fit to do that. I know it is a delicate balance that they must do and they are attempting to do the best they can. And I think we must continue on this road to discovery and get a good bill out.

"Thank you, Mr. President."

Senator Sakamoto rose to support the measure with reservations and stated:

"Mr. President, I rise to speak in support with reservations.

"This bill is an attempt towards solving the problem of criminal activity and wrongful firearms use. The re-registration requirements for firearms are reasonable compared to the original bill. However, the ammunition sales documentation being mandated is problematic. There may be excessive amounts of paperwork and processing that need to be addressed by both the authorized seller and the chiefs of police of their respective counties. These resources could be utilized better if we targeted illegal activity as opposed to legal.

"Thank you, Mr. President."

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

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

"Mr. President, I share the concerns expressed by the Senator from Waianae and the Senator from Kauai. In discussions with the Judiciary Committee, it is my understanding that this is a work in progress, that they intend to deal with this issue, and I am satisfied that they will be able to come up with a better approach. Therefore, I will be supporting the bill.

"Thank you."

Senator Buen rose to oppose the measure as follows:

"Mr. President, I rise in opposition of the bill.

"I think there are other ways to deal with criminals, to do background checks, and I think there are bills that Senator Slom and I had introduced earlier on identification cards that would do background checks. But to support this bill, I cannot do that.

"Thank you, Mr. President."

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

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

"First of all, Mr. President, let me thank the constructive comments from the previous speakers who have expressed concern about the scope of this measure. Let me assure you that the Judiciary Committee will work hard on attempting to address those concerns as the Senator from Kauai pointed out.

"First of all, one of the issues raised was that Hawaii is already safer than most other states -- Why do we need more gun control laws? Hawaii does rank 49th out of 50 in total firearms deaths. However, we feel strongly that passing this legislation requiring re-registration, mental health affidavits, and presentation of firearm owner's identification cards when purchasing ammunition can do much to make the state's citizens even safer.

"Even though Hawaii is safer compared to many other states, we still experience gun violence. A gun is the weapon most commonly used to commit murders in Hawaii.

"Mr. President, I would also like to correct a misunderstanding of the Second Amendment. The Supreme Court has specifically addressed the Second Amendment's meaning in several cases, and the court has consistently ruled that the amendment applies to the rights of states to maintain militias, not the rights of individuals to keep and bear arms. Mr. President, no gun control measure has ever been struck down as unconstitutional on Second Amendment grounds. Federal courts have also consistently held that there is no individual right to own a gun. And may I direct this body's attention to the following Supreme Court cases: Presser v. Illinois, United States v. Miller, Lewis v. United States; and cases in the federal courts: United States v. Warin and Hickman v. Block.

"Mr. President, there is also an argument that only law abiding citizens are going to comply with gun control laws and that criminals will never be caught this way, but, Mr. President, unfortunately not all criminals are criminals from the day they are born. Sometimes criminals become criminals after being law abiding citizens. In Texas, which has a 'shall issue' concealed carry law, they have found that some people who comply with gun laws are also capable of having, unfortunately, a criminal intent. A study conducted in 1998 found that holders of concealed carry handgun licenses were arrested for weapon-related offenses at a rate 22 percent higher than the general population. Crimes for which they were arrested include murder, kidnapping, rape, and sexual assault.

"Mr. President, the comparison has also been made between motor vehicles and re-registration of guns, and I'd like to point out that legislation has made a difference in motor vehicle death rates. Laws requiring airbags, seat belts, and car seats for infants have greatly reduced the death and injury rates on America's roads.

"We have also heard the argument that the carrying of an identification card is inconvenient. Many laws are inconvenient, Mr. President. Opening a child-proof cap on a medicine bottle is inconvenient. Putting on seat belts may be inconvenient, but seat belts have been proven to save lives. Mr. President, just think how much more inconvenient it is to make funeral arrangements for someone you love.

"Thank you, Mr. President."

Senator Slom rose in rebuttal as follows:

"Mr. President, just a short rebuttal.

"While we could debate this -- and I'd be very happy at any time to debate the co-chair of the Senate Judiciary Committee because his information on the Second Amendment of the U.S. Constitution is faulty and his information on the Supreme Court cases on point is faulty -- and unless you'd like to stay for the rest of the afternoon, we could do it now or we can do it later. I'd like to do that.

"I want to correct the good Senator, because the good Senator started talking about concealed carry and this is not a concealed carry bill and has nothing to do with that.

"The good Senator also heard from Dr. John Lott who is the nation's number one expert on statistics and research involving firearms in the use of crime. And though he had but ten minutes before the committee and was not allowed to fully discuss all of the ramifications of the bills that were before the committee, I think that we can be very happy that we can look at those statistics.

"Also, the good Senator started talking about vehicular safety, and he missed my point. My point, again, was that there is a difference between the privilege of owning and driving an automobile and the right to own and utilize a firearm.

"In terms of the basic argument, however, about the militia, I can't let that go by because the good Senator, I know, learned a little bit about constitutional law in law school and the fact that the militia is a citizen's army and has nothing to do with an organized government army and that the whole purpose and basis and foundation of the United States Constitution is bars and restrictions against a government. It is for citizen responsibility and citizen representation, and I know the good Senator knows that.

"So, at any time, I would be very happy to enter into an extended debate on the issue of the Second Amendment foundation, or the Second Amendment issue, or the right to own and keep firearms.

"Thank you, Mr. President."

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

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

"The good Senator from Aina Haina mentioned the issue of concealed carry and I'd like to enlighten my colleagues on a few points that I found quite interesting.

"Some of the advocates say that the Legislature should be encouraging more and open gun ownership, and statistics show that more guns equal less crime. Well, Mr. Lott, who is the author of the book More Guns, Less Crime: Understanding Crime and Gun Control Laws, has testified and written widely against stronger gun laws. Mr. Lott's opinions clearly lack objectivity. He was formerly a John M. Olin Fellow in law and economics at the University of Chicago Law School. The Olin Foundation is connected with Olin Winchester, a leading North American Producer of firearms and ammunition. Lott also contributes significant online content to the Tennessee Firearms Association website. Mr. Lott is not a scientist; Mr. Lott is not a physician; and Mr. Lott is not a lawyer. He is a Doctor in Economics, and is currently a senior research scholar at the Yale Law School.

"I urge all my colleagues to support this measure."

Senator Matsunaga rose and said:

"Mr. President, a short rebuttal.

"I just want to thank the good Senator from Hawaii Kai for the challenge. I will be happy to debate him anywhere, any place, any time on this issue or on the basketball court, wherever he pleases.

"Thank you, Mr. President." (Laughter.)

Senator Anderson rose again and stated:

"Mr. President, if I may, on the bill, I've already said that I would go 'no,' but I sat in on the Committee and I listened to the testimony and yes, in fact, we're supposed to have one of the strongest firearm laws within the nation.

"The problem is that we react to problems. We don't really think and then act. We need to review current laws. It seems enforcement is an issue. I consistently hear a chairman state -- 'we're only going to use this bill as a vehicle; we can correct it later; we're going to have this bill go over to the House; the House will get the concerns.' The bill then becomes law. If we're passing bills out of committees just to use as a vehicle for an idea, then a resolution is what we need. Those are not laws. Resolutions can be amended like a bill. We can study the ideas presented and consider them. But don't play games by saying, this is a vehicle; we're going to correct it later. We correct nothing later!

"We have more laws in the books than is absolutely needed. We don't really change anything. The community gets baffled. When issues go to court, all of a sudden you find that a law abiding citizen is a bloody crook because of the sloppy laws that we pass that make unwitting criminals of tax paying citizens who are trying their best to survive in our island state.

"So thank you very much, Mr. President. I would hope that if we're going to have a law, it's one that will be for the people and not a law that will work against the people.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 2151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Anderson, Buen, Hanabusa, M. Ige, Matsuura, Slom, Tanaka).

S.B. No. 2430:

Senator Chumbley moved that S.B. No. 2430, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chun rose to speak against the measure and said:

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

"Mr. President, this bill is identical to the bill that was before us last year, Senate Bill 1151, with the exception that Senate Bill 1151 basically added public accommodations. Mr. President, last year I voted against this bill also, on two bases: One is, Why are we attempting to engage in a bill when this matter of discrimination in regards to housing is exactly before the Ninth Circuit today? And why are we bothering putting a bill which right now on its face conflicts directly with the Ninth Circuit Court of Appeals opinion? That's one reason. It doesn't make sense for us to do a law that contradicts on the day that we enact it with federal law.

"Second of all and more important is the fact that this bill tries to or does not even attempt to accommodate another



worthwhile First Amendment right -- and that is the right of religious freedom that all of us exercise and all of us, in fact, recognize.

"Mr. President, with those two things in mind, I find it difficult to understand why we are engaging in this.

"Going back to the first point -- the first point that there is an existing law in the Ninth Circuit that actually discusses the issue of public accommodations or, specifically, housing accommodations and its impact on a person's religious freedom -- in that case, in Alaska the court specifically held that such a state law is discriminatory against a person's religious freedom and set aside that state's law which prohibited somebody from renting out or which stopped somebody from renting out on the basis of their religious beliefs.

"My understanding of that case has been that the Ninth Circuit has held, has set aside the Alaskan ordinance, and also that case now is before a full panel of the Ninth Circuit. So I do not know why we are still continuing this process knowing that as of today, the Ninth Circuit, at least preliminarily, has held that that kind of statute is unconstitutional.

"Secondly, but more importantly, is that this bill does not even attempt to try to accommodate a person's religious freedom. The example given for this is that if a person has a room, maybe he or she has a house and in order to make ends meet they rent out that room in their house in order to provide for the education and welfare of their family. And so they open up that room in that one house for renting. Somebody comes in and the renter, basically whatever the renter does, violates the landlord's religious freedom and he says I cannot have you in this house because to do so would violate my religious freedom. This bill would turn around and say, 'Hey, we don't care about your religious freedom; we don't care about your personal house; we don't care about you being able to make ends meet. All we care about is that you have to rent to everybody, regardless of any kind of religious beliefs that you have.'

"Mr. President, I don't believe the Constitution of the United States or the Constitution of this State would be so strict and so unbending and so one-sided as to not, as we have said before, embrace the diversity of our culture. And I believe that for this bill not to include a recognition and some kind of balancing of a person's rights is a very defective portion of this bill.

"For those reasons, I will vote against this bill and urge my colleagues not to support it also.

"Thank you."

Senator Slom rose to oppose the measure and stated:

"Mr. President, hearing the words, the eloquent words of the good Senator and Majority Floor Leader from Kauai, I was just going with reservations, but I'm going to vote 'no' on the bill.

"Thank you."

Senator Sakamoto rose to oppose the measure also and stated:

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

"The march to seek approval for lifestyle choice flies in the face of our island culture where aloha is given freely and not mandated. Lifestyle is not a civil right. We should strive to live in harmony in our community, but it cannot be created by fear of litigation. We should love thy neighbor, not love thy neighbor."

The motion was put by the Chair and carried, S.B. No. 2430, entitled: "A BILL FOR AN ACT RELATING TO CIVIL

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

Ayes, 18. Noes, 7 (Anderson, Chun, M. Ige, Inouye, Matsuura, Sakamoto, Slom).

Stand. Com. Rep. No. 2676 (S.B. No. 539, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 2676 be adopted and S.B. No. 539, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Tam rose and said:

"Mr. President, please register my vote as 'with reservations' for the reasons I stated along with S.B. No. 3141.

"Thank you."

The Chair so ordered.

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

"Mr. President, I initially had reservations with this particular bill, but I am now in support of S.B. No. 539.

"I would, however, like to send a clear message to the administration. First, the University's administration should consider allowing some autonomy to the community colleges and the University of Hawaii at Hilo campus. The enrollment at the Manoa campus has declined, while the community colleges and Hilo campus have been greeted with an increase in enrollment. Since these campuses have seen a rise in enrollment, I would like to see them gain some autonomy.

"Secondly, I would like to have the administration of the University consider transferring the College of Tropical Agriculture to the Hilo campus within the next five years. The College of Tropical Agriculture at the Hilo campus has seen a significant increase in its enrollment, while the Manoa campus' college has seen a decline.

"With these points taken into account, I will support the autonomy to the University of Hawaii.

"Thank you."

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

"Mr. President, I rise to speak in favor of this bill with reservations.

"As with my colleagues, I believe in moving the University toward autonomy, and I supported the bill that would do that statutorily. My concern is that this bill would raise it to a constitutional level. This is pretty much a one-way street, we will never be able to evaluate the ramifications of this measure and retreat in those areas where we think it might be appropriate.

"In the Ways and Means Committee, we determined that there were some 300 laws in our statute books that govern the University. I don't think that anyone has had an opportunity to evaluate or give serious consideration to what the impact of a constitutional amendment would have on those 300 statutes. We exercise influence over programs; over the various campuses; as my colleague from the Big Island pointed out, over what happens at UH Hilo; what happens within the community college system. To what extent will we be able to continue to have that kind of influence? Perhaps some feel that influence is not appropriate. I think that the role of the legislature is a valuable one in that regard. And for that reason, I think that we need to be cautious in this area.

"Maybe we need to rethink or at least be cautious and, therefore, I will vote in support, but I do that with reservations.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2676 was adopted and S.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3031, S.D. 1:

Senator Kawamoto moved that S.B. No. 3031, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Bunda.

At 1:37 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:38 o'clock p.m.

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, a couple of bills ago we talked about accountability. Here is a bill that we need to address accountability with the Department of Transportation. You, myself, the Senator from Mililani, the Senator from the Kapolei area, we all supported the zipper lane and that's taking \$30 million out of our highway funds. For you neighbor islands, just think, it's a highway fund; it's taking away monies from you folks, so I don't understand the opposition of this bill.

"But anyway, when we started off looking at the zipper lane, the Department of Transportation said, number one, it's going to help the commute of the Leeward side, and we are all in favor of helping the commute on the Leeward side. We started the Wikipiki ferry; we started the shoulder lane; and this zipper lane was going to be a high tech zipper lane -- a contra-flow lane with protection. They promised 1,000 to 1,200 cars an hour. They promised my Pearl City constituents that although they're not going to have an opportunity to get in the zipper lane, because of the maximum use of the busses and the van-pools, they're going to have extra space on the commute lanes to get to downtown fast enough.

"I don't question the beginning of the zipper lane hours from 5:30 to 7:00. There could be 1,000 - 1,200 cars. I question, I question the 7:00 to 8:00 hour. They have not, DOT, for two-and-a-half years given me an account. They always say, 'From 5:30 to 8:00 they have 3,600 cars going through.' So, last week or two weeks ago I went up and counted those cars from 7:00 to 8:00. Many of you have seen my pictures. I have one here at 7:47 -- nobody in the zipper lane.

"Unfortunately, this year, the bus is taking an active role to fight against this bill. For three days, every bus rider -- every bus rider -- received a flyer to come to a hearing to oppose this zipper lane proposal. They claim they have 64 buses in those three hours. I counted in one day, 7 buses; another day, 10 buses. I have here a picture at 7:45 of the zipper lane. As you can see, there are not many cars in there. One bus in the zipper lane with no cars around it for as far as you can see.

"Again, we say accountability. I was one of them who supported the zipper lane. But in this hour of 7:00 to 8:00, the utilization of the zipper lane is non-existent.

"In my efforts to alleviate the Leeward to Honolulu drive, I suggest that we put cars with two or more passengers in the zipper lane to get cars out of the commute lane so that we can use the highway assets -- this asset is almost about one-fourth of the total assets we have on the highways coming back commute to Honolulu. So I ask my colleagues as a pilot project to allow two or more in the zipper lane from 7:00 a.m. to 8:00 a.m. It's not a threat to the bus, which they feel as though it's a threat.

"And again, you know, to spend \$30 million from the highway special funds to be put in an effort to alleviate traffic on the Leeward side, I say let's see if we make more use of the zipper lane.

"Thank you."

Senator Hanabusa rose in opposition to the measure and stated:

"Mr. President, I rise to speak in opposition to this measure.

"Mr. President, there's no question that it's my constituents that are probably the most affected by the concept of the zipper lane, and it's my constituents that need the zipper lane. Mr. President, I have constituents who wake up at 4:00 in the morning to be sure that they are on the bus at the start point by Makaha so that they will have a seat all the way into Honolulu.

"The bus company is going to expand their fleet. They, of course, like any other governmental related entity, need the money to buy the articulative buses which we will see. And these articulative buses will be used in the zipper lane.

"But more importantly than that, Mr. President and my colleagues, the question is, What is the zipper lane there for? Yes, it's there to assist in the commute, but it's also there to try to change behavior. It is there to get people out of their cars and into other cars or other forms of transportation. That's the significance of the three or more. Look at what happened on H-1 when we reduced the number of the HOV from three to two.

"Members, this is not the time for us to go backwards and add in two in the zipper lane from 7:00 to 8:00 for one hour. How do you monitor one hour? What do you do if somebody is in the zipper lane at 6:57? Is that okay? Is that better than somebody who's in there at 6:45? The fact remains that the zipper lane is to basically reward those who will either get on the bus or put three in a car.

"My secretary uses the zipper lane. She swears by it. She may be one of the few cars that Senator Kawamoto saw going by, but she abides by it. This is what we need to do to begin to change the behavior of all the people who do commute.

"Think about the environmental issue. That's one more car, arguably, off the road, or two more if we keep on the three. Maybe it will get to the point where there'll be more people using van pools or more people commuting together.

"Mr. President and colleagues, now is not the time to fool with the zipper lane. Let it continue. It may be only two years or two-and-a-half years, as Senator Kawamoto states that it is. The fact remains, we may take a longer time, but this is an issue that affects those of us in the rural communities and we need to have it maintained.

"Thank you."

Senator Iwase rose to speak against the measure and stated:

"Mr. President, I rise to speak in opposition to the bill.

"First of all, Mr. President, I'd like to congratulate the Senator from Waipahu. We have gone back and forth over this, and at the hearing -- because in the face of total opposition to the bill, he's decided to move it forward -- I referred to him as the 'opihi.' (Laughter.) And as the Senator from Manoa said, 'Yes, even in the face of a tidal wave, he sticks to the rock.' And this is, basically, what we have here. And I want to commend him for his tenacity as a pit bull and a bulldog and all that other stuff.

"But I do want to echo the words of the Senator from Waianae about the purpose of the zipper lane. It is not to move cars; it is to move people. And that means to put more people into fewer vehicles so that we can move into town; it would free flowing traffic as best as it can be.

"I want to also point out, looking at it today, that the Central/Leeward area on this island is the only area scheduled for growth on Oahu -- not Hawaii Kai, not Windward Oahu, not Downtown Honolulu. If there is a population growth in any of those areas, it is because people are making babies. If there are more cars, it's because the children have grown up and have bought automobiles. But new people are moving to Leeward and Central Oahu. There is no other transportation alternative for us -- we do not have rapid transit; we do not have mass transit. We need to get people out of cars -- more people into fewer cars -- in order for that system to survive.

"Finally, the Senator from Waipahu had pointed out, I think his words were that 'utilization of the lane in his pictures was non-existent.' I'd like to point out what the DOT testified to us: over six weeks of the year 2000, during the period in question, from 7:00 to 7:30 a.m., 601 cars; 7:30 to 8:00 a.m., 239 cars. This is to be contrasted to the peak hours which is like from 6:00 to 6:30 and 6:30 to 7:00, 650 cars, 727 cars. And therefore, from the period from 7:00 to 7:30, we have almost as many cars as the peak hours.

"The good Senator from Waipahu also went out and did his own survey. He took the pictures and he must be commended for that. In a two day period he dragged himself out of bed and put himself into that blue bomb of his and he drove over the overpass, looked down on that traffic and snapped photographs minute after minute. The first day he went, 235 cars from 7:00 to 7:30 a.m.; from 7:30 to 8:00 a.m., 100 cars for a total of 236. That's one day. Two days later he went out at the behest of the committee in that blue bomb of his, standing over that freeway, on that overpass, daring cars to drive under him. From 7:00 to 7:30 a.m., 330; from 7:30 to 8:00 a.m., 170, for a total of 500 cars. And in that two day period, the good Senator showed that there was a 100 percent increase in traffic in the zipper lane, and that is why we should not pass this bill.

"Thank you, Mr. President."

Senator Slom rose in support of the measure and said:

"Mr. President, I'm going to stand shoulder to shoulder, zipper to velcro, with the good Senator from God's country.

"I think that several of the arguments that were made -- What do we do about the time 7:00 to 8:00, suppose it's 6:57 or it's 8:02? -- we also have that problem right now in terms of the use of HOV lanes. We have times and there are people who come early or come late or whatever, and we do have certain remedies for that.

"As far as keeping cars off the road by the use of the zipper lane, we're not keeping them off the road. We're just keeping them to the right side or the left side of the zipper lane when the buses go down.

"Thirdly, in terms of changing people's minds, it's a lot better to change their minds voluntarily and give them something to voluntarily go to, than to punish them or to keep them from going to something that they want to use.

"We are basically a one-passenger or no-passenger car state because of the way we live. The fact that because the Legislature keeps the taxes and the regulations in the government so high, we're forced to have so many jobs. And we have a reliance on child care and we have to take our kids to soccer, and to baseball, and to piano, and to tae kwon do, and everywhere else all around. And it makes it extremely difficult, so we are dependent on our automobiles.

"And the fact of the matter is that everybody is being taxed to pay for these zipper lanes but they're being denied the use. They're being taxed in fuel tax. They're being taxed for registration and everything else.

"And finally, Mr. President and colleagues, I plead with you. I beg you. Support this measure. Get the Senator off the highway before something happens to him. (Laughter.)

"Thank you."

Senator Inouye rose to speak in opposition to the measure and said:

"Mr. President, I'd like to speak in opposition to the measure.

"Mr. President, I sympathize with all those who travel on the highways here on Oahu. But I do not believe that this is the legislation that we should be looking at today. If this issue were taken up by resolution instead, I could support it.

"As legislators, we always talk about the problems interfering with areas beyond our reach. I have reservations because we did not receive the support of the Highways Chief, Mr. President.

"I believe that, yes (for the Senator from Mililani), I will continue to keep my vote 'no' on this bill.

"Thank you."

Senator Kawamoto rose again in support of the measure and said:

"Mr. President, I just want to say that for three years we've been trying to do this. When we put up the zipper lane we had complaints about the fact that it was three or more. Many of you know that. We had discussion workshops. Again, the idea was for him to look at three or more and see what the capabilities and what the usage would be. You know, it's been two years after we asked him the first question. We asked him last year in a resolution. That didn't work. This year we're asking. We passed a bill and maybe we'll mandate the fact that we have this trial period for two years and see if it doesn't help the commute traffic from the Leeward side.

"Thank you."

Senator Kanno rose to speak against the measure and stated:

"Mr. President, I rise to speak in opposition to the measure.

"I'd first like to thank and express our appreciation to the Senator from Waipahu for all of his efforts in trying to alleviate the traffic congestion that Leeward Oahu residents face each and every day.

"When the idea of the zipper lane was first proposed, there was a lot of skepticism raised because our state had never seen such a contraption before. People said, 'Why do we want to go in this lane just to be deposited into the traffic in the Keehi area near the airport? We're just getting to the traffic jam sooner than we would otherwise.' The most amazing thing happened when the zipper lane opened, there was not one complaint that I had heard from people, because it was working. And to this

day, I don't believe my office has received one complaint call about the operation of the zipper lane except on those days, this past Christmas break, when it was not open because of maintenance work.

"If it's not broken, don't fix it. I ask my colleagues to consider that as we look at the operation of the zipper lane.

"We've been contacted by constituents asking us to vote against this bill, and I will be voting against this bill. I would like to beg the indulgence of my colleagues, if I could read briefly from the committee report: 'Testimony in opposition to the measure was received from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Oahu Transit Services, Inc., Hawaii Teamsters Local 966, Leeward Oahu Transportation Management Association, and 11 private individuals. Two petitions with numerous signatures were also received by your Committee in opposition to the measure.'

"I'd like to note that nobody testified in support of the measure, and I ask my colleagues to vote 'no.'

"Thank you."

At 1:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:04 o'clock p.m.

Senator Tam rose in opposition and said:

"Mr. President, I'm casting my vote as a 'no' vote in regards to this bill.

"The question before us is having the people fully use the zipper lanes and the HOV lanes. I believe that what is really needed is for the Department of Transportation to start marketing their zipper lanes and HOV lanes in terms of the use, rather than we enact any type of legislation. If I may relate in terms of the state administration, state government is very poor at marketing the public services.

"Thank you."

Senator Sakamoto rose to oppose the measure also and said:

"Mr. President, I rise in opposition to the bill.

"I agree with our colleagues from Waianae and Mililani that there is a purpose, and I sadly vote against my former co-chair because when we were co-chairs but a short time ago, we just passed this measure. So, for the chair to be talking about a study when this effort is still in its infancy and has yet to blossom, would be a bad thing, Mr. President.

"Thank you very much."

Senator Anderson rose to support the measure with reservations and said:

"Mr. President, I'm going to vote for this bill with reservations.

"I think that when the Legislature demands a study, it's not going to bring the world to an end. About two years ago we said that we should study the feasibility of rail, a mass transit system to Waianae that would provide service to Honolulu. Many people didn't even want to consider or discuss this option. Now we're worried about two people in a car, three people in a car, when that zipper lane is used for three or more people, or when it should be open to all vehicles.

"I, too, am concerned on what the good Senator from Waianae stated about the Leeward residents getting up early to commute to town. I most certainly believe that if two people

are in a car and that car can't use an empty lane, it's absolutely ridiculous. The more people you can move through traffic faster, the better.

"Thank you very much, Mr. President."

Senator Taniguchi rose and said:

"Please note my reservations on this bill, Mr. President."

The Chair so ordered.

Senators Bunda, Chun, Chumbley, Matsunaga, Nakata and D. Ige then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 3031, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Buen, Chun Oakland, Hanabusa, M. Ige, Inouye, Iwase, Kanno, Matsuura, Sakamoto, Tam, Tanaka).

S.B. No. 2316, S.D. 1:

Senator Kawamoto moved that S.B. No. 2316, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Bunda.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, it's all anti-climatic now. We've had the major issue of this session, and I think my alliance with the Senator from God's country is about to come to an ignominious end. I'm speaking against this bill.

"The bill would require that drivers' license exams be printed in languages to accommodate those that can neither read nor write the English language at the present time. The bill is flawed to the max. It's got a number of problems, not the least of which is, How many languages are we talking about? The bill talks about groups that comprise more than a 10,000 population in the state. It does not, however, talk about dialects within languages. It does not talk about what the cost will be for the printing. It does not talk about the added revenue resources necessary for the counties to bear the cost.

"But more importantly, Mr. President, I'm concerned about this because if we're going to make an exception and say that this current group of immigrants, a small group represented by one organization, needs special treatment to pass the driver's license exam and be given a Hawaii driver's license, What happens then when they're out on the road? What happens when they're in the zipper lane or on the other side of it? What happens when they can't read the signs? And I'm not talking about the international symbolic signs, I'm talking about written in good old pidgin English signs. What happens when they can't read the new electronic billboards that we have? What happens when they can't understand what the radio and other traffic reports are talking about? What happens when they can't read the newspapers? What happens then? Are we doing anybody a favor by allowing them to possess a driver's license?

"And more importantly, what about the thousands, upon thousands, upon thousands of past immigrants who likewise could not read or write English, but somehow found a way to learn how to read and write English to not only pass that exam but to drive properly, to get jobs and take care of themselves.

"And lastly, Mr. President, if I go to another country, I'm sure they're not going to say, 'Oh, Sam's here. Let's let him have his driver's license in a different language.' So I'll be voting against this bill. I think it sets a very dangerous and bad precedent.

"Thank you."

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I rise to speak in favor of this bill.

"I had the opportunity to listen to 500 people come together only on one issue and the issue is the concern of having to pass the written exam for a driver's license. These people are concerned because their parents, their relatives, friends, brothers and sisters are driving on the street without a driver's license. And according to their statistics they indicated that last year they had 10,000 tickets for driving without a license, many of which were the people that could not pass the written exam.

"There is a concern whether to have a person driving with a license with insurance and be out of the statistics of our concern about having drivers out there without insurance. Actually, I consider about 30 percent of it.

"The other concern that we have is that I don't know how long ago, but the DMV folks used to have an interpreter where they would interpret the questions orally and ask the questions and they would answer, and that was how they used to pass these tests. And they have taken away this interpreter.

"We also currently have in DMV the ability to allow people that cannot read -- the illiterate folks who cannot read -- every Tuesday they have someone there to ask the questions orally and they would also return the answer and pass the written test.

"I understand my learned colleague from Hawaii Kai's concerns about the people driving without being able to read. But currently the visitor industry and the rental car industry allows foreign language or foreign born or people that come here as visitors to rent cars and they cannot read . . . they cannot read English. So we have already people out there who cannot read.

"Also the fact that, I asked Mr. Hayashida of DOT who was at the meeting also and pledged to help these people. He said that a lot of these written billboards that we have out there now giving different instructions, the instructions are not safety issue instructions. So the concern for safety, to read those instructions is not there.

"So realizing this, realizing there's things that are happening at this time, I'm voting 'aye' on this bill and I urge all my colleagues to do so. Thank you."

Senator Inouye rose and said:

"Mr. President, register a 'no' vote for me, please."

The Chair so ordered.

Senator Anderson rose to oppose the measure and said:

"Mr. President, I'll be voting 'no' on this bill.

"If I read correctly, there's approximately 10,000 moving violations or parking tickets issued per year. Normally, if a person receives a ticket, it will be for a moving violation. So that means that if you take a driver's test and receive your license and then you get a ticket, I don't think that that's going to be worth a darn. I would hope that any licensed driver would be able to read any street sign. If a sign reads 'Waimanalo,' the driver knows it's going to Waimanalo. And if licensed drivers commit moving violations and are issued tickets, then I don't think that if they took the license exam that was written in a foreign language that it's going to help them when they go to court for the citation.

"So I will be voting 'no' because I'm worried about the numerous violations that will be affected by this legislation.

And I'm on the road all the time and I have my grandchildren at times with me.

"Thank you very much."

Senator Iwase rose to speak in opposition as follows:

"Mr. President, I rise to speak in opposition to the bill.

"Mr. President, first of all, we have had two bills in a row and I don't always vote against the bills from the Senator from Waipahu, and I think on the next one I'll support him. I just don't want him to think that this is a habit. There are reasons for this.

"Mr. President, I think since we are licensing drivers on our roadways, particularly in Honolulu, on Oahu, with its dense population, we have an obligation to ensure to the best extent possible that those we put on the roads with our license are drivers who are going to be safe, who are competent, who are knowledgeable about our laws and will not pose a danger or hazard to people who are driving on the road.

"Everybody who lives on this island travels our roads -- men, women and children. We have an obligation to ensure that the system we have to license people is a good one. But what I'm hearing as the reason for this bill, at least one, is that there are 10,000 people or something like that out there who are driving without a license because they can't pass the test. That is not a reason to allow them to drive. And if there was a way and if this bill passes, I would hope the chair of the TIA Committee looks at it. If there is a way to assist these people who have difficulty passing our examination because of the language barrier, if there is a way to assist them other than this, if there is a way that is going to be less intrusive and would ensure greater safety when they get their license, I will be supportive of that bill.

"At this point in time, I don't think I have heard anything that will assure me that those who pass the test will have done so because they possess the competency to drive on our streets. So I'll be voting 'no.'

"Thank you."

Senator Anderson rose and said:

"Mr. President, if I may. It's not a short rebuttal, really it's a point of clarification.

"I thought he said 10,000 violations that there were out there. He said there's 10,000 people driving without a license. I'm still interested in the number of violations that they get even though they're out there driving around. I've been in court where I hear people say it's the fourth time that they're driving without a license. It bothers me when they keep getting tickets. They do have interpreters and they're only sorry.

"Thank you very much."

The motion was put by the Chair and carried, S.B. No. 2316, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Anderson, Chun Oakland, M. Ige, Inouye, Iwase, Slom, Tam, Tanaka).

S.B. No. 3102:

Senator Kawamoto moved that S.B. No. 3102, having been read throughout, pass Third Reading, seconded by Senator Bunda.

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I rise to speak in favor of this bill.

"Yesterday at the caucus, there was some concern about what happened to the vision portion of the driver's license when you renew your license, when you renew by mail. Well, I talked to the DMV folks again and they indicated to me that this bill would be put in the HRS Section 286-107, and in it, it says that when you renew by mail, it will be accompanied 'by a statement from a licensed physician certifying that the applicant had been examined by a licensed physician not more than six months prior to the expiration date of the applicant's license.' And then it goes on and says, 'if the applicant had been found by such examination to have met the physical requirements established by the state director of transportation for the renewal of licenses.' So that's where it's going to come.

"Granted, if you want the convenience to renew it by mail, you're going to have to pay for the exam.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 3102, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSE RENEWAL BY MAIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2706, S.D. 1:

Senator Kawamoto moved that S.B. No. 2706, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kawamoto rose to speak in favor of the measure as follows:

"I just want to rise in favor of this bill, Mr. President.

"Mr. President, this bill creates an exemption for GET tax from the amounts received as rent from the leased aircraft and aircraft engines used by lessees in interstate air transportation of passengers and goods.

"The concern that we have is, unless we pass this bill and the fact that it's going to affect all of us who commute between islands and to the mainland, it's going to increase that. Local products, goods on the neighbor islands would pay for increased shipping prices, making them least competitive for the local and world markets for our neighbor island farmers if they increase the cargo. Tourism will be affected by it. As you know, this bill covers the major airlines. So these major airlines could go somewhere else besides Hawaii if the cost is too high.

"Therefore, I recommend that all my colleagues vote 'aye' on this bill."

Senator Slom rose to support the measure and said:

"Mr. President, I rise to speak in favor of the measure.

"Normally I would be in opposition to those bills that particularly set out one business or one industry for exemption or forgiveness of taxes. That would be the case except for the uniqueness of this particular measure. Some in the media have called this a bailout of the two major local airlines. I opposed the bailout of Hawaiian Airlines in the past. I have opposed and will, too, today, subsidies of specific industries.

"But this bill is a little bit different in that, first of all, the Department of Taxation, which is in opposition to it, talks about lost revenue of \$20 million. There is no lost revenue because there was no revenue that was ascribed over the past years. The

Department of Taxation would like to make the tax assessment on the lessor or the lessee retroactive as well as prospective.

"The clause in the lessor's agreement, those that lease the aircraft to our local industry, the clause is a standard clause of any lease agreement and that is basically that if there are any taxes, the taxes are due on the lessee, not the lessor, which means in this case the local interisland air carriers would pay the tax which also means that they would pass that on to us for ever higher ticket prices as we are witnessing right now.

"Lowell Kalapa, who normally also testifies against all subsidy and special tax exempt legislation, testified in support of this measure for a number of reasons. One was that the State of Hawaii already permits an exemption for the stevedoring industry because of our near total dependence on the surface shipping to get our goods to and from the islands. And secondly, we are the only state in the nation that is totally dependent on air transportation. We can't drive to our neighbor islands, so we are absolutely dependent on this mode of transportation. Thirdly, the bill does not just pertain to Aloha and Hawaiian Airlines, but pertains to commuter airlines as well.

"So I support this measure. I think it's a good measure, but I would also urge my colleagues to take particular note of the fact that we also have other businesses that also lease equipment and right now they are paying the taxes on those leases. So in order to be fair and equitable, what we should do when we're talking about a mainland company that is leasing a good or a service to a Hawaii company, that should be exempted.

"But I do support the measure, Mr. President, and urge my colleagues to do the same. Thank you."

The motion was put by the Chair and carried, S.B. No. 2706, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2343, S.D. 1:

On motion by Senator Nakata, seconded by Senator Fukunaga and carried, S.B. No. 2343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2986, S.D. 1:

On motion by Senator Tam, seconded by Senator Matsuura and carried, S.B. No. 2986, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3026, S.D. 1:

Senator D. Ige moved that S.B. No. 3026, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto rose to speak in support of the measure and stated:

"Mr. President, I rise in support of this measure.

"Mr. President, your Committees on Education, Ways and Means, your chairs, and members have worked on this measure.

The purpose is to establish the educational facilities repair and maintenance special fund (Senator from Hawaii Kai), to eliminate the backlog of projects, and to establish an improved program of cyclical maintenance.

"I believe that we would all want a better learning environment for our children. I am fully aware that the downturn in the state's economy has created difficulties for the funding of school repair and maintenance at required levels, and has thus created a serious backlog of repair and maintenance projects. However, due to the importance of education, it is clearly evident that we must pay special attention to its needs.

"This measure mandates that we allocate funds in order to address the backlog, and maintain cyclical repair and maintenance projects. By allocating \$45 million per year for four years, we can eliminate a major portion of the \$230 million backlog. The measure also calls for an improved method of planning and budgeting projected repair and maintenance costs. Not only will this provide safe facilities for our children, it will also protect the one billion seven hundred million dollar investment which we have made in our schools.

"Allocating funds will further allow us to provide one fiscal officer per school district. This fiscal officer will provide a business and facilities management background and shall be responsible for all budget and fiscal requirements of the districts' schools. This will therefore free school principals of these responsibilities and allow them to focus primarily on education.

"Finally, this measure increases the minor repair allocation to schools and requires that the allocation be based on the number of students and the age and condition of the buildings.

"Deferred projects are costing the State millions more in future costs due to secondary damage. A conducive learning environment is dependent not only on its faculty, but also on its facilities. I believe that our children deserve safe, aesthetic, and structurally sound school facilities. Therefore, Mr. President, I urge everyone's support.

"Thank you."

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to the bill.

"Again, I go back to my statement just five or six short hours ago in opposing all special funds, the creation of special funds. I'm not opposed to the rehabilitation of the schools -- absolutely, they need it -- but let me take my colleagues back just eleven short years to 1989. In 1989, the Legislature approved earmarking \$90 million for educational facilities in making a commitment to education. And three years later, took the money back and put it in the general fund because the general fund revenues started to dwindle.

"Further, rather than spurring construction of classrooms, the earmarking at that time nearly created apathy as school officials knew that they would receive \$90 million off the top and they didn't have to justify a request for funding. Similarly, while the earmarking of these funds sets a priority for educational facility maintenance, what does that say about other so-called high priorities for state tax dollars? Or is the intent of the measure to shortchange the general fund creating the illusion that there isn't enough money to pay for essential service, thus necessitating the need for a tax increase? And as you know, we discussed and debated last year the possibility of increasing taxes or transferring the personal income tax to the DOE.

"Other questions jump out at us. The special funds are supposed to be financed with a likely \$125 million bond sale. But the question is, What happens if the \$125 million is charged against the GO bond limited to the state? What happens for bonded indebtedness in the future? And then in

terms of the money that's promised to the schools for the district business positions, well, they're promised \$8,000 a year now. They don't get that. So we're promising them \$25,000 and they'll be lucky if they get any of that.

"Mr. President, I think that instead of making commitments we don't keep, if we're really concerned about our children, if we're really concerned about our schools, then we really have to have appropriate and legitimate action including responsible fiscal action. And that does not mean creating additional special funds. Let's by all means take care of the repair and maintenance of our facilities, but let's do it in a prudent and fiscally responsible manner.

"Thank you."

Senator Sakamoto rose and said:

"Mr. President, just a few clarifications for our Senator who opposes special funds.

"Separate from that issue, on the dollars, Senator, the 45 million would be basically, hopefully, bonds as opposed to general funds. Certainly, for some repairs you would require general funds. On the fiscal officers, that's not related to the \$8,000. That's another provision of the bill. Yes, we're not funding the \$8,000 per school, which is given equally to each school. The hope is we could raise the limit to \$25,000 and older schools can get more, and possibly more than the \$8,000, and schools that don't need it get less.

"So there are provisions to address some of the ways the system isn't working. So hopefully you can get on board to working together to help the system work in spite of your opposition to special funds."

Senator Tam rose to speak in favor of the measure and said:

"Mr. President and fellow colleagues, I vote in favor of this bill.

"It's a very, very good bill. It addresses safety and health within our school environment. Imagine if we were not to provide these safety and health features, basically we should close down the schools. We do need these dollars on a statewide basis for safety and health.

"Thank you."

Senator Anderson rose to support the measure with reservations and said:

"Mr. President, I'm going to be voting for the bill but with some reservations.

"Primarily, our state public schools are in dire need of repair. But some of the problems that we've had over the years is the money that we set aside, the administration or whoever runs it said the reason that we're spending so little is that we just don't have enough contractors to fulfill the jobs. And I said, 'You're full of it.' We only give them to certain individuals and in that way we control everything. So that's what bothers me.

"If the public schools are in need of repair, then repair them. The DOE administrators should spend the money that we put aside for specific repairs. Then we would be moving forward, rather than playing games and helping only certain individuals that leaders or administrators feel deserve to be taken care of.

"Thank you very much."

The motion was put by the Chair and carried, S.B. No. 3026, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 3193, S.D. 1:

On motion by Senator Kanno, seconded by Senator Fukunaga and carried, S.B. No. 3193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE EXCHANGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ihara).

At 2:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:52 o'clock p.m.

Stand. Com. Rep. No. 2689 (S.B. No. 2655, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 2689 be adopted and S.B. No. 2655, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2689 was adopted and S.B. No. 2655, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (M. Ige, Iwase, Kawamoto, Levin, Tam, Tanaka).

Stand. Com. Rep. No. 2691 (S.B. No. 2974):

Senator Kanno moved that Stand. Com. Rep. No. 2691 be adopted and S.B. No. 2974, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senators Slom, Anderson and Matsuura requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2691 was adopted and S.B. No. 2974, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE INSURANCE BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (M. Ige, Iwase, Kawamoto, Levin, Tam, Tanaka).

Stand. Com. Rep. No. 2692 (S.B. No. 3117):

Senator Kanno moved that Stand. Com. Rep. No. 2692 be adopted and S.B. No. 3117, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose and said:

"A W/R on this bill also, please."

The Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2692 was adopted and S.B. No. 3117, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (M. Ige, Iwase, Tam, Tanaka).

Stand. Com. Rep. No. 2696 (S.B. No. 2914, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2696 be adopted and S.B. No. 2914, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to oppose the measure and stated:

"Mr. President, I'll be going 'no' on this.

"We discussed this in the Water, Land, and Hawaiian Affairs Committee. I was concerned that every program that the Department of Land and Natural Resources has, they're going to be shifting monies into special funds. The department knows full well that leadership in the legislature has raided special funds and put those monies back into the general fund. The only one who can do this is the governor and the administration. We have no control over those funds, so I'm really worried that we are going to be in trouble.

"So I will be voting 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2696 was adopted and S.B. No. 2914, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Anderson). Excused, 3 (M. Ige, Iwase, Tanaka).

Stand. Com. Rep. No. 2697 (S.B. No. 2186, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2697 be adopted and S.B. No. 2186, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2697 was adopted and S.B. No. 2186, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Iwase, Tanaka).

Stand. Com. Rep. No. 2698 (S.B. No. 3176, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2698 was adopted and S.B. No. 3176, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Iwase, Tanaka).

Stand. Com. Rep. No. 2699 (S.B. No. 2348, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2699 was adopted and S.B. No. 2348, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Iwase, Tanaka).

Stand. Com. Rep. No. 2700 (S.B. No. 2132, S.D. 2):



Senator Fukunaga moved that Stand. Com. Rep. No. 2700 be adopted and S.B. No. 2132, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Slom, Anderson, Inouye and Buen requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2700 was adopted and S.B. No. 2132, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Iwase).

Stand. Com. Rep. No. 2701 (S.B. No. 2301, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2701 be adopted and S.B. No. 2301, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Inouye rose to speak against the measure and stated:

"Mr. President, I oppose this bill.

"Mr. President, I'm not sure if our colleagues have really looked at this measure. This bill transfers the authority and entitlement of maritime lands from DLNR's jurisdiction to the Department of Transportation. Even if this bill was authored to address the concerns of our governor's plans of building a golf course, it will truly hurt many other lands throughout the state.

"As you are aware, the County of Hawaii currently has jurisdiction over DLNR lands around the harbors at Honokahou and Kawaihae. I think this bill hurts the small boat harbors because it gives DOT's Harbors Division authority over those lands, instead of DLNR and the County of Hawaii. I therefore have grave reservations about this. I believe when this measure went to Ways and Means they amended the effective date to be the year 2010 to promote further discussion, so they may also have some reservations.

"In addition, Mr. President, if there are any economic development implications or if DOT is looking at future economic activity around state harbors, then I believe this measure should also have been referred to the Economic Development Committee.

"Thank you, Mr. President."

Senator Chun rose to support the measure with reservations and said:

"Mr. President, I rise in favor of the bill with reservations.

"Mr. President, I echo the concerns of the Senator from Kohala and North Hilo. However, my other concern really goes down to also addressing the fact that this bill would attempt to exempt itself from other environmental rules, more specifically, the special management area provisions contained in 205A. If the land is removed and put into a maritime land use under the Department of Transportation, there's a separate section under HRS Chapter 266 which would exempt Department of Transportation projects from review by the SMA.

"My concern is that since we are all concerned with development that would affect the coastal areas and also the seashore, exempting maritime land for commercial and industrial activities from this very important law would have a negative impact on our environment, and I don't believe that was intended. And I believe as we go through conference, since it does have a defective effective date, that that loophole can be closed.

"Thank you, Mr. President."

Senator Chumbley then requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Levin rose to support the measure as follows:

"Mr. President, I wanted to comment in favor of this bill. The concerns echoed by my colleagues are certainly well taken.

"The thinking of the Ways and Means Committee in moving this bill forward was to give an opportunity to the two departments to work on these issues and hopefully come up with a consensus position that will be acceptable to the Legislature. As has been pointed out, we did make the effective date defective to assure that it will come back to us, and therefore I believe that this bill should move forward for further discussion.

"Thank you."

Senator Anderson rose to speak on the measure with reservations as follows:

"Mr. President, I'm going to be voting with reservations.

"When this bill came to the Water, Land, and Hawaiian Affairs Committee, one of my concerns then and now is that if you had a parcel of land, such as on the island of Kauai, with a jetty, could then the Department of Land and Natural Resources, if they owned that land but leased the property out, but because it was close to the harbors, could the harbors take it over and turn it into another use? And that was a concern of mine and when we asked, everybody more or less said, 'I don't think so. Not now.' But it's still a very deep concern and I think we have to look at it.

"Thank you very much."

Senator Nakata rose and said:

"Mr. President, with reservations for the same concerns as the Senator from Kauai."

The Chair so ordered.

Senator Slom then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2701 was adopted and S.B. No. 2301, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Inouye). Excused, 1 (Iwase).

Stand. Com. Rep. No. 2703 (S.B. No. 2474, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2703 be adopted and S.B. No. 2474, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to support the measure as follows:

"Mr. President, I rise in support.

"This bill will ensure that all federal impact aid monies received from the federal government for education will be used entirely to educate the young people of our families in Hawaii.

"In the past, as you may be aware, some of these monies have been siphoned off to the general fund. Mr. President, our Congressional delegation is aware of the importance of maintaining a high quality of life for our military members in Hawaii for morale, retention, and recruitment purposes and they

have worked hard in initiating appropriate legislation to bring funds here. Federal aid has in the past and will continue to contribute significantly to quality education, not only to children of federal workers, but to all of our children. Needless to say, education is one of the highest priorities in the legislature.

"Because of the importance of education and the role of the military in facilitating partnerships with the schools and community for improvement programs, I ask my colleagues to vote to keep additional Federal impact support for education. Aloha!"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2703 was adopted and S.B. No. 2474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL AID," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Iwase).

Stand. Com. Rep. No. 2705 (S.B. No. 2750, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2705 be adopted and S.B. No. 2750, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in favor of the measure with reservations as follows:

"Mr. President, I'll speak in favor of the bill with reservations.

"According to the testimony and the committee report, it is because of a mathematical error made by a consultant that the state overcharged the federal government in fiscal years '97 and '98. And the state is now repaying the overcharge without penalty, but it will result in a \$600,000 shortfall.

"I guess my first question is, If the consultant made the error, why is the state forced to pay for the error that the consultant made? And then secondly, I notice that in the bill there was a \$200,000 appropriation for increased maintenance costs of the new computer equipment for DAGS. I don't know what the end is going to be for the computer equipment that we keep paying here, but I think that I'd like to be in the computer business selling to the state because we keep buying new equipment and maintaining the equipment that we have.

"So I'll be voting with reservations."

Senators Anderson and Chun then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2705 was adopted and S.B. No. 2750, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Iwase).

Stand. Com. Rep. No. 2707 (S.B. No. 2598, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2707 was adopted and S.B. No. 2598, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Iwase).

Stand. Com. Rep. No. 2708 (S.B. No. 2987, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2708 be adopted and S.B. No. 2987, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2708 was adopted and S.B. No. 2987, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Iwase).

Stand. Com. Rep. No. 2709 (S.B. No. 2988, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2709 be adopted and S.B. No. 2988, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2709 was adopted and S.B. No. 2988, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Iwase).

Stand. Com. Rep. No. 2710 (S.B. No. 2909, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2710 be adopted and S.B. No. 2909, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure and stated:

"Mr. President, I rise to speak against the bill.

"Again, this is yet another bill that establishes yet another special fund, so I'll be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2710 was adopted and S.B. No. 2909, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Ihara, Iwase).

Stand. Com. Rep. No. 2712 (S.B. No. 2990, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2712 be adopted and S.B. No. 2990, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I speak in opposition to the bill.

"Now we're going to charge a \$10 surcharge on each sale of lead acid batteries. We keep adding fees and charges at the front end when we purchase certain things and at the back end when we get rid of certain things. That is why our cost of living continues to be so high. That's why our families and individuals and small businesses continue to struggle. It's not a good idea and it's not necessary.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Chun rose to support the measure and stated:

"I speak in favor of the bill, Mr. President.

"Mr. President, even though it does have a surcharge, I think it does encourage people to turn in their old batteries, and if you do turn in your old batteries under this bill, that surcharge is waived. So I believe it accomplishes a laudable goal of making sure that our batteries are disposed of properly and not just left to leak out into the ground as it does oftentimes.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2712 was adopted and S.B. No. 2990, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RECYCLING OF BATTERIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Ihara, Iwase).

Stand. Com. Rep. No. 2713 (S.B. No. 2879, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2713 be adopted and S.B. No. 2879, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition as follows:

"Mr. President, I rise to speak against this bill.

"Well, here we go again. This is a \$1 surcharge on all imported tires and we pay a fee to have the tires removed. This bill also has fines ranging from \$1,000 to \$10,000. Another bad bill, another bad precedent. I vote 'no.'"

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2713 was adopted and S.B. No. 2879, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Ihara, Iwase).

Stand. Com. Rep. No. 2715 (S.B. No. 2607, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2715 be adopted and S.B. No. 2607, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in favor of the measure with reservations as follows:

"Mr. President, I rise to speak in favor of the bill with reservations.

"I want to know why the state has to create this private foundation, and wonder if in fact this is just a prelude to state funding later on. We have private foundations, galore, within the state, for charitable and eleemosynary and educational activities, and if in fact that's what we want to do with the Status of Women Foundation, then we should do that and the government should not be involved, lest they learn a lesson from OHA and it's relationship with our state government."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2715 was adopted and S.B. No. 2607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Iwase).

Stand. Com. Rep. No. 2718 (S.B. No. 2872, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2718 be adopted and S.B. No. 2872, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to oppose the measure and stated:

"Mr. President, I'll be voting 'no' on this measure.

"Primarily, I am not opposed to the Hawaii Health Systems. When we were in Ways and Means, a prior bill that we just sent over, Stand. Com. Rep. No. 2705, we had said last year that an appropriation of \$200,000 was something that we should pass for the computers. This year we will appropriate \$14.5 million to the health system, although last year we said no, we would not fund that. The governor loaned HHSC the money, and if you read the bill it says 'this money is to repay the state because the governor loaned HHSC the money.'

"As representatives elected by the people, the Legislature can say we're not going to provide the appropriation. Yet, the governor loans HHSC the money. And when we say we will appropriate the funds, the governor restricts it. So in Ways and Means I asked Mr. Anzai, does this then mean, and I know you're not budget chairman any longer, that the budget that was sent down by the administration if in fact we vote 'no,' will that budget be short \$14.5 million? And he said yes.

"Now, I believe some of our priorities take precedence over the governor's choices. So I would rather vote 'no' and let everybody scrounge to find out what happened to the \$14.5 million. If not, from now on just relinquish all of your responsibilities to the administration and just tell him whatever he wants or she wants, whoever is up there. They can go ahead and do anything they want to and you're just going to rubber stamp it, because that's what we're doing, ladies and gentlemen.

"Thank you very much."

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2718 was adopted and S.B. No. 2872, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson, Kawamoto). Excused, 2 (Bunda, Iwase).

Stand. Com. Rep. No. 2719 (S.B. No. 2893, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2719 be adopted and S.B. No. 2893, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to speak in opposition and said:

"Mr. President, I rise in opposition to this bill.

"This measure would raise the minimum wage 25 cents, effective July 1, 2001, and an additional 25 cents per hour in 2002. The stated goal of this measure is to help low-income

families who have suffered under the burden of the high cost of living in Hawaii and our stagnant economy. It is a good goal, and I support it. But raising the minimum wage will not accomplish it.

"We have to be very careful about thinking that we can somehow raise standards of living by mandating an increase in the minimum-wage rate.' Those are not my words, they are the words of Federal Reserve Chairman Alan Greenspan. When the chief economist of the United States says we should carefully consider the effects of raising the minimum wage, we would be irresponsible to do otherwise.

"As three noted economists recently testified before the House Committee on Education and the Workforce, a substantial body of work proves mandated wage hikes not only fail to help the poor and the near-poor, but also actually can hurt them. Dr. David Neumark of Michigan State University, for instance found that while minimum-wage hikes may lift some families out of poverty, they push even more families into poverty as employers try to control costs by eliminating jobs, displacing low-skilled adults for more productive employees, or shaving work schedules.

"Testimony from McDonald's restaurants, the Hawaii Restaurant Association, and the National Federation of Independent Business indicated that they would have to do exactly this to try and survive. These small businesses are the backbone of Hawaii's economy, and the economic recovery of this state is contingent on their success. Simply put, we cannot afford this measure.

"Equally important, Professor Daniel Shaviro of New York University testified, raising the minimum wage can have the unintended consequence of actually costing the working poor most. He found that mandated wage hikes can trigger rapid-fire reductions in government assistance programs, such as means-tested federal tax credits, food stamps, Medicare benefits, and housing benefits. The negative impact of these declines in assistance far exceeds the benefits of a minimum wage increase.

"Cornell University Professor Richard Burkhauser summed up the situation best when he testified that the vast majority of the working poor were not helped by the last minimum wage increase, while the vast majority of those who were helped were not the poor.

"I sincerely believe that raising the minimum wage is not the solution to helping the poor. Additionally, I strongly believe that it is absolutely the wrong time in our economy to raise the minimum wage.

"From the quote on the cover of this book, *Principle-Centered Leadership*, 'Give a man a fish and you feed him for a day; teach him how to fish and you feed him for a lifetime.' Mr. President, I urge my colleagues to vote 'no' and carefully consider what this measure might do."

Senator Slom rose to speak in opposition as follows:

"Mr. President, I rise in opposition to this bill.

"I have a number of major concerns with this bill and with minimum wages, in general. First of all, people continue to talk about living wages. The minimum wage is not intended to be a living wage. The minimum wage is an entry level or training wage. We're talking about trying to put welfare recipients to work in Hawaii, and yet we have the lowest rate of new job creation in the private sector of any state in the nation because of our economy.

"There are many in small business who would love to hire people, put them to work, but they can't afford to put them to work because of the cost. I don't know of anybody in small business that starts a person at minimum wage today in Hawaii

because of the competitive nature for a good employee, even someone that's being trained.

"But people don't realize, particularly those people that have never been in business or not in business in this state, we have the highest cost of mandated required compulsory additional benefits of any state in the nation. The additional cost of those mandates, and I'm talking about things like workers' compensation, temporary disability insurance, unemployment compensation and prepaid health care, the additional cost to whatever the payroll or wage basic rate is, runs on average in Hawaii from 30 percent to 55 percent above whatever that wage rate is. And every time your wage rate goes up, so do your liability insurance rates, workers' comp rates and other things that are pegged to the compensation that is paid.

"In addition to that, businesses also have to pay for things such as matching dollar for dollar social security and medicaid taxes. They pay for vacation, sick leave and other benefits which are not mandated. And so the cost of compensation continues to be relatively high.

"I also find this bill to be dishonest because I don't think anyone in here believes that if they believe in a minimum wage, that they believe in only a 25 cents increase, because they've expressed that before. But this is another one of those bills to keep it alive and to keep it talking and to move it across the aisle to the House, and try to placate those people particularly in the restaurant industry by saying, 'Gee, it's only 25 cents an hour next year and 25 cents the year after that.'

"If in fact the minimum wage goes up in the state, it will be well above the 25 cents. The governor asked for 50 cents above the federal minimum wage rate, and the Congress right now is debating an increase in the federal minimum wage rate. So what we're doing here is we're looking at something that is going to mandate an increase in cost for all businesses, but I remind my colleagues 98 percent of all businesses in the State of Hawaii are small businesses. We're mandating that their cost of wages and the attendant mandated benefits go up, but there's no mandate here that their utility costs go down, that their lease rents go down, that their supplies that they buy from other people go down, or anything else -- just that their costs continue to go up.

"So it is a bad bill. It is a bad time, and I think it's bad faith to talk about this 25 cents. So I'll be voting 'no' and urge my colleagues to do so, too."

Senator Inouye rose to speak against the bill and said:

"Mr. President, I speak in opposition, as well, on this bill.

"Mr. President, I echo the sentiments of my colleagues from Aina Hana and Moanalua. I feel some sympathy for the small stores, the mom-and-pop stores, that have been pushed aside by the big buck stores that are coming into Hawaii and taking business away from them. I feel for the Hana store.

"And so for these reasons, as well as those mentioned by my colleagues, I will be voting 'no.'

"Thank you, Mr. President."

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I'd just like to say that I voted 'W/R' in committee, Ways and Means, but I'm going to vote 'aye' on this bill and I want to apply to be a member of the Ways and Means Committee to follow this bill in Conference. So Ways and Means chairs, I apply for membership." (Laughter.)

Senator Nakata rose to speak in support of the measure as follows:

"Mr. President, I rise to speak in support of this bill.

"There is much that this Legislature has done for business over the last few years. In workers' compensation reform, it has saved business \$200 million a year. In premiums, this Legislature has removed pyramiding, which will also save on the order of a hundred and some odd million dollars a year when fully implemented.

"I believe that the economy is beginning to recover. Unemployment rates have come down. I believe it is time that we begin to look at the needs of workers and their families. Most of the people on minimum wage are women with children. Really, I believe it's time for us to look at those things and to remember that historically the minimum wage was instituted during the great depression in our nation's history.

"Thank you."

Senator Anderson rose to speak in opposition as follows:

"Mr. President, I'll be voting 'no.'"

"I agree with what most of the people have said. But for my colleague from Kaneohe, if we're really worried about those poor people and those that cannot afford, then we should pass the most regressive tax. That is the elimination of the 4 percent GET off food and over-the-counter drugs. This would place more money in the pockets of island residents than a 25 cents an hour minimum wage increase. But we sit here and we play games. We propose a 25 cents increase and it results in an \$8 increase in 40 hours of work. You could save a heck of a lot more when the GET is exempt on over-the-counter drugs and food, because the GET is a regressive tax.

"For example, a single parent who happens to be on food stamps will also benefit from the 4 percent exemption of food and over-the-counter drugs. That's the way we can help people. And it helps everybody across the board. We should not play games!

"Thank you very much, Mr. President."

Senator Levin rose in support of the measure and stated:

"Mr. President, I rise to speak in favor of this bill.

"I wanted to offer several comments, if I may. A number of thoughts come to mind. This was a hard-fought compromise to get it to this point. I think it's worthwhile remembering where this bill started. This was an administration bill. It was a proposal to raise the minimum wage by 50 cents an hour, and it was a proposal to tie that raise to the federal standard so that we would always be 50 cents above the federal standard. We have always taken pride, I think, in the fact that our minimum wage was higher than the federal level. It's a recognition of the fact that our cost of living is substantially higher than anywhere on the mainland.

"The federal minimum wage right now, as I understand it, is \$5.15 an hour. There is much talk about increasing it. The state minimum wage is \$5.25 an hour, a mere 10 cents higher than the federal level. Instead of going 50 cents above the federal standard, the proposal now before us is to increase only 25 cents, and not until January 1, 2001, and an additional 25 cents, January 1, 2002.

"The bill also includes a disclosure provision that was strongly endorsed by Local 5 and which was signed on to by management, which would assure that when management takes advantage of what is called the 'tip credit,' the customer will know that whatever tips are being given will go only partially to those employees who are helping serve.

"We increased the tip credit by 20 cents in this bill, which means that the impact on restaurateurs, which was the group

that was most vocal against increasing the minimum wage, the impact would be a net of 5 cents per hour. No increase, of course, until January 1, 2001; then 5 cents an hour for the next year, and then 25 cents more the year after that.

"Mr. President, I believe that we've listened to small business. I believe we've listened to Local 5. I think we recognized the cost of living in our state, and we felt that it was time to do something for the working men and women, as my colleague, the chair of Labor, has indicated. I think we need to look into our own consciences, as well, in deciding whether to move this bill forward. I am pleased that it is before us.

"I urge my colleagues to vote 'yes.'"

Senator Anderson rose again and said:

"Mr. President, a slight rebuttal, if I may.

"As I said earlier, just because something comes from upstairs, it doesn't make it right. And then we try to say we're going to move it along.

"It bothers me when we talk about increased cost to the families, such as increased shipping cost. We have four people in Congress that refuse to do anything with antiquated bills. And someone said, 'Well, it's only going to cost a few more cents for a can of corn.' But the aggregate price increase of a shipped case of corn is troublesome. It's a lot of money that someone profits, but no one seems to care.

"Moreover, the decision to move a bill along so that we can have discussion is not what we're supposed to be doing here if we're trying to put forth legislation to help island residents.

"And that's why I say we ignore the most regressive tax. We say, 'Well, we're going to give tip credits and we're going to do this.' Legislation that eliminated the GET on wholesale goods takes seven years to zero out. In the meantime we go down the tubes.

"This attitude is the reason we're in this predicament today. We postpone important issues until later. And that's what this bill does. It sounds good. It's something that will come up maybe if Congress does something and Congress takes away everything from the state because they implement their own so they can play games. I always watch Congress on television. I get just as upset with them as I am with us.

"So, those reasons are why we're voting 'no,' Mr. President. We'd like to move this state forward to make sure that the people can afford to live here. Let's eliminate increasing cost factors that will help people -- not save 25 cents or 15 cents here and there. Most of the laborers are not making that kind of money.

"I have a small business and I know that I don't pay minimum wage. We've always paid more than the minimum wage. But as soon as you mandate minimum wage, other non-minimum wage employees say, 'Well, I'm only making \$6.50. If they're going to be making \$5.25 and now they're going to get \$5.50, I should get \$7.00.' And that's the reality for small businesses when the minimum wage is increased.

"Thank you very much, Mr. President."

Senator Slom also rose again and remarked:

"Mr. President, I'm compelled to make a brief rebuttal based on statements made by two of my colleagues who both said exactly the same thing -- that it's time that the Legislature do something for working men and women.

"I would remind my colleagues that small business owners are working men and women -- working men and women who create jobs for other people, who don't get handouts, who create

the jobs, do the training, provide the benefits, pay the wages, pay the taxes, support each one of us sitting here. So I get a little perturbed when people say let's do something.

"And what have we done today so far for the working men and women? We've increased their fees. We've increased their costs. We've increased the cost of government. We will be increasing their cost of taxation. That's what this body does for working men and women.

"You want to do something, you listen to my colleague from Waimanalo. You cut out the cost of taxation on the basic necessities of food for home and medical supplies. You reduce the taxes. Don't use the regressive tax.

"One other thing. The governor is fond of talking about the cost to the state -- \$200 million of workers' compensation that was cut and the \$100 million-plus of saved money in GET pyramiding. Again, for those of you who are not in business, don't understand business, don't have to reach in your own pockets to pay, don't have to meet a payroll, get your check supplied from the state -- you don't understand what it goes through, what you have to go through because you pay everybody else first. If there's any money left over, then you take care of yourself, your family, and your business. But you pay your workers first. You pay the government as far as taxes.

"And I want to tell you, as far as that workers' compensation, you come and talk to any ten small businesses and find out how much they have saved in the last two years on their workers' comp premiums. You will find to your surprise, perhaps, that they have saved nothing. Large businesses have saved money, not small businesses. And by the way, how did we save that money? By cutting the medical fee schedule and making it even more difficult for professionals like doctors and those involved in providing services who, by the way, are small business men and women themselves.

"And oh yes, the GET pyramiding, the much vaunted GET pyramiding. If you know anything about business, you'd know that 90 percent of the businesses in this state do not qualify for the reduction in the vaunted GET pyramiding reduction, because it is not a reduction in the rate. It is a reduction in those expenses not classified as overhead subjectively by the Department of Taxation if the business can qualify for it. And those businesses that have been trying to qualify for it since we adjourned last year have found that most of them, in fact, do not qualify for it.

"So, before we talk about doing something for working men and women, let's have a reality check on who the working men and women are. They are the small business men and women who are the backbone of this state.

"And one more item -- the Department of Labor and Industrial Relations has no statistics on the number of people getting minimum wage. In testimony, they relied on the Clear Labor Organization at the University of Hawaii, and the director of that organization used a survey for basic wage rates only, not compensation with mandated benefits. The survey showed that less than 3 percent of the civilian labor force in the State of Hawaii was on minimum wage at any given time, because I remind you it's a training wage. Anybody that's still on minimum wage after they've been on the job for six months or a year has not progressed, has not learned. That's what it's all about.

"We gotta be more 'akamai' and understand what business is all about in this state, particularly when we say we're going to help the working men and women in this state.

"Thank you, Mr. President."

Senator Chun rose in favor of the measure and said:

"Mr. President, I stand in favor of this measure.

"Mr. President, I do appreciate the comments of the Senators from Kailua and from Moanalua and from Hawaii Kai. In fact, I am partially to blame, I guess, for the dishonest compromise of this bill because I was one of the early ones in WAM that actually spoke against the bill that resulted in the compromise.

"However, I must support this bill because it is a good faith effort to go beyond our philosophical differences of how to address the economic needs of the state. But to engage in honest and open discussion as how to go forward from there, we need to keep the bill alive. We need to keep talking and we need to try to look for a way where we can help everyone, as opposed to say 'no' to everything.

"So for those reasons, I believe this bill is a good compromise. It's been an honest discussion in terms of what needs to be done and recognition of the issues to be addressed. I ask my fellow colleagues to support it."

Senator Tam rose to speak in favor of the measure and said:

"Mr. President, I speak in favor of this bill.

"Colleagues, this is a very good bill. It's a bill that pays the employees with ability, not in terms of below the minimum wage. There are currently businesses coming to Hawaii that are cheating employees out of the basic minimum wage or paying them below the opportunity to provide food for their family. This bill, once again, provides money for families so that they can feed themselves.

"Thank you."

Senator Matsuura then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2719 was adopted and S.B. No. 2893, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, D. Ige, Inouye, Sakamoto, Slom, Tanaka).

Stand. Com. Rep. No. 2723 (S.B. No. 2345, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2723 be adopted and S.B. No. 2345, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Buen rose and stated:

"Mr. President, the intent of this bill is a good one. However, when we mandate . . .

The Chair interjected:

"Are you speaking for or against the bill?"

Senator Buen replied:

"I'm opposing this bill."

The Chair responded:

"Please proceed."

Senator Buen continued:

"I have a potential conflict."

The Chair inquired:

"What is your potential conflict?"

Senator Buen replied:

"I work for Maui Electric Company."

The Chair ruled:

"No conflict. You may vote on this measure."

Senator Buen then continued:

"When we mandate a percentage of renewable energy resources without regard to the impact of the cost to the consumers, it is, I believe, unwise at this time. By statute, the consumers will be required to pay more because the renewable, as stated in this bill, costs more. I want to be clear. We all want to cut our dependence on imported fossil fuel, but we need to do it with cost effective programs based on programs proven to reduce the demand for our dependence on oil.

"Technology should give us reliable energy. The sun, wind, photovoltaic, and hydro are not reliable energy sources, and they do not represent firm power. Let me give you an example or let me explain. Hydro is only used when the currents achieve a certain rate of flow or a higher rate of flow. However, if that rate were not achieved, it would not introduce power to the electric grid. The same is true for wind and solar powered generating sources. If the wind is not blowing or if it is night and the sun is not shining, no power would be introduced into the electric grid to which the renewable alternative is connected. So that is why I say these energy sources would be unreliable sources.

"Every day, Mr. President, we talk about jobs. We talk about improving our economy and to help those that are just trying to make ends meet. And yet, we're not helping them. Instead, what are we doing? What we're doing is to pass out this kind of bill to trigger higher electric rates and to increase cost.

"For these reasons, Mr. President and colleagues, I will be voting 'no' on this measure. Thank you."

Senator Anderson rose in opposition to the measure as follows:

"Mr. President, I'll be voting 'no' on this particular measure.

"I also voted 'no' on the ethanol and it's not mentioned in this particular bill. But what it says here is that the Legislature finds ways to achieve its objectives through implementation of renewable portfolio standards, a flexible market driven policy. The Legislature wants to seek different ways to do energy, then we're going to pass on that cost to the taxpayers.

"When we look at renewable energy, Mr. President, it's wind, solar, biomass, geothermal energy and ethanol. Now, most of our sugar plantations have gone out of business, and years back, 20 years ago, we were producing or utilizing biomass, ethanol. We've experimented with windmills. We've done everything that there is. The utilities know their limitations as far as renewable energy. Now we're going to bring this up again and we will place mandates on the electric company who will pass that cost on to us.

"I took a trip to Oahu Sugar before they closed. Oahu Sugar is close to the Waipahu Plantation Village. I told them I thought it was a good idea if AmFac stayed in that business. They could use their sugar plantation mill as a tourist attraction. They could sell the by-products made in Hawaii. It would certainly have helped the Plantation Village for tours and other things and it would have been very good for the town. But AmFac decided they would rather put their land out and develop it for housing. Consequently, they didn't want to continue operation of the mill.

"Now we're looking at other ways to help specific businesses and pass the cost of these subsidies to the consumer. And that's why I'm voting against this bill. We tried this before. We have windmills all down on the windward side of the island. We've tried many options when we had lots of plantations and discovered it would not be cost effective.

"So I'm opposed to this, Mr. President. I don't think that this bill will produce what we want. I don't think it will be cost effective for the citizens of this state. Consequently, I will be voting 'no.'

"Thank you very much."

Senator Slom rose to oppose the measure and stated:

"Mr. President, I rise to speak in opposition to the bill.

"I support alternative forms of energy. I support renewable energy. But I do not support this bill. If we're talking about wind energy, however, we have enough wind and heat in this room right here to provide alternative energy sources, and it's not mandated. But that's what this bill does. It mandates. It mandates the utilities; it mandates the PUC; it mandates consumers. It provides for penalties; it provides for additional litigation and litigiousness from citizens. It's not a bill that encourages -- it's one that punishes.

"And I think that mandating an artificially fixed level of renewable energy resource usage by a utility at this time, without regard to the impact on the utility system, without regard to the impact on the cost to the consumers, without regard to the stage of available renewable energy options, is not a prudent policy. Therefore, I'll be voting 'no.'

"Thank you."

Senator Bunda rose and said:

"Mr. President, I would like to have my remarks inserted into the Journal in opposition to this measure."

The Chair having so ordered, Senator Bunda's remarks read as follows:

"Mr. President, I rise to speak against this measure.

"Briefly, Mr. President, I do support use of various renewable resources to meet Hawaii's energy needs. However, renewable portfolio standards that the bill calls for leave us with too many unanswered questions. First of all, I'd like to know what are the impacts on the reliability to our utility systems? And secondly, are there any open-ended costs for us the consumers?

"I'm opposed to this measure because it requires the purchase of some undetermined product at a fixed time in the future, without regard to the price or the impact on the utility systems or the economic impact on us -- the rate-paying customers.

"I am voting 'No' on this measure."

Senator Kawamoto rose on a conflict ruling as follows:

"Mr. President, I have stocks in HEI, not very many, but I need a ruling on a conflict of interest."

The Chair responded:

"No conflict. You may vote on this measure."

Senator Matsuura rose to speak in support of the measure with reservations as follows:

"Mr. President, I stand in support with reservations on this bill.

"At first I was going to vote 'no' on this bill, but since I pay my utility bills to HELCO and not HECO, I thought this bill, in actuality, is a great boom for the Big Island.

"If you look at some of the numbers in this bill, I just want to warn my fellow colleagues from Oahu that by year 2002, 7.5 percent of your energy has to be coming from renewable resources. That equates to about 100 to 150 megawatts of electricity. On Oahu, you do not have that.

"So you have two options as the bill is written here. You can join and buy HELCO and you can subsidize our most highest rates by lowering ours on the Big Island; or two, you can also invest about half-a-billion dollars in support of geothermal, increase the geothermal, and one of my father's greatest dreams was that undersea cable.

"Thank you."

Senator Nakata rose to speak in favor of the measure and stated:

"Mr. President, I rise to speak in favor of this bill.

"Fundamentally, I think this Legislature, whether it's this year or next year or some years down the road, will have to face some fundamental policy issues. Global warming is a reality. The five hottest days of the last century occurred in the last decade. We are seeing increasing frequencies of the El Nino and La Nina phenomenon and these could very well be consequences of global warming. If you watch a pot of water boil, as the water gets hotter, the currents begin to move, and that is exactly the phenomenon of El Nino. The waters off Southeast Asia become warm and then they start moving across the Central Pacific towards South America and create havoc with our weather.

"Our atmosphere is a blanket, and the more carbon dioxide you put into the atmosphere, the more heat is trapped. The rate at which we have been consuming fossil fuels in the last 200 years or so is phenomenal and it keeps increasing. As economic activity increases, that also increases -- that is the rate of our putting carbon dioxide back into the atmosphere.

"In Hawaii, we need to be concerned about that because there are estimates of sea level rises of a foot or more over the next century. Think of what that means for our beaches, our estuaries, our water resources. Already there are reports from the Navy that the Arctic ice cap has lost one-third of its thickness. The Antarctic ice cap is shrinking. Major portions of it are breaking off and floating out to sea. These are things that are real. And this state needs to be addressing those issues.

"Maybe what we do will not have much impact, but the impacts on us call for us to have a voice in the international arena on these kinds of issues. And if we are not moving faster than we are in terms of addressing these issues, then our voice may not be as strong as it should be, not only for ourselves but for other Pacific islands, some of which are already beginning to disappear.

"I think those are reasons why we need to begin benchmarking our own use of renewable energies in order to prepare for that time. Certainly, it costs a little more, but global warming is like looking at an avalanche. You can't stop an avalanche once it's started. You have to begin taking measures before it starts, and I think that is the kind of place we're at now.

"Thank you."

At 3:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:50 o'clock p.m.

Senator Iwase rose with the following inquiry:

"Mr. President, a question to the co-chairs of the Ways and Means Committee regarding what I believe is an understanding of a deletion that should have been made to the bill, and apparently was not. If I could ask either Senator Levin or Senator Fukunaga to comment on Section 8 of the bill which relates to the commencement of civil action."

Senator Levin responded:

"Mr. President, the Senator from Mililani is absolutely correct. In Committee we discussed Section 8 of the bill which appears on page 8 of the bill. The intention of the Committee was to delete that section. It provides for the commencement of civil action by any persons, and that was felt to be too broad.

"I rise in support of the bill and to urge my colleagues to vote in favor, and we will deal with the House and assure our colleagues that we will do everything we can to make sure that this section is not in the final version. We would note that on page 6 there is a blank amount for a percentage and that should render the bill defective and therefore there is no concern that this bill would pass unamended.

"Thank you."

Senator Anderson rose again and stated:

"Mr. President, I just want to stand and state a few rebuttals.

"When a legislator wants a bill to regulate Oahu only, they immediately note it is applicable to islands with a population of 500,000 or more. We could do that if that's what your concerns are. Similarly, it can be done for the Island of Kauai, if they're interested in taking care of the ethanol problem because they still have sugar cane.

"Many forget that when we take the oath of office after a successful election, you are State Legislators. That's what I am. I have family on every island. I have friends on every island. And when you become a State Legislator you should be concerned about every single person in the state and what our decisions will cost them.

"As far as the comments made by my colleague from Kahaluu, I do remember when someone said that 'we're from Texas and it's the largest state in the union,' then somebody else said, 'we have Alaska,' and they responded, 'wait till it starts melting.'

"One thing I'd like to remind you is that Hawaiian Electric on Barbers Point is using coal, and we buy foreign coal, ship it in on foreign ships and unload it. So we're looking at other types of energy, other than the fossil fuel. But we can't buy anything from Alaska for your oil. But we can't buy anything from Alaska because the cost of shipping is high.

"So I look at every aspect of costs because that's what we're here for. People will say this is not your kuleana; it's Washington. That's partly true. But the cost factor is on our people, so as a State Legislator, I must look at cost.

"So it's not that we're opposed to looking at other types of energy, be it solar, geothermal, or ethanol. It's the cost that will be passed to all of the people in the state. If it's going to help your little island or your constituents, then I think we should have the bill. The bill can also be amended so we can take care of neighbor islands that have less than the amount of people that live on this particular island. And that way, there won't be any problems for you to stick up for the bill or vote against a certain part of it. As far as me, I'm going to vote against the whole bill.



"Thank you very much."

Senator Sakamoto rose to oppose the measure and stated:

"Mr. President, I rise in opposition to the bill.

"I wasn't going to speak until I heard our Senator from Kahaluu, whose district goes to Kahuku where I remember there used to be maybe 50 or 100 windmills out there and now I don't know if there are any still moving.

"We live in a district where, at least on this island -- and yes, we are a state -- on this land where I'm not sure we could put any windmills up because it will be next to somebody's house, somebody's school, somebody's view plain, somebody's burial site! I don't know if we can do any biomass! There's some ridiculousness going on. We talk about the island sinking. The Big Island of Hawaii is damn sinking because the volcano is spewing out this vog. The volcano is putting out so much heat that it's global warming in itself.

"We've got to start looking at the realities for today, the cost for today, and what makes sense for today! I don't mind talking issues, global warming, but this is a today issue and a state is sinking! This is not the time to do ridiculous things."

Senator Chun rose in favor of the measure with reservations as follows:

"Mr. President, I'll try to keep this short and sweet. I'm standing in favor of this measure with reservations.

"My reservations are that I believe it is an important issue but it's an issue that should be decided by the Public Utilities Commission. I don't believe we should rush in and do arbitrary percentages without sufficient input from the Public Utilities Commission who we are paying good money to look into these issues.

"Thank you."

Senator Kawamoto then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2723 was adopted and S.B. No. 2345, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Anderson, Buen, Bunda, M. Ige, Iwase, Sakamoto, Slom, Tam, Tanaka).

Stand. Com. Rep. No. 2724 (S.B. No. 2690, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2724 be adopted and S.B. No. 2690, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, once again I'm forced to vote 'no' on a bill because it establishes the probation services special fund.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2724 was adopted and S.B. No. 2690, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2245, S.D. 1:

On motion by Senator Nakata, seconded by Senator Fukunaga and carried, S.B. No. 2245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL FEE SCHEDULES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2733 (S.B. No. 2575, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2733 be adopted and S.B. No. 2575, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, again I rise to speak against the bill, establishing yet another special fund.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2733 was adopted and S.B. No. 2575, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES IMPROVEMENTS SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 2734 (S.B. No. 2164, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2734 was adopted and S.B. No. 2164, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ORGANIC AGRICULTURE INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2736 (S.B. No. 2287, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2736 was adopted and S.B. No. 2287, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2738 (S.B. No. 3003, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2738 was adopted and S.B. No. 3003, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2739 (S.B. No. 3002, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2739 be adopted and S.B. No. 3002, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2739 was adopted and S.B. No. 3002, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES'

RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2542, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 2542, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 2742 (S.B. No. 2578, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2742 was adopted and S.B. No. 2578, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

S.B. No. 2729, S.D. 1:

Senator Kanno moved that S.B. No. 2729, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to oppose the measure and stated:

"Mr. President, I rise to speak in opposition to the bill.

"The bill establishes a regulatory scheme for the regulation of service contracts and it vests additional authority with the insurance commissioner. Testimony indicated that there really is no problem that needs to be fixing here. There is a blank amount for registration and a blank amount for annual fees, and I think this is going to have a deleterious effect on existing businesses and businesses that we might try to attract.

"Thank you."

Senator Inouye requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2729, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Slom). Excused, 3 (Anderson, Bunda, Matsuura).

S.B. No. 2818, S.D. 1:

Senator Kanno moved that S.B. No. 2818, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Bunda.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise to speak in opposition to this bill.

"Mr. President, I learned a new term during the discussion of this bill -- viatical. This is referred to as the viatical settlements act, and what it refers to is the process of people selling their life insurance policies for a reduced amount of money so that they have cash benefits at the present time. It is a practice that has gone on for quite some time. It is a practice that has not indicated that there is any problem, crime, fraud or anything

else. It is in fact a practice which has spawned a new industry and a Viatical Association of America.

"I was distressed to learn that the insurance commissioner, reporting on the administration's position on this bill, said that it is a matter of social public policy that we oppose the right of choice for people to sell their own insurance policies.

"Now, a little background -- the practice of viatical transfers got a lot of publicity because of AIDS patients who were selling their policies. They may have had a million dollar policy that had a cash value of \$200,000 and they have sold it for \$100,000, and that policy, in turn, may have been sold to somebody else. In the meantime, the person had the use of those funds for whatever he or she wanted to use them for.

"However, the practice is not restricted to AIDS patients or to life insurance. Individuals who have key man insurance, key woman insurance in business who are allowed to take that with them as a benefit, also have that ability to sell. I don't think it's in violation of any social policy since the other 49 states all allow this, and in addition to that, we're talking about the choice of the individual to sell his or her life insurance or other insurance policy for whatever price in whatever manner they want to, to do whatever they want with the benefits.

"So, here again is an indication of the state looking for a problem that does not exist but trying to regulate something to get more involved to deny individuals the right of choice.

"It's a bad bill, Mr. President. I urge my colleagues to vote against it.

"Thank you."

Senator Tam rose on a conflict ruling as follows:

"Mr. President, I may have possible conflict of interest. I sell life insurance."

The Chair responded:

"The Chair rules no conflict. You may vote on this measure."

The motion was put by the Chair and carried, S.B. No. 2818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Taniguchi).

S.B. No. 2945, S.D. 1:

Senator Kanno moved that S.B. No. 2945, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak in opposition as follows:

"Mr. President, I rise to speak against this bill.

"We were talking a little while ago about mitigating the circumstances for the elimination or reduction of pyramiding in the general excise tax which will take seven full years and will be limited to very few businesses that can actually qualify for it. Well, this bill proves that.

"Senate Bill 2945 is a bill to provide tax treatment or special treatment of servicing contracting for two specific areas -- banks and financial institutions and public service carriers. They would be able to take advantage of the reduction in the pyramiding, but no other businesses would. And so those other businesses, primarily the small non-regulated businesses, would still be faced with the problem hearing the governor talk about

how much money he's saving or costing the state and not being able to benefit from it.

"This is not a good bill because again we are carving out a very special exemption for two of our favorite areas, the banks and financial institutions, and public service companies. I urge a 'no' vote.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2945, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 2589, S.D. 1:

Senator Kanno moved that S.B. No. 2589, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senators Slom, Anderson, Sakamoto, Bunda, Chun and D. Ige requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2589, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEPENDENT MEDICAL EXAMINATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 4:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:09 o'clock p.m.

S.B. No. 3195:

Senator Chumbley moved that S.B. No. 3195, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson rose to speak against the measure and said:

"Mr. President, I will be voting 'no.'

"If a person had a divorce and he or she were awarded X-number of dollars per month, and the husband has the property rentals and then can't keep up with the payments that they're supposed to make (and it can be on either side, the man or the woman), they may be subject to garnishment. Now, because they own rentals, the rental payments may be deemed wages. They ignore the fact there exists a mortgage. They don't look at the possibility that there's repair and maintenance on these places. And that disturbs me because it is not a wage per se that owners of rental property receive. The rents received are likely to be used to meet the mortgage payment.

"So consequently, I will be voting 'no.' I did check with the chairman and this issue did not come up in discussions. But those are my concerns.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, S.B. No. 3195, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson, Slom).

Stand. Com. Rep. No. 2754 (S.B. No. 2442, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2754 be adopted and S.B. No. 2442, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson rose in support of the measure as follows:

"On behalf of all of the ladies who have been waiting all day, this is a good bill and we will be voting 'aye,' at least I will.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2754 was adopted and S.B. No. 2442, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2760 (S.B. No. 862, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2760 be adopted and S.B. No. 862, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson rose to support the measure with reservations and said:

"Mr. President, I will be voting for this bill, but I have some reservations.

"I don't think that we really want to legalize marijuana for everyone because they're going to be saying that they are going to be using it for medical purposes. One of the people who was lobbied for the bill came in to see me. I really don't have a problem if we could designate a grower from each island, if necessary, who are designated as people you could buy from. And they said: 'Well, this is the way it's going on the mainland now. They're starting to go in that direction.'

"I don't think we should wait. I think we should look at this very seriously. If you only want to have one grower on whichever island, that's fine. But if you could have a grower on each island and those people that are in need of a marijuana medicated type situation, they could buy it from that person or through the doctors. And those are my concerns.

"Thank you very much, Mr. President."

Senator Sakamoto rose in opposition to the measure and stated:

"Mr. President, I rise in strong opposition.

"I'm opposed to this measure allowing medical marijuana to be used because potential criminal activities could result and the social problems that it will create. Certainly, compassion for the ill and finding ways to lessen their pain which is a stated intent of the bill is commendable. But the bill opens floodgates to a lot of problems.

"We live in an age where protecting our children is our first priority. We sit here considering more stringent gun control measures. Nationwide there's talk of trigger locks. We require child locks on every household item -- from drain cleaners to common aspirin.

"My question is, How do we child-proof marijuana? The law is problematic at best. How will we dispense this drug? There are other questions of planting, cultivation, distribution, and

how one acquires marijuana since it's illegal to grow. Maybe the Senator from Waimanalo will start growing some.

"Mr. President, this Legislature is not in the business of tempting people to bend the law, which this bill will almost certainly do. Passage of this measure will make marijuana use available not only to the qualified applicants but to others, such as caregivers, other professionals, and, more importantly, the children we are obligated to protect.

"Mr. President, today's Advertiser ran a story about a person who's a strong proponent of medical marijuana, a strong proponent of this measure. He was indicted in 1998 by the grand jury after his house was raided and police found what they claimed were 89 marijuana plants. His attorneys are planning to appeal his case in our State Supreme Court on the grounds of medicinal marijuana because he has asthma and insomnia. He has been arrested several times previously for possession, growing, and distribution of marijuana. I bring this story to your attention because it's a clear example of what this measure fails to recognize -- that there are people who may use the excuse of medical marijuana and this bill to conduct illegal activities.

"In closing, Mr. President, I've indicated some of my concerns to you and my colleagues and I firmly believe that this measure is premature, not only in its ambiguity, but also because of the ongoing court case on the Big Island which is going to be heard by our Supreme Court.

"I therefore ask my colleagues to oppose this measure."

Senator Inouye rose to speak against the measure and said:

"Mr. President, I will be speaking in opposition to this bill.

"I share the concerns raised by the Senator from Moanalua, and I believe that enforcement will be a big nightmare to all of us here in the State of Hawaii.

"Thank you."

At 4:16 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:20 o'clock p.m.

Senator Anderson rose and said:

"One thing, Mr. President. In talking to one of my colleagues, he thought that I didn't put enough emphasis on my 'W/R.' I should have said a strong W/R, but I didn't do that. (Laughter.)

"But in reality, the way the bill is written, anybody and his brother could grow marijuana wherever they wanted to. I used to have a cleaning business and I did clean an apartment for some people who had marijuana plants in their house. I didn't know until somebody told me about it. And I said, 'Hell, I've been watering it, vacuuming it.' (Laughter.) I wasn't even aware of what the plant was and I was ruining it for them.

"But I don't think that's what we want to do with this bill. That's why I said we should designate an area and allow someone to be able to enforce this bill that we have.

"Thank you."

Senator Chun rose to oppose the measure and said:

"Mr. President, I stand in opposition to this bill.

"Mr. President, just a couple of days ago, a couple of high school students from my island were visiting my office. And when I asked them what is the most serious issue confronting high schoolers nowadays, they all stated without hesitancy that

it's the drug problem, alcohol and drugs in the high school. And that's the report that we've been getting back time and time again -- that confronting our young people is the issue of drugs and alcohol.

"I find it amazing that in light of that truth, we would want to turn around right now and open that door further for medical use of marijuana.

"I've been doing some looking into the internet, which is such a wonderful thing nowadays. It has so much information that it makes me blind. But one of the things that I did pull out was a news article on ABC News that happened on October 29, 1998, and it's quoting drug czar Barry McCaffrey. And Mr. McCaffrey said:

"These initiatives" (in other words to legalize medical marijuana) "are simply not in accordance with good science, ignore the safety of the American people and send a bad message."

"With allied law enforcers and health officials by his side, McCaffrey urged voters to reject initiatives in Alaska, Nevada, Oregon, Washington State and California that would make marijuana legal, to varying degrees, for medicinal purposes.

"Proponents say marijuana, specifically in smoked form, has a range of valuable uses. Among the ailments pot is said to relieve are arthritis, premenstrual syndrome, nausea from chemotherapy, and the extreme weight loss associated with AIDS.

"But there's no science to back up those claims, say drug policy officials, and further, there's no precedent for letting citizens decide for themselves which drugs should be approved for public use.

"What we are saying is that we question whether this is the best way to make a law," says Leigh Leventhal, a spokeswoman for the Partnership for a Drug Free America. "Medical marijuana is a medical issue and we feel that this is really best left to the medical community to decide.

"It's better to make doctors and scientists decide what medicine to use through the process of the FDA, than to have John Doe standing in a voting booth decide," she says. "The way we make medicine in this country is tried and true, and they have to go through those rigors."

"McCaffrey and other critics denounce marijuana proponents' assertions that it's relatively safe. They point to NIH research showing that side effects of marijuana use include lung damage, rapid heart beat, loss of coordination, and impaired short-term memory. And the verdict, the researchers say, is still out on its damage to long-term memory."

"Mr. President, in light of all these facts, and even if there are disputes in terms of the medical side, I think the bottom line point of the statements by the U.S. drug czar is just that, that this is a medical issue and for us legislators here in this body to start to make decisions which drugs are good, which drugs are bad, which drugs are safe, without the requisite studies, without the requisite background none of us have -- that necessary background to make that decision -- is faulty. I believe we should stick with the tried and true method of, if drugs are to be legalized, it should go through a regular process by the federal drug agency. And that's the primary reason why I stand against this bill, Mr. President.

"Thank you."

Senator Slom rose in favor of the measure and said:

"Mr. President, I speak in favor of the bill.

"I didn't choose to be poster boy for the bill, but a couple of things that have been said here, first of all, our drug problem, I think, is well known and is really not going to be affected by passage of a medical marijuana bill. It's already rampant. We talk about the drug czar in the United States. We have spent more billions of dollars on fighting the war on drugs. We lost that war a long time ago. Everything that we try to do seems to have an adverse effect and we get different drugs and all of that.

"None of us that support this measure are supporting or advocating the unbridled use of marijuana. And certainly there could be constraints, but gee, haven't I heard for the last five-and-a-half hours that this is a bill, a work in progress, that we're just passing it along and we can add to it and change it along the way. Well, I think that that should apply to this bill as well.

"But you know what, the thing that really bothers me the most is, I've had people in my family that have had excruciating pain. And for them, whatever is an option, as a son, as a relative, as someone who cares, I want them to be able to do it.

"Government has been standing in the way. It's been government that's told doctors and individuals that they can't try alternative medicines; they can't try alternative products. And if a person is dying, what do we offer them? Well, we have some people in this body, and the governor, that support physician-assisted suicide. We have a best-selling author whose book has made him a millionaire telling us in graphic detail how to kill yourself, and it's playing on our local public television right now. That's one alternative. I guess that's one choice, but to deny people another choice just because we don't personally subscribe to it or we are not in those conditions, to take away that choice entirely, I think, is the wrong thing to do. And in fact, by passage of this legislation, you are allowing the doctors to make the decision.

"If you want more constraints and controls on it, limitations, so be it. Then we can do that. But it will be the doctor, ultimately, that prescribes or does not prescribe this particular product for particular patients.

"So, for those reasons, Mr. President, I will support this measure. Thank you."

Senator Matsunaga rose to support the measure as follows:

"Mr. President, I rise in support of this measure.

"Mr. President, first of all, any measure that the Senator from Hawaii Kai is the poster boy for, I feel very proud to stand in support of.

"The key issue of this bill is really the removal of criminal penalties for patients who use medical marijuana. Current federal and many state laws subject seriously ill patients to arrest and imprisonment for using marijuana. And I don't think there is anybody here on this floor today that believes that seriously ill patients should be arrested and sent to prison for using marijuana with their doctors' approval. The goal is to protect from arrest and imprisonment the tens of thousands of patients who are already using marijuana, as well as their doctors.

"I've heard the debate and the arguments and, with all due respect to Mr. McCaffrey, his arguments, unfortunately, didn't carry for him in any of the six states where votes were held. Every single state where it's been up for a popular vote, voters have approved the use of medical marijuana. In fact, a recent survey here shows that 77 percent of people support the use of medical marijuana.

"The Drug Enforcement Administration's chief administrative law judge, Francis Young, ruled 'marijuana in its

natural form is one of the safest therapeutically active substances known. It would be unreasonable, arbitrary, and capricious for the DEA to continue to stand between those sufferers and the benefit of this substance.'

"The other arguments, Mr. President, were that this sends a wrong message to our children. Well, Mr. President, children can and should be taught the difference between medicine and drug abuse. There are no substances in the entire Physicians' Desk Reference that children should use for fun. Harsh, uncompassionate laws like those that criminalize patients for using medicine, that's what sends the wrong message to children. Arguing that sick people should continue to suffer in order to protect children, that's what sends the wrong message to children.

"Mr. President, I believe it was William Faulkner who once stated, 'I believe that man will not merely endure: he will prevail. He is immortal, not because he alone among creatures has an inexhaustible voice, but because he has a soul, a spirit capable of compassion and sacrifice and endurance.'

"Mr. President, I ask my colleagues for a compassionate vote today. Thank you."

Senator Matsuura rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to this bill.

"I oppose only one part of this bill and that is on the cultivation. I do support the Senator who just spoke about removing the criminal penalties for people who are using medical marijuana for medicinal purposes.

"Thank you."

Senator Tam rose in opposition and said:

"Mr. President, for reasons stated by my colleague from Kauai, I am voting 'no' on this bill.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2760 was adopted and S.B. No. 862, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Buen, Chun, D. Ige, M. Ige, Inouye, Iwase, Kawamoto, Matsuura, Nakata, Sakamoto, Tam, Tanaka).

S.B. No. 445, S.D. 1:

Senator Fukunaga moved that S.B. No. 445, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Taniguchi and Slom requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 445, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2765 (S.B. No. 2496, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2765 was adopted and S.B. No. 2496, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT

MONEYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2767 (S.B. No. 2880, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2767 be adopted and S.B. No. 2880, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2767 was adopted and S.B. No. 2880, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2793, S.D. 1:

Senator Kanno moved that S.B. No. 2793, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Nakata.

Senators Slom, Chun, Inouye and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, S.B. No. 2793, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (M. Ige).

S.B. No. 2802, S.D. 1:

On motion by Senator Kanno, seconded by Senator Fukunaga and carried, S.B. No. 2802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2772 (S.B. No. 2911):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2772 was adopted and S.B. No. 2911, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Stand. Com. Rep. No. 2774 (S.B. No. 2434, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2774 be adopted and S.B. No. 2434, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition and said:

"Mr. President, a 'no' vote for me. It creates a substance abuse program special fund.

"Thank you."

Senator Chun then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2774 was adopted and S.B. No. 2434, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 2777 (S.B. No. 2469, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2777 was adopted and S.B. No. 2469, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 4:34 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:38 o'clock p.m.

Stand. Com. Rep. No. 2779 (S.B. No. 3122, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 2779 be adopted and S.B. No. 3122, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to oppose the measure and stated:

"Mr. President, I'll be voting 'no.'

"Primarily, when this first came up it was called the Kaneohe bill because I guess Kaneohe Bay has more piers than anywhere else. But throughout our state, we have piers all over the place and this means that the Department of Land and Natural Resources, even though the state has not spent a dime to build any of those piers, will find how they can assess a fee. Now, my understanding is that it will drop dead in five years, but if they assess a fee, the fee will not drop dead in five years. The bill will. But by that time they'll have already assessed everybody. That's the way I read it.

"So if in fact I built a pier 20 years ago and it's still good, I'd make sure that I have it under the proper maintenance, and then they're going to charge me for the very pier that I paid for.

"I don't think that that's a fair way to look at it. So I'll be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2779 was adopted and S.B. No. 3122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson). Excused, 1 (Sakamoto).

Stand. Com. Rep. No. 2780 (S.B. No. 791, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2780 be adopted and S.B. No. 791, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose and said:

"A 'no' vote, please."

The Chair so ordered.

Senators Iwase and Anderson then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2780 was adopted and S.B. No. 791, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Buen, M. Ige, Slom). Excused, 1 (Sakamoto).

Stand. Com. Rep. No. 2781 (S.B. No. 3132, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2781 be adopted and S.B. No. 3132, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition as follows:

"Mr. President, it creates the information technology initiative special fund. I'll be voting 'no.'"

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2781 was adopted and S.B. No. 3132, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 1242, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, S.B. No. 1242, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (M. Ige).

#### **MATTERS DEFERRED FROM EARLIER ON THE CALENDAR**

#### **THIRD READING**

S.B. No. 2831, S.D. 1:

By unanimous consent, action on S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until Thursday, March 9, 2000.

Stand. Com. Rep. No. 2482 (S.B. No. 2883, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2482 was adopted and S.B. No. 2883, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"About four hours ago, Mr. President, the kind Senator of Waihila Ridge and I were involved in a debate. I thought I challenged him first of all to a debate on the Second Amendment and then he challenged me to a debate on the Second Amendment. I accept and I know he accepts, but then he went further, Mr. President, and he challenged me to basketball.

"I am really sorry that we ended the bipartisan Senate/House basketball team, of which I was a loyal member, just because we broke the leg of the now Judiciary chairman in the House. I don't think that's an excuse to end it. But where I come from, when you are challenged to something, Mr. President, in fact you must accept the challenge. Therefore, I do accept the challenge, and I'm going to put the ball in the kind Senator's court.

"Thank you, Mr. President."

Senator Anderson then rose on a point of personal privilege and stated:

"Mr. President, I stand on a point of personal privilege.

"I read an article this morning whereby it accuses us. There will be an appointment tomorrow of our attorney general. The article more or less reads that he should be appointed because it's an election year. And that's what bothers me.

"I would hope everybody here votes, whichever way you're going to vote, but not because it's an election year. We can't have gambling because it's election year; not the right time for this bill; we need a study. So if you don't know, do your homework, find out what you're going to do. And if you do know, don't say, 'Well, I really wanted to go this route but it's an election year, so I'll go along with the group.' And that's all I've got to say, Mr. President.

"Thank you very much."

#### **ADJOURNMENT**

At 4:45 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 9, 2000.

## TWENTY-EIGHTH DAY

Thursday, March 9, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. Edward Robinson, Senior Pastor, Central Union Church, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Ihara and Tanaka who were excused.

The President announced that he had read and approved the Journal of the Twenty-Seventh Day.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 209, advising the Senate of the withdrawal of the nomination of WESLEY H.C. WONG, JR., to the Board of Agriculture, under Gov. Msg. No. 149 dated February 9, 2000, was read by the Clerk and was placed on file.

In compliance with Gov. Msg. No. 209, the nomination listed under Gov. Msg. No. 149 was returned.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 133 to 393) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 133, transmitting H.B. No. 283, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 283, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Judiciary.

Hse. Com. No. 134, transmitting H.B. No. 284, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 284, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 135, transmitting H.B. No. 303, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 303, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 136, transmitting H.B. No. 319, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 319, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 137, transmitting H.B. No. 540, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 540, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 138, transmitting H.B. No. 564, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 564, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 139, transmitting H.B. No. 755, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 755, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 140, transmitting H.B. No. 839, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 839, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF WASTEWATER LEASING," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 141, transmitting H.B. No. 1157, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1157, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAL USE OF MARIJUANA," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 142, transmitting H.B. No. 1275, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1275, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL VIOLENCE," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Judiciary.

Hse. Com. No. 143, transmitting H.B. No. 1758, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1758, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed First Reading by title and was referred to



the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 144, transmitting H.B. No. 1760, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1760, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 145, transmitting H.B. No. 1777, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1777, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 146, transmitting H.B. No. 1804, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1804, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 147, transmitting H.B. No. 1834, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1834, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 148, transmitting H.B. No. 1844, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1844, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 149, transmitting H.B. No. 1846, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1846, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 150, transmitting H.B. No. 1847, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1847, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 151, transmitting H.B. No. 1863, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1863, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 152, transmitting H.B. No. 1864, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1864, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 153, transmitting H.B. No. 1873, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1873, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 154, transmitting H.B. No. 1875, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1875, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 155, transmitting H.B. No. 1879, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1879, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was referred jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 156, transmitting H.B. No. 1881, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1881, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 157, transmitting H.B. No. 1883, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1883, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 158, transmitting H.B. No. 1884, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1884, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 159, transmitting H.B. No. 1889, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1889, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 160, transmitting H.B. No. 1899, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1899, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 161, transmitting H.B. No. 1902, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1902, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 162, transmitting H.B. No. 1905, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1905, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FEES," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 163, transmitting H.B. No. 1908, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1908, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 164, transmitting H.B. No. 1917, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1917, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 165, transmitting H.B. No. 1934, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1934, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 166, transmitting H.B. No. 1935, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1935, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 167, transmitting H.B. No. 1939, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1939, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHOO LAWE ISLAND RESERVE COMMISSION," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 168, transmitting H.B. No. 1940, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1940, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL LEGAL FEES," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 169, transmitting H.B. No. 1947, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1947, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 170, transmitting H.B. No. 1955, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1955, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 171, transmitting H.B. No. 1956, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1956, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 172, transmitting H.B. No. 1969, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1969, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 173, transmitting H.B. No. 1970, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1970, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREPAID TELEPHONE CALLING SERVICE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 174, transmitting H.B. No. 1977, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1977, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 175, transmitting H.B. No. 1994, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1994, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 176, transmitting H.B. No. 1998, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1998, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE LEASES," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 177, transmitting H.B. No. 2023, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2023, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 178, transmitting H.B. No. 2060, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2060, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 179, transmitting H.B. No. 2062, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2062, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 180, transmitting H.B. No. 2066, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2066, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 181, transmitting H.B. No. 2087, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2087, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Judiciary.

Hse. Com. No. 182, transmitting H.B. No. 2092, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2092, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology.

Hse. Com. No. 183, transmitting H.B. No. 2096, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2096, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 184, transmitting H.B. No. 2098, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2098, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Judiciary.

Hse. Com. No. 185, transmitting H.B. No. 2104, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2104, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 186, transmitting H.B. No. 2143, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2143, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 187, transmitting H.B. No. 2154, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2154, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 188, transmitting H.B. No. 2156, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2156, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BASIC DENTAL SERVICES FOR ADULTS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 189, transmitting H.B. No. 2160, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2160, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," passed First Reading by title and was referred jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 190, transmitting H.B. No. 2171, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2171, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 191, transmitting H.B. No. 2183, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2183, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed First Reading by title and was

referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 192, transmitting H.B. No. 2185, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2185, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 193, transmitting H.B. No. 2187, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2187, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 194, transmitting H.B. No. 2188, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2188, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 195, transmitting H.B. No. 2193, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2193, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 196, transmitting H.B. No. 2194, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2194, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 197, transmitting H.B. No. 2204, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2204, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 198, transmitting H.B. No. 2212, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2212, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the

Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 199, transmitting H.B. No. 2243, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2243, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 200, transmitting H.B. No. 2245, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2245, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 201, transmitting H.B. No. 2252, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2252, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 202, transmitting H.B. No. 2262, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2262, H.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 203, transmitting H.B. No. 2273, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2273, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 204, transmitting H.B. No. 2277, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2277, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 205, transmitting H.B. No. 2278, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2278, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 206, transmitting H.B. No. 2279, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2279, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 207, transmitting H.B. No. 2280, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2280, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 208, transmitting H.B. No. 2285, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2285, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN STUDIES PROGRAM," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 209, transmitting H.B. No. 2309, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2309, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE IN NORTH KONA, HAWAII," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 210, transmitting H.B. No. 2311, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2311, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE FOR DESIGN PROFESSIONAL SERVICES," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 211, transmitting H.B. No. 2354, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2354, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 212, transmitting H.B. No. 2367, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2367, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 213, transmitting H.B. No. 2374, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2374, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES SYSTEM," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 214, transmitting H.B. No. 2375, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2375, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT MANOA," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 215, transmitting H.B. No. 2388, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2388, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Judiciary.

Hse. Com. No. 216, transmitting H.B. No. 2392, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2392, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 217, transmitting H.B. No. 2404, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2404, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 218, transmitting H.B. No. 2405, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2405, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed First Reading by title and was referred jointly to the Committee on Labor and

Environment and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 219, transmitting H.B. No. 2406, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2406, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 220, transmitting H.B. No. 2408, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2408, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 221, transmitting H.B. No. 2410, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2410, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 222, transmitting H.B. No. 2417, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2417, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 223, transmitting H.B. No. 2422, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2422, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE TOBACCO SETTLEMENT AGREEMENT," passed First Reading by title and was referred jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 224, transmitting H.B. No. 2427, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2427, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHIC INFORMATION SYSTEMS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 225, transmitting H.B. No. 2429, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2429, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY

DEVELOPMENT CORPORATION OF HAWAII," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 226, transmitting H.B. No. 2431, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2431, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed First Reading by title and was referred jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 227, transmitting H.B. No. 2432, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2432, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDIT," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 228, transmitting H.B. No. 2438, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2438, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 229, transmitting H.B. No. 2443, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2443, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 230, transmitting H.B. No. 2444, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2444, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 231, transmitting H.B. No. 2464, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2464, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE BOARD OF NURSING," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 232, transmitting H.B. No. 2467, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2467, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 233, transmitting H.B. No. 2469, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2469, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 234, transmitting H.B. No. 2492, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2492, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 235, transmitting H.B. No. 2497, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2497, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 236, transmitting H.B. No. 2500, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2500, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY DEVELOPMENT," passed First Reading by title and was referred jointly to the Committee on Economic Development, the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 237, transmitting H.B. No. 2501, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2501, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 238, transmitting H.B. No. 2509, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2509, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," passed First Reading by title and was referred to the Committee on Health and Human Services.\*

Hse. Com. No. 239, transmitting H.B. No. 2511, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed First Reading by title and was referred jointly to the Committee on Health and Human Services and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 240, transmitting H.B. No. 2513, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2513, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 241, transmitting H.B. No. 2520, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2520, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 242, transmitting H.B. No. 2522, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2522, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," passed First Reading by title and was referred jointly to the Committee on Judiciary, the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 243, transmitting H.B. No. 2528, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2528, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 244, transmitting H.B. No. 2529, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2529, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 245, transmitting H.B. No. 2532, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2532, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed First Reading by title and was

referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 246, transmitting H.B. No. 2534, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2534, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 247, transmitting H.B. No. 2549, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2549, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL WASTEWATER SYSTEMS," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 248, transmitting H.B. No. 2553, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2553, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 249, transmitting H.B. No. 2554, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2554, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 250, transmitting H.B. No. 2555, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2555, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 251, transmitting H.B. No. 2556, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2556, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 252, transmitting H.B. No. 2557, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.



On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2557, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 253, transmitting H.B. No. 2558, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2558, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR LAW," passed First Reading by title and was referred to the Committee on Labor and Environment.

Hse. Com. No. 254, transmitting H.B. No. 2564, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2564, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 255, transmitting H.B. No. 2566, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2566, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 256, transmitting H.B. No. 2568, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2568, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 257, transmitting H.B. No. 2569, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2569, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 258, transmitting H.B. No. 2570, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2570, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 259, transmitting H.B. No. 2571, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2571, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BOATING FACILITIES," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 260, transmitting H.B. No. 2573, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2573, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 261, transmitting H.B. No. 2574, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2574, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 262, transmitting H.B. No. 2576, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2576, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 263, transmitting H.B. No. 2581, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2581, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REPEAL OF UNNECESSARY ADMINISTRATIVE RULES," passed First Reading by title and was deferred.

Hse. Com. No. 264, transmitting H.B. No. 2582, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed First Reading by title and was deferred.

Hse. Com. No. 265, transmitting H.B. No. 2583, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2583, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 266, transmitting H.B. No. 2587, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2587, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REPEAL OF NULL AND VOID

ADMINISTRATIVE RULES," passed First Reading by title and was deferred.

Hse. Com. No. 267, transmitting H.B. No. 2594, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2594, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 268, transmitting H.B. No. 2604, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2604, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 269, transmitting H.B. No. 2607, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2607, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 270, transmitting H.B. No. 2619, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2619, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 271, transmitting H.B. No. 2620, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2620, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 272, transmitting H.B. No. 2643, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2643, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 273, transmitting H.B. No. 2648, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2648, H.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO PROBATION," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 274, transmitting H.B. No. 2653, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2653, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 275, transmitting H.B. No. 2691, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2691, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 276, transmitting H.B. No. 2701, H.D. 3, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2701, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 277, transmitting H.B. No. 2721, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2721, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 278, transmitting H.B. No. 2727, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2727, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND VEHICLE TRANSFERS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 279, transmitting H.B. No. 2741, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2741, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATELY-OPERATED CORRECTIONAL FACILITIES," passed First Reading by title and was referred jointly to the Committee on Judiciary and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 280, transmitting H.B. No. 2743, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2743, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 281, transmitting H.B. No. 2745, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2745, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUARANTINE," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 282, transmitting H.B. No. 2746, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2746, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PEER EDUCATION PROGRAM," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 283, transmitting H.B. No. 2768, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2768, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 284, transmitting H.B. No. 2789, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2789, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAIIAN ORGANIC AGRICULTURE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 285, transmitting H.B. No. 2793, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2793, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 286, transmitting H.B. No. 2794, H.D. 3, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2794, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Ways and Means.

Hse. Com. No. 287, transmitting H.B. No. 2798, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2798, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 288, transmitting H.B. No. 2801, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2801, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 289, transmitting H.B. No. 2820, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2820, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred jointly to the Committee on Education and Technology and the Committee on Ways and Means, then to the Committee on Judiciary.

Hse. Com. No. 290, transmitting H.B. No. 2823, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2823, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 291, transmitting H.B. No. 2829, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2829, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTIONS APPOINTMENT AND REVIEW PANEL," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 292, transmitting H.B. No. 2835, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2835, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 293, transmitting H.B. No. 2836, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2836, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 294, transmitting H.B. No. 2876, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2876, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 295, transmitting H.B. No. 2877, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2877, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 296, transmitting H.B. No. 2878, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2878, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 297, transmitting H.B. No. 2895, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2895, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 298, transmitting H.B. No. 2901, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2901, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," passed First Reading by title and was referred jointly to the Committee on Education and Technology, the Committee on Commerce and Consumer Protection and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 299, transmitting H.B. No. 2906, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2906, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 300, transmitting H.B. No. 2955, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2955, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW ECONOMY SKILLS TRAINING," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 301, transmitting H.B. No. 2959, H.D. 3, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2959, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE ENTERTAINMENT INDUSTRY," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 302, transmitting H.B. No. 2961, H.D. 3, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2961, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 303, transmitting H.B. No. 2973, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2973, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MICONIA ERADICATION," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 304, transmitting H.B. No. 2986, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2986, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 305, transmitting H.B. No. 2996, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2996, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 306, transmitting H.B. No. 2999, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2999, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 307, transmitting H.B. No. 3001, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 3001, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 308, transmitting H.B. No. 3002, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 3002, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PLAYGROUNDS IN SCHOOLS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 309, transmitting H.B. No. 1759, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1759, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 310, transmitting H.B. No. 1788, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1788, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 311, transmitting H.B. No. 1807, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1807, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 312, transmitting H.B. No. 1830, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1830, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 313, transmitting H.B. No. 1838, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1838, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 314, transmitting H.B. No. 1843, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1843, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 315, transmitting H.B. No. 1845, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1845, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 316, transmitting H.B. No. 1869, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1869, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means.

Hse. Com. No. 317, transmitting H.B. No. 1871, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1871, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 318, transmitting H.B. No. 1877, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1877, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATIONAL PRIVACY," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 319, transmitting H.B. No. 1880, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1880, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 320, transmitting H.B. No. 1912, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1912, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 321, transmitting H.B. No. 1914, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1914, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SCHOOL REFORM," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 322, transmitting H.B. No. 1925, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1925, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 323, transmitting H.B. No. 1933, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1933, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 324, transmitting H.B. No. 1944, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1944, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 325, transmitting H.B. No. 1946, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1946, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 326, transmitting H.B. No. 1949, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1949, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALIEN AQUATIC ORGANISMS," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 327, transmitting H.B. No. 2024, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2024, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 328, transmitting H.B. No. 2034, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2034, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 329, transmitting H.B. No. 2073, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2073, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 330, transmitting H.B. No. 2088, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2088, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 331, transmitting H.B. No. 2095, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2095, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology.

Hse. Com. No. 332, transmitting H.B. No. 2123, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2123, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND TIPS OF EMPLOYEES," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 333, transmitting H.B. No. 2151, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2151, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 334, transmitting H.B. No. 2152, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2152, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 335, transmitting H.B. No. 2158, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2158, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 336, transmitting H.B. No. 2261, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2261, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICES," passed First Reading by title and was referred to the Committee on

Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 337, transmitting H.B. No. 2310, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2310, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 338, transmitting H.B. No. 2314, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2314, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 339, transmitting H.B. No. 2316, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2316, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 340, transmitting H.B. No. 2349, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2349, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 341, transmitting H.B. No. 2362, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2362, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 342, transmitting H.B. No. 2391, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2391, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PARENT-COMMUNITY NETWORKING CENTERS," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 343, transmitting H.B. No. 2396, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2396, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING

INSTITUTIONS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 344, transmitting H.B. No. 2407, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2407, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 345, transmitting H.B. No. 2413, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2413, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 346, transmitting H.B. No. 2424, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2424, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 347, transmitting H.B. No. 2425, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2425, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 348, transmitting H.B. No. 2445, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2445, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 349, transmitting H.B. No. 2446, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2446, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 350, transmitting H.B. No. 2447, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2447, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 351, transmitting H.B. No. 2448, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2448, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 352, transmitting H.B. No. 2449, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2449, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 353, transmitting H.B. No. 2451, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2451, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A REPAIRS AND MAINTENANCE SPECIAL FUND," passed First Reading by title and was referred jointly to the Committee on Government Operations and Housing and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 354, transmitting H.B. No. 2458, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2458, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 355, transmitting H.B. No. 2472, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2472, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 356, transmitting H.B. No. 2473, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2473, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 357, transmitting H.B. No. 2476, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2476, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 358, transmitting H.B. No. 2477, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2477, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 359, transmitting H.B. No. 2484, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2484, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATIONS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 360, transmitting H.B. No. 2490, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2490, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed First Reading by title and was referred to the Committee on Education and Technology.

Hse. Com. No. 361, transmitting H.B. No. 2495, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2495, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education and Technology.

Hse. Com. No. 362, transmitting H.B. No. 2518, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2518, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Ways and Means.

Hse. Com. No. 363, transmitting H.B. No. 2537, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2537, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION," passed First Reading by title and was referred jointly to the Committee on Ways and Means and the Committee on Health and Human Services.



Hse. Com. No. 364, transmitting H.B. No. 2539, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2539, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 365, transmitting H.B. No. 2542, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2542, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 366, transmitting H.B. No. 2572, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2572, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 367, transmitting H.B. No. 2578, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2578, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL AREA RESERVE FUND," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 368, transmitting H.B. No. 2585, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2585, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," passed First Reading by title and was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Education and Technology.

Hse. Com. No. 369, transmitting H.B. No. 2597, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2597, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 370, transmitting H.B. No. 2598, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2598, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX

INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 371, transmitting H.B. No. 2605, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2605, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 372, transmitting H.B. No. 2618, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2618, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REPEAT INTOXICATED DRIVERS," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 373, transmitting H.B. No. 2624, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2624, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 374, transmitting H.B. No. 2625, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2625, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 375, transmitting H.B. No. 2633, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2633, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 376, transmitting H.B. No. 2634, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2634, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 377, transmitting H.B. No. 2635, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2635, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 378, transmitting H.B. No. 2649, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2649, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Judiciary.

Hse. Com. No. 379, transmitting H.B. No. 2716, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2716, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Judiciary.

Hse. Com. No. 380, transmitting H.B. No. 2732, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2732, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT REPORTERS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 381, transmitting H.B. No. 2733, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2733, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS TRUST," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 382, transmitting H.B. No. 2739, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2739, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed First Reading by title and was referred jointly to the Committee on Judiciary and the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 383, transmitting H.B. No. 2753, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2753, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 384, transmitting H.B. No. 2760, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2760, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," passed First Reading by title and was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 385, transmitting H.B. No. 2803, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2803, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 386, transmitting H.B. No. 2809, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2809, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 387, transmitting H.B. No. 2891, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2891, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMBATIVE SPORTS," passed First Reading by title and was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary.

Hse. Com. No. 388, transmitting H.B. No. 2946, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2946, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 389, transmitting H.B. No. 2951, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2951, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 390, transmitting H.B. No. 2976, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2976, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIONS WHICH CONCERN PROGRAMS OR DEVELOPMENT PROJECTS," passed First Reading by title and was referred jointly to the Committee on Labor and Environment and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 391, transmitting H.B. No. 2984, H.D. 2, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2984, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," passed First Reading by title and was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 392, transmitting H.B. No. 3014, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 3014, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 393, transmitting H.B. No. 3016, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 3016, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," passed First Reading by title and was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

#### SENATE COMMUNICATION

Sen. Com. No. 2, notice to the Governor dated March 9, 2000, transmitting S.B. No. 539, S.D. 1; S.B. No. 2941; and H.B. No. 164, S.D. 1, which propose amendments to the Hawaii State Constitution, was read by Clerk and was disposed of as follows:

By unanimous consent, the following notice was sent to the Governor:

"March 9, 2000

The Honorable Benjamin J. Cayetano  
Governor of the State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

Dear Governor Cayetano:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following bills, a copy of each is attached hereto:

S.B. 539, S.D. 1  
'PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY'

S.B. 2941  
'PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS.'

H.B. 164, S.D. 1  
'PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP IN THE SENATE OR HOUSE OF REPRESENTATIVES'

Respectfully,

/s/ Paul T. Kawaguchi  
Paul T. Kawaguchi  
Clerk of the Senate"

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 47 to 55) were read by the Clerk and were referred to committees or deferred:

##### Senate Concurrent Resolution

No. 47 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND IDENTIFY FISCALLY-RELATED POWERS CONFERRED UPON OR ASSUMED BY THE EXECUTIVE BRANCH SINCE 1987 THAT MAY BE RECLAIMED BY THE LEGISLATURE."

Offered by: Senators Levin, Anderson, Buen, Bunda, Chumbley, Chun, Chun Oakland, Fukunaga, Hanabusa, D. Ige, M. Ige, Ihara, Inouye, Kanno, Kawamoto, Matsunaga, Matsuura, Mizuguchi, Nakata, Sakamoto, Slom, Tam, Tanaka, Taniguchi.

Referred to: Committee on Ways and Means

No. 48 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE IMPACT OF MANAGED HEALTH CARE ON THE QUEST PROGRAM."

Offered by: Senator Fukunaga, by request.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 49 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY, IN CONJUNCTION WITH THE STATE FOUNDATION FOR CULTURE AND THE ARTS, TO SPONSOR A WORLDWIDE COMPETITION TO DESIGN AND INSTALL A SPECTACULAR SYMBOL OF CIVIC IDENTITY AT THE ENTRANCE OF HONOLULU'S OCEANFRONT."

Offered by: Senators Fukunaga, Tam.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 50 "SENATE CONCURRENT RESOLUTION REQUESTING AN UPDATE OF THE HONOLULU WATERFRONT MASTER PLAN TO CONSIDER NEW OPPORTUNITIES FOR DEVELOPMENT ACTIVITIES."

Offered by: Senators Fukunaga, Tam.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means

No. 51 "SENATE CONCURRENT RESOLUTION URGING LIBERTY NEWSPAPERS TO CONTINUE PUBLICATION OF THE HONOLULU STAR-BULLETIN AND TO ACTIVELY SEEK A BUYER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY."

Offered by: Senators Ihara, Anderson, Buen, Bunda, Chumbley, Chun Oakland, Fukunaga, Hanabusa, D. Ige, Inouye, Iwase, Kanno, Kawamoto, Levin, Matsunaga, Matsuura, Mizuguchi, Nakata, Sakamoto, Slom, Taniguchi.

No. 52 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ADVISABILITY OF REQUIRING ALL LICENSED GUARD AGENCIES, LICENSED GUARDS, AND UNLICENSED AGENTS, OPERATIVES, AND

ASSISTANTS OF LICENSED GUARD AGENCIES TO COMPLETE A STANDARDIZED TRAINING PROGRAM IN PRIVATE SECURITY."

Offered by: Senators Chumbley, Matsunaga.

No. 53 "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE TRANSFER OF THE HARBOR ENFORCEMENT PROGRAM FROM THE DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF PUBLIC SAFETY."

Offered by: Senator Tam.

No. 54 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT STANDING COMMITTEE ON HAWAII RULES ON EVIDENCE TO STUDY THE APPROPRIATE USE OF COMPUTER ANALYSIS OF PHYSICAL EVIDENCE AT TRAFFIC ACCIDENT SCENES."

Offered by: Senators Chumbley, Matsunaga.

No. 55 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF INFORMATION PRACTICES TO CONVENE A TASK FORCE ON HEALTH CARE INFORMATION PRIVACY."

Offered by: Senators Chumbley, Matsunaga.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 21 to 23) were read by the Clerk and were referred to committees or deferred:

##### Senate Resolution

No. 21 "SENATE RESOLUTION REQUESTING AN UPDATE OF THE HONOLULU WATERFRONT MASTER PLAN TO CONSIDER NEW OPPORTUNITIES FOR DEVELOPMENT ACTIVITIES."

Offered by: Senators Fukunaga, Tam.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means

No. 22 "SENATE RESOLUTION URGING LIBERTY NEWSPAPERS TO CONTINUE PUBLICATION OF THE HONOLULU STAR-BULLETIN AND TO ACTIVELY SEEK A BUYER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY."

Offered by: Senators Ihara, Anderson, Buen, Bunda, Chumbley, Chun Oakland, Fukunaga, Hanabusa, D. Ige, Inouye, Iwase, Kanno, Kawamoto, Levin, Matsunaga, Matsuura, Mizuguchi, Nakata, Sakamoto, Slom, Taniguchi.

No. 23 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ADVISABILITY OF REQUIRING ALL LICENSED GUARD AGENCIES, LICENSED GUARDS, AND UNLICENSED AGENTS, OPERATIVES, AND ASSISTANTS OF LICENSED GUARD AGENCIES TO COMPLETE A STANDARDIZED TRAINING PROGRAM IN PRIVATE SECURITY."

Offered by: Senators Chumbley, Matsunaga.

#### STANDING COMMITTEE REPORT

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2786) recommending that the Senate advise and consent to the

nomination of ALLICYN HIKIDA TASAKA to the Civil Rights Commission, in accordance with Gov. Msg. No. 152.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2786 and Gov. Msg. No. 152 was deferred until Friday, March 10, 2000.

#### ORDER OF THE DAY

##### MATTER DEFERRED FROM TUESDAY, MARCH 7, 2000

#### THIRD READING

S.B. No. 2831, S.D. 1:

By unanimous consent, S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was recommitted to the Committee on Education and Technology.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2784 (Gov. Msg. No. 168):

Senator Inouye moved that Stand. Com. Rep. No. 2784 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of ROBERT K.U. KIHUNE to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, term to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Ihara, Tanaka).

Stand. Com. Rep. No. 2785 (Gov. Msg. No. 147):

Senator Chumbley moved that Stand. Com. Rep. No. 2785 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of RICHARD W. POLLACK as Judge of the 7th Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Matsunaga rose to support the nominee as follows:

"Mr. President, I rise in support of the nominee.

"Mr. President, Richard Pollack has served as a State Public Defender since 1987 and has been with the Public Defender's Office for 20 years now. He is also an adjunct professor at the University of Hawaii Richardson School of Law where he has been teaching for the past ten years. In addition to his professional career, Mr. Pollack has made time for several professional and community organizations including the National Legal Aid and Defender Association, the Hawaii State Judicial Conference, Professionals for Drug Free Kids Project, and is on the board of directors for Ho'ala School.

"During the Senate Judiciary Committee hearing, the Committee heard his views on continuing education for circuit court judges, the importance of judicial performance reviews, and discussed Mr. Pollack's professional experience. The Committee also heard from 42 members of the Office of the Public Defender, several of his state and county peers, 27 members of the private legal community, organizations and

private citizens, who voiced their overwhelming support for Mr. Pollack.

"To quote some of the testimony that was reiterated several times: 'Richard Pollack is fair-minded, intelligent, possesses a legendary command of Hawaii case law and is a very hard working individual who is highly qualified to be a judge in the First Circuit Court.'

"Furthermore, Mr. President, Mr. Pollack is level headed, thoughtful and someone who will strive to uphold the highest standards as a member of the Judiciary.

"Mr. President, this appointment comes with great community support and is well deserved. I'm confident that Mr. Pollack's commitment to excellence will enhance and protect the quality of life for all of us in our community. I urge my colleagues to consent to this nomination.

"Thank you."

Senator Chun also rose to support the nominee and said:

"Mr. President, I stand in favor of the nominee.

"Mr. President, I concur with the comments of the Senator from Palolo and would also like to add my comments. During my discussions with the nominee in my office, I was impressed with the balance that he has shown in both his professional and personal life, and I feel that balance will well serve him as a member of the bench as it did as a member of the bar."

Senator Chumbley then rose to speak in support of the nominee as follows:

"Mr. President, I, too, rise in support of this nomination.

"Members, in the eight years that I've been in the Legislature I've had the opportunity to serve on the Judiciary Committee both in the House and of course here in the Senate as the co-chair for the last four years. Over that period of time, I have gotten to know Mr. Pollack very well, and I want to commend him publicly for his knowledge and understanding of the law. And in the tough questioning that we give him, he always provides a fair and balanced response to our questions.

"I found that his temperament and his fairness are beyond reproach, and I believe that Mr. Pollack will be one of the finest circuit court judges in our state. I want to ask my colleagues to please support this nomination.

"Thank you."

Senator Tam rose to support the nominee also and said:

"Mr. President, I wish speak in favor of Mr. Pollack.

"In my first two years as a Senator in the six years I've been here, I got to know Mr. Pollack. Mr. Pollack is characterized as very knowledgeable in Hawaii's laws, a very fair person, and he speaks for the person on the streets.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Ihara, Tanaka).

At this time, Senator Matsunaga introduced Judge Pollack, who was seated in the gallery with his wife.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

## REFERRAL OF SENATE RESOLUTION

The President made the following committee assignment of a resolution that was offered on Tuesday, March 7, 2000:

Senate  
Resolution

Referred to:

No. 20

Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

Senator Anderson rose on a point of personal privilege as follows:

"Point of personal privilege, if I may, Mr. President.

"Mr. President, the reason that I passed around a copy of the article from the Maui News is because yesterday in Judiciary I asked the attorney general if in fact when the governor's message is received by the Senate, is that a law that it then becomes the property of the Senate? I was told a Senate Rule governs this issue. I then asked if in fact it was a constitutional mandate that we can no longer, in committee, deny an appointment and that it must go to the body on the floor as a whole. I was told no, that a Senate Rule governs that issue. I then said that leadership changes the Senate Rules any time they want to, and some of us don't even know what it is. But I remembered reading that it was a constitutional right that the nomination be voted on the Senate floor. We could no longer do it in committee.

"And I did tell one of the nominees that it was a shame because many of us last year signed our names. They were not going to be confirmed, and yet we had to vote here on the floor. The nominees went into the gallery with leis and all of their entourage. I thought it was an embarrassment for everyone.

"That's why I went and got this article because I knew that there was written information. Lots of us believed we could no longer kill an appointment in committee, that it had to come to the floor and be subject to a vote as a whole. I think it's disgraceful.

"I have no objection to voting in public. I think that that's fair and the public should know. And when the public should be informed, I think it's another thing when I read the paper and it says that Senator Anderson and Senator Slom split on their votes on medical marijuana legislation. I said I had reservations and the reservations were strong. I finally said strong because my good colleague who voted 'no' wanted me to be a little stronger.

"I had a cleaning business, and like any other cleaning business, when you don't have employees, you clean yourself. And there was a person who had a marijuana tree in his bedroom. I did not know it was a marijuana tree. So I picked all the dead leaves and I watered the plant and I vacuumed up everything else that was there. And I made that explicitly clear in my floor remarks. But when you read the newspaper coverage, it says Anderson voted 'no.'

"We are an island state. The enforcement of this medical marijuana will be impossible the way it's written. I would hope that we would have only one grower, if need we have one grower on each island. Then the police department from those counties would know who was responsible for the growing, and for anybody else it would be illegal. And that's what I said on this floor. My reservations were about enforcement.

"This morning I read in the *Advertiser*, 'Senate panel supports Anzai.' Well, yesterday in the hearing I did ask, not Mr. Anzai but Mr. Bruce Anderson of the Department of Health who was supporting Mr. Anzai, that we received a letter from the Senate President who received it from our auditor that there was a restraining order on issues to the Felix/Waihee consent decree. I was worried about that and I asked him what were the reasons. Because when I read it, the parties were supposed to get along well, but the Department of Health and the Department of Education pushed for the restraining order. And I tried calling Mrs. Higa but she was in court already. And he even said that, when we were meeting, at this particular time, proceeds are going along.

"The public has a right to know. It should have been printed in both papers. There was enough time for publication. It was the public's right to know. I am reviewing both the state and the federal constitutions because both grant freedom of the press. The media is protected because they have First Amendment rights. I haven't read everything yet and I'm so upset that they can hide within the Constitutional protections to publish anything that they want to. But freedom of speech, more or less, is taken away from us because when we say something on this floor that pertains to the public and the public has the right to know, the media can disregard it because they don't like Anderson.

"Well, I don't give a rip if you like me or not. I will fight for what I believe is right on this Senate floor. I've done it in the House and I will continue to do so in the Senate. You don't have to print it. You don't have to do anything. At least ask another Senator for another perspective. Make sure that what you print is accurate, because that's a shame that you can ruin families, you can ruin a person's position because you hide behind your constitutional protections as the media. If the media wants to enjoy its constitutional protections, they should also heed to their ethical obligations of fair and accurate journalism.

"So that's why I took the floor this morning, my colleagues. I think it's terrible that media reports are taken as factual by the public. But when the media refuse to print information that's valuable, I think that's wrong. When they print a mistake as far as a vote, I think that's wrong.

"I would probably lose more votes if people knew that I voted 'aye' for marijuana. But I was concerned medical marijuana should be regulated properly. They wanted to selectively print and leave out my stated concerns; it's fine. But don't print misinformation. That's why, every once in a while, I congratulate you for showing up, because what we read and what happens here is not the whole story.

"I thank you very much, Mr. President, for allowing me some time."

Senator Slom also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I want to expand a little bit on the actions that have just taken place regarding the legislative auditor, because I'm very distressed about it.

"The fact that the state Department of Health and the state Department of Education would file a temporary restraining order against the legislative auditor, who is fully in her rights and powers to get information, distresses me very much. The fact that she will have to go back to court on March 28 for yet another legal action instituted by these two state departments bothers me a great deal.

"But I guess what bothers me the most is that the testimony that came out of the Senate Judiciary Committee yesterday was that there was a problem of privacy, there was a problem of the

amount of files that were being requested and we were working on it. Well, if we're working on it, then why would there have been a temporary restraining order issued against the legislative auditor? I haven't had an opportunity to research whether or not that's ever been done before against our legislative auditor, but I'd be very surprised if it were, and I would like to know if someone can enlighten me if in fact it has been done.

"But what I'm particularly concerned about is the two departments -- the Department of Health, primarily, and the Department of Education -- because if it were not for their foot-dragging, if it were not for their lack of communication, if it were not for their lack of responsiveness, this state and the taxpayers would not be in the position that we're in with Felix/Cayetano.

"This has been going on now for more than eight years. I've attended the community hearings; I've attended the hearings and the briefings at the Capitol; I've heard the responses from the Department of Health and the Department of Education, and they are appalling. No wonder the parents of special education students and the parents of non-special education students are alarmed and concerned that this thing has gone on for eight years, that there's been a tremendous amount of money spent, and we are not going to be in compliance on June 30 of this year. And why? Because these two departments that are charged with the responsibility, in the past have hoped it would go away or somebody else would answer the questions. And now our legislative auditor wants them to answer the questions, and they've refused and they've gone to court to block her from doing that.

"I think we should be outraged about this. A point came up that there were some 10,000 files that might have to be checked and all that, and apparently that was a misunderstanding and a miscommunication, and certainly something that could be worked out. But they went ahead and they filed, anyway, to block this information, to keep the auditor and keep the Senate and keep the public from knowing what they have and have not done. And I would just use as a comparison, Mr. President, because I'm very familiar with small businesses that get orders from the HIOSH or from the Department of Labor or Department of Taxation, and I want to tell you that they ask for everything -- everything. And these small business people don't have the opportunity or the right to say no. Oh yeah, they can go out of business by hiring an attorney to fight each motion and to say that it's overly broad, but basically they're asked for everything.

"Now we have two state cabinet level departments that are stonewalling this. And I don't hear the outrage. And like the good Senator from Waimanalo, I don't see anything in the newspaper about this. Nobody seems to care. And those of us who stand up here and raise these issues, we don't do it to hear ourselves, we do it because they are serious issues and because they deserve to be resolved. So I would hope that we can resolve this matter and I hope that we would rally around our legislative auditor in this issue.

"Thank you, Mr. President."

Senator Kawamoto then rose on a point of personal privilege and stated:

"I rise for a point of personal privilege, Mr. President.

"I understand that there is a group of people that are proponents of the clean elections bill that are circulating some kind of list or whatever. I ask all my colleagues to read their letter to the Senate President and my rebuttal of wanting to maintain the same routing for the clean elections as it was when the Senate proposed the clean election bill.

"We have Coach Price who wrote a MidWeek article that I put in my rebuttal. I ask all Senators, before they sign whatever

they're signing, to look at the article, to look at their letter, and to look at my rebuttal and if you so choose to sign, be my guest.

"Thank you very much."

**ADJOURNMENT**

At 12:05 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 10, 2000.

## TWENTY-NINTH DAY

Friday, March 10, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Halbert Weidner, C.O., Holy Trinity Parish, after which the Roll was called showing all Senators present with the exception of Senators D. Ige and Matsuura who were excused.

The President announced that he had read and approved the Journal of the Twenty-Eighth Day.

Senator Taniguchi, on behalf of Senator Fukunaga and himself, congratulated the Roosevelt High School Boys Varsity Basketball Team on winning the 2000 OIA Championship Tournament and introduced the following individuals: Head Coach, John Chung; Team Captains: Van Dorsey, Chad Kapanui, and Maulia LaBarre; Team Members: Ka La Koki, Cyle Kuwanoe, Chad Owens, Keola Stietzel, T.J. Talaro, Chad Uyechi, and Joshua Yoshimoto; and Athletic Director, Rodney Iwasaki.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 210 to 221) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 210, dated February 17, 2000, transmitting the 1999 Annual Report on Home Property Liens, prepared by the Department of Human Services pursuant to Section 346-29.5, HRS, was placed on file.

Gov. Msg. No. 211, dated February 18, 2000, transmitting the Annual Report for Fiscal Year 1999 prepared by the Office of Youth Services, pursuant to Section 352D-6, HRS, and Act 151, Section 4, SLH 1991, was placed on file.

Gov. Msg. No. 212, dated February 18, 2000, transmitting the 1998-1999 Annual Report prepared by the Natural Energy Laboratory of Hawaii, pursuant to Chapter 227D, HRS, was placed on file.

Gov. Msg. No. 213, dated March 1, 2000, transmitting the 1999 Annual Report of The Research Corporation of the University of Hawaii, pursuant to Section 307-6, HRS, was placed on file.

Gov. Msg. No. 214, dated March 1, 2000, transmitting the Report of the Joint Waikiki Task Force, "Recapturing the Magic of Waikiki," prepared by the City and County of Honolulu Planning Department and the Department of Business, Economic Development and Tourism, Office of Planning and Convention Center Authority, was placed on file.

Gov. Msg. No. 215, dated March 3, 2000, transmitting the Comprehensive Annual Financial Report of the State of Hawaii for the fiscal year ended June 30, 1999, prepared by the Comptroller pursuant to Section 40-5, HRS, was placed on file.

Gov. Msg. No. 216, dated March 3, 2000, transmitting a report prepared by the Department of Health pursuant to Section 342G-15, HRS, relating to integrated solid waste management, was placed on file.

Gov. Msg. No. 217, dated March 3, 2000, transmitting a report prepared by the Department of Health, Communicable Disease Division, STD/AIDS Prevention Branch, pursuant to Act 91, Section 17, SLH 1999, requesting that the Department of Health submit a report itemizing the levels of funding for all STD/AIDS prevention providers, was placed on file.

Gov. Msg. No. 218, dated March 6, 2000, transmitting a report prepared by the Department of Human Services, Med-QUEST Division, pursuant to Act 91, Section 28, SLH 1999, on the expenditures, status, and projected needs for the Medicaid Management Information System and the Hawaii Automated Welfare Information System, was placed on file.

Gov. Msg. No. 219, dated March 8, 2000, transmitting the 1999 Annual Report prepared by the High Technology Development Corporation pursuant to Chapter 206M, HRS, was placed on file.

Gov. Msg. No. 220, dated March 8, 2000, transmitting a report, "Statewide Substance Abuse Treatment Plan, A Foundation Document," prepared by the Department of Health, Alcohol and Drug Abuse Division, was placed on file.

Gov. Msg. No. 221, submitting for consideration and confirmation to the Labor and Industrial Relations Appeals Board, the nomination of RANDALL Y. IWASE, term to expire June 30, 2010, was referred to the Committee on Labor and Environment.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 26 to 29) were read by the Clerk and were placed on file:

Dept. Com. No. 26, from the Hawaii Labor Relations Board dated February 24, 2000, transmitting the HLRB Informational Bulletin No. 37, which provides, by employing jurisdictions, the number of public employees in each of the 13 collective bargaining units established by Section 89-6, HRS.

Dept. Com. No. 27, from the State Auditor dated February 24, 2000, transmitting a report, "Review of Revolving Funds, Trust Funds, and Trust Accounts of the Department of the Attorney General, the Department of Business, Economic Development, and Tourism, and the University of Hawaii," (Report No. 00-07) pursuant to Section 23-12, HRS.

Dept. Com. No. 28, from the State Auditor dated February 28, 2000, transmitting a report, "Audit of the Convention Center Authority," (Report No. 00-08).

Dept. Com. No. 29, from the Department of Transportation dated February 29, 2000, transmitting a report, Safe Communities Request for Grant Proposals for Federal Fiscal Year 2001 (October 1, 2000-September 30, 2001).

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 394 to 397) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 394, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 164, was placed on file.

Hse. Com. No. 395, transmitting H.B. No. 2650, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 2650, H.D. 1, entitled: "A BILL FOR AN



ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 396, transmitting H.B. No. 1900, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 2000, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, H.B. No. 1900, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 397, informing the Senate that the Speaker on March 9, 2000, discharged Representative Saiki as a co-chairman and appointed Representative Yamane as a co-chairman on the part of the House at the conference on H.B. No. 139, H.D. 1, S.D. 2, was placed on file.

### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 56 to 67) were read by the Clerk and were deferred:

#### Senate Concurrent Resolution

No. 56 "SENATE CONCURRENT RESOLUTION CALLING FOR THE ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO DEVELOP A POLICY ON LEGISLATIVE BILL LIMITS."

Offered by: Senators Mizuguchi, Chun, Matsuura, Bunda, Fukunaga, D. Ige, Iwase, Nakata, Sakamoto, Tanaka.

No. 57 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND ASSESS THE DEPARTMENT OF EDUCATION'S DEVELOPMENT OF EDUCATIONAL STANDARDS FOR PUBLIC SCHOOLS STATEWIDE."

Offered by: Senators Mizuguchi, D. Ige, Buen, Chumbley, Chun Oakland, Fukunaga, Hanabusa, Ihara, Inouye, Kanno, Kawamoto, Levin, Matsunaga, Matsuura, Sakamoto, Slom, Tam, Taniguchi.

No. 58 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A SCHOOL CHOICE PROGRAM FOR HAWAII PUBLIC SCHOOLS."

Offered by: Senators Mizuguchi, D. Ige, Buen, Chumbley, Chun Oakland, Fukunaga, Hanabusa, Inouye, Kawamoto, Levin, Matsunaga, Matsuura, Slom, Tam.

No. 59 "SENATE CONCURRENT RESOLUTION REQUESTING THE OMBUDSMAN TO INVESTIGATE AND OBTAIN INFORMATION REGARDING GEOGRAPHIC EXCEPTIONS GRANTED BY THE DEPARTMENT OF EDUCATION."

Offered by: Senators Mizuguchi, D. Ige, Buen, Chumbley, Chun Oakland, Fukunaga, Hanabusa, Ihara, Inouye, Kanno, Kawamoto, Levin, Matsunaga, Matsuura, Sakamoto, Slom, Tam.

No. 60 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK AND ALAKAI SWAMP ON THE ISLAND OF KAUAI."

Offered by: Senators Chun, Chumbley, Mizuguchi.

No. 61 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO PROVIDE A COMPREHENSIVE LISTING OF HOUSING ACCOMMODATIONS FOR PUBLIC DISTRIBUTION."

Offered by: Senator Tam.

No. 62 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE LIKELY SOCIAL AND ECONOMIC IMPACTS OF SITING A HOLISTIC HAWAIIAN ALTERNATIVE TO PRISON FACILITY ON THE ISLAND OF HAWAII."

Offered by: Senator Levin.

No. 63 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE LIKELY SOCIAL AND ECONOMIC IMPACTS OF SITING A PRISON FACILITY ON THE ISLAND OF HAWAII."

Offered by: Senator Levin.

No. 64 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONSIDER ALLOWING HAWAII GROWERS TO IMPORT SPECIFIC BENEFICIAL INSECT SPECIES DIRECTLY FROM COMMERCIAL MAINLAND LABORATORIES, WITHOUT INSPECTION, FOR BIOLOGICAL PEST CONTROL PURPOSES."

Offered by: Senator Levin.

No. 65 "SENATE CONCURRENT RESOLUTION URGING THE STATE DEPARTMENTS OF HEALTH, AGRICULTURE, EDUCATION AND THE HAWAII SCHOOL FOOD SERVICE TO EXTEND THE POSSIBILITIES FOR OPTIONAL VEGETARIAN MEALS IN HAWAII PUBLIC SCHOOLS."

Offered by: Senator Levin.

No. 66 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW CURRENT STATUTES TO DETERMINE WHETHER IT IS ILLEGAL AND WHETHER IT SHOULD BE ILLEGAL TO REMOVE AND SELL SAND FROM PUBLIC BEACHES."

Offered by: Senator Levin.

No. 67 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXAMINE THE CAPITAL ACCESS PROGRAMS DEVELOPED IN OTHER STATES AND TO RECOMMEND TO THE LEGISLATURE WHETHER HAWAII SHOULD IMPLEMENT A SIMILAR PROGRAM."

Offered by: Senator Levin.

### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 24 and 25) were read by the Clerk and were deferred:

#### Senate Resolution

No. 24 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK AND ALAKAI SWAMP ON THE ISLAND OF KAUAI."

Offered by: Senators Chun, Chumbley, Mizuguchi.

No. 25 "SENATE RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO PROVIDE A COMPREHENSIVE LISTING OF HOUSING ACCOMMODATIONS FOR PUBLIC DISTRIBUTION."

Offered by: Senator Tam.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 2786 (Gov. Msg. No. 152):

Senator Chumbley moved that Stand. Com. Rep. No. 2786 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of ALLICYN HIKIDA TASAKA to the Civil Rights Commission, term to expire June 30, 2004, seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Tanaka).

At this time, Senator Levin rose and said:

"Mr. President, some people will do anything to get on television. (Laughter.) While many of us were shuffling paper yesterday or doing other things that we thought were important, there was one among us who was asked for and freely gave the most precious gift of all -- the gift of life.

"I believe we would all like to think that we would do the same thing in the same situation, but still it takes a special person to follow through.

"Donating to an individual he may never know or may never meet; undergoing considerable inconvenience and pain and discomfort . . . it really is the essence of what it means to be a humanitarian.

"There is another among us that I learned about this morning -- Senator Chun -- who has been in a similar situation, but it was years before he became our colleague. He described the experience as being kicked by a horse. That puts this somewhat in perspective.

"Since this individual is quite wealthy, we are not going to provide a frame or a lei. (Laughter.) He can do that himself. (More laughter.) We would like to take this opportunity to honor and to welcome to the 'hot seat' Senator Avery Chumbley."

Senator Chumbley rose to be recognized and received a resounding round of applause.

Senator Matsunaga then rose and said:

"Mr. President, I know there were many times last session when many of our colleagues wanted Senator Chumbley's blood. (Laughter.) Well, I think it's very fortunate that they did not succeed because a one-year-old child needed his blood much more.

"I did want to dispel some of the rumors floating around out there that it is absolutely not true that Senator Chumbley asked for medical marijuana to relieve his suffering. (More laughter.)

"But in all seriousness, I think this does show that Senator Chumbley's heart is really bigger than his head. As Mark Twain put it so well -- 'Few things are harder to put up with than the annoyance of a good example.' Thank you for setting that good example."

At 11:58 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

Senator M. Ige rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, as one of the former co-chairs of your Committee on Government Operations, I'd like to share a few thoughts about some of the comments made by our Minority Leader and Floor Leader yesterday regarding the AG's TRO on the auditor's office.

"Mr. President, on February 23, 2000, our auditor, Marion Higa, sent letters to the Departments of Health and Education for the production of records on students who are subject to the Felix Consent Decree. This was for an audit requested by the Legislature, by us, due to the rapid increases in appropriation requests over the last five years without sufficient documentation and justification.

"On March 7, 2000, the attorney general petitioned the courts for a temporary restraining order to block the auditor from obtaining certain documents. This is a matter of grave concern to me, and I believe to the Legislature, because in challenging the auditor's authority to access records, this petition for a temporary restraining order threatens to weaken the investigative powers of the auditor, whose findings and recommendations we all rely upon for our decision making. The purpose of the audit is to ensure the oversight authority of the Legislature in the expenditure of public moneys.

"Last year the Legislature appropriated \$4,836,000 and the same sum for fiscal year 2001 for services for children under Felix. The Legislature also appropriated an additional \$900,000 for each of the two fiscal years in the budget biennium to identify students qualifying for Felix services. And now, this year the administration is seeking an emergency appropriation of \$17 million in S.B. No. 2877 to fund Felix services, and an additional \$378,000 for support services to certain emotionally disturbed children and adolescents.

"For all this money we have appropriated we have an obligation to our constituents to ensure that the money has been properly spent. This petition for a TRO undermines the Legislature's exclusive authority to control the purse strings of this state. The attorney general's petition questions the lawfulness of the auditor's request for records claiming that they do not have subpoena status; claims that the auditor's request is overly broad, unduly burdensome, oppressive and onerous in scope and nature; and claims that allowing access would breach federal confidentiality of records law involving federally supported educational programs.

"While I cannot speak to the claim of federal confidentiality records, looking at Section 23-5 of the Hawaii Revised Statutes tells me that the auditor has the authority to require production of records even if the word subpoena is not used. My review of the letter sent to Dr. Anderson and Dr. LeMahieu tells me that the auditor clearly and precisely identified the documents sought.

"I believe Marion Higa is doing outstanding work and I support her fully. Let us rally behind her to ensure the integrity of the Auditor's Office and its continued crucial service to all of us here in the Legislature.

"Thank you."

**ADJOURNMENT**

At 12:05 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 13, 2000.

## THIRTIETH DAY

Monday, March 13, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Lisa Smith, Leeward Corps Community Center, Salvation Army, after which the Roll was called showing all Senators present with the exception of Senator Iwase who was excused.

The President announced that he had read and approved the Journal of the Twenty-Ninth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Matsunaga introduced Dr. Andrew Thomas in recognition of his accomplishments as a NASA Astronaut and one of the last men to work on the Russian space station, Mir.

Senator Tam then introduced Dr. Narendra Saxena, founder of PACON International and a Professor at the School of Ocean and Earth Science and Technology at the University of Hawaii, and commended him for his dedication to sharing his knowledge and experience in order to make the world a better place.

Senator Nakata commended and congratulated The Church of Jesus Christ of Latter-Day Saints on the occasion of its 150th Anniversary of work in Hawaii and introduced the following representatives: Judge Boyd P. Mossman, vice president of the board of the Polynesian Cultural Center; John A. "Jack" Hoag, chairman of the board of the Hawaii Reserves Inc.; Lester Moore, president and CEO of the Polynesian Cultural Center; Kumu Hula Olana A'i, Halau Hula Olana; Lacy Chong, Miss Keiki Hula 1999; and Coach Tommy Ka'ulukukui.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 68 to 89) were read by the Clerk and were referred to committees or deferred:

## Senate Concurrent Resolution

No. 68 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY."

Offered by: Senators Ihara, D. Ige, Chumbley, Inouye, Levin, Matsunaga, Chun Oakland.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 69 "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON ESTABLISHING WATER RESOURCE MANAGEMENT DISTRICTS THAT UTILIZE COMMUNITY-BASED RECOMMENDATIONS TO DEVELOP WATER RESOURCE MANAGEMENT POLICIES."

Offered by: Senator Hanabusa.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 70 "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF INFRASTRUCTURE FOR THE RESIDENTS OF THE MAUNALAHA AREA OF MAKIKI HEIGHTS ON THE ISLAND OF OAHU."

Offered by: Senator Hanabusa.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 71 "SENATE CONCURRENT RESOLUTION DEVELOPING A STATE WEB SITE ENTITLED 'FOR THE SAKE OF THE CHILDREN' FOR PUBLIC ACCESS INFORMATION PURPOSES."

Offered by: Senators Chun Oakland, Fukunaga, Hanabusa, Inouye, Kawamoto, Levin, Tam.

Referred to: Jointly to the Committee on Judiciary, the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 72 "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW EXISTING LAWS CONCERNING THE PROTECTION OF ELDERS FROM ABUSE AND FRAUD."

Offered by: Senator Chun Oakland.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 73 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO STUDY HOW HAWAII WOULD RESPOND TO AND SUPPORT FEDERAL ACTION TO AMEND MEDICARE BENEFITS TO INCLUDE PRESCRIPTION DRUG ASSISTANCE TO THE ELDERLY AND DISABLED."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 74 "SENATE CONCURRENT RESOLUTION REQUESTING ALL EXECUTIVE DEPARTMENTS AND AGENCIES TO SUBMIT REPORTS TO THE LEGISLATURE ON-LINE AND REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY OTHER MEANS OF REDUCING PAPER USAGE."

Offered by: Senator Chun Oakland.

Referred to: Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 75 "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE UNITED STATES GOVERNMENT TO FREE THE WOMEN OF AFGHANISTAN FROM THE OPPRESSION OF THE TALIBAN REGIME."

Offered by: Senators Chun Oakland, Buen, Inouye.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 76 "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH

ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION."

Offered by: Senators Chun Oakland, Inouye.

Referred to: Committee on Health and Human Services, then to the Committee on Transportation and Intergovernmental Affairs

No. 77 "SENATE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS."

Offered by: Senator Nakata.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 78 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN INTEGRATED PEST MANAGEMENT POLICY THAT FOCUSES ON THE LONG-TERM HEALTH OF TEACHERS, STAFF, AND STUDENTS AND PRIORITIZES THE USE OF NONCHEMICAL METHODS OF PEST CONTROL AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF ALTERNATIVE METHODS OF PEST CONTROL FOR COMMON AREAS FREQUENTED BY THE PUBLIC."

Offered by: Senator Nakata.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 79 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF STATE MONEYS PAID FOR HEALTH INSURANCE FOR STATE EMPLOYEES."

Offered by: Senator Mizuguchi, by request.

No. 80 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE CONTRACTING OF LEGAL SERVICES TO REPRESENT THE STATE IN ITS TOBACCO SETTLEMENT AGREEMENT."

Offered by: Senator Hanabusa.

No. 81 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE RESPONSIBLE USE OF AGRICULTURAL BIOTECHNOLOGY FOR THE BENEFIT OF THE PEOPLE OF HAWAII."

Offered by: Senators Inouye, Buen, Bunda, M. Ige, Iwase, Slom, Taniguchi.

No. 82 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESUME FRY/SEED PRODUCTION AT THE ANUENUE FISHERIES RESEARCH CENTER."

Offered by: Senators Inouye, Buen, Bunda, M. Ige, Iwase, Slom, Taniguchi.

No. 83 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO VERIFY THAT PARI-MUTUEL WAGERING BEING SIMILAR TO STOCK TRADING SHOULD BE PERMITTED IN HAWAII."

Offered by: Senator Tam, by request.

No. 84 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ADOPT RULES TO REQUIRE REGISTERED TRAVEL AGENCIES AND REGISTERED CHARTER TOUR OPERATORS TO UNDERGO PERIODIC SEMINARS ABOUT THE FINANCIAL PITFALLS OF THEIR BUSINESS."

Offered by: Senators Kawamoto, Buen, Bunda.

No. 85 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO TRAIN AND CONSULT WITH OPERATORS AND STAFF OF ADULT RESIDENTIAL CARE HOME OPERATORS, AT THE TIME OF LICENSING AND PERIODICALLY THEREAFTER, REGARDING THEIR DUTIES AND RESPONSIBILITIES FOR THEIR RESIDENTS."

Offered by: Senators Kawamoto, Bunda, Chun Oakland, Levin, Matsuura.

No. 86 "SENATE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF A SYSTEM-WIDE MASTER PLAN AND AN ACCOMPANYING INFORMATIONAL STUDY, ADDRESSING THE CURRENT AND PROJECTED NEED FOR PRISON FACILITIES IN HAWAII."

Offered by: Senators Kawamoto, Bunda, Chumbley, Fukunaga, Levin, Matsunaga, Matsuura, Sakamoto, Slom, Tam.

No. 87 "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF EDUCATION AND THE NATIONAL INSTITUTE OF MENTAL HEALTH TO ENGAGE IN A NATIONAL EXAMINATION OF THE APPROPRIATE USE OF PSYCHIATRIC DRUGS AND THEIR EFFECTS ON CHILDREN."

Offered by: Senators Levin, Chun Oakland.

No. 88 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPROVE STATEWIDE DIABETES AWARENESS AND EDUCATION AND EXAMINE THE POSSIBILITY OF ESTABLISHING A PROGRAM FOR FREE EARLY DETECTION SCREENING FOR DIABETES."

Offered by: Senators Levin, Chun Oakland.

No. 89 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORK GROUP TO STUDY CONDITIONS AT PUNALU'U BEACH AND THE NEAR-BY KAMEHAME BEACH AND RECOMMEND APPROPRIATE ACTIONS TO PRESERVE AND PROTECT THE AREA'S ENDANGERED SPECIES AND THE ECOSYSTEM."

Offered by: Senator Levin.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 26 to 42) were read by the Clerk and were referred to committees or deferred:

### Senate Resolution

No. 26 "SENATE RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY."

Offered by: Senators Ihara, D. Ige, Chumbley, Inouye, Levin, Matsunaga, Chun Oakland.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 27 "SENATE RESOLUTION DEVELOPING A STATE WEB SITE ENTITLED 'FOR THE SAKE OF THE CHILDREN' FOR PUBLIC ACCESS INFORMATION PURPOSES."

Offered by: Senators Chun Oakland, Fukunaga, Hanabusa, Inouye, Kawamoto, Levin, Tam.

Referred to: Jointly to the Committee on Judiciary, the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 28 "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO STUDY HOW HAWAII WOULD RESPOND TO AND SUPPORT FEDERAL ACTION TO AMEND MEDICARE BENEFITS TO INCLUDE PRESCRIPTION DRUG ASSISTANCE TO THE ELDERLY AND DISABLED."

Offered by: Senator Chun Oakland.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 29 "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE UNITED STATES GOVERNMENT TO FREE THE WOMEN OF AFGHANISTAN FROM THE OPPRESSION OF THE TALIBAN REGIME."

Offered by: Senators Chun Oakland, Buen, Inouye.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 30 "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION."

Offered by: Senators Chun Oakland, Inouye.

Referred to: Committee on Health and Human Services, then to the Committee on Transportation and Intergovernmental Affairs

No. 31 "SENATE RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS."

Offered by: Senator Nakata.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 32 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN INTEGRATED PEST MANAGEMENT POLICY THAT FOCUSES ON THE LONG-TERM HEALTH OF TEACHERS, STAFF, AND STUDENTS AND PRIORITIZES THE USE OF NONCHEMICAL METHODS OF PEST CONTROL AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF ALTERNATIVE METHODS OF PEST CONTROL FOR COMMON AREAS FREQUENTED BY THE PUBLIC."

Offered by: Senator Nakata.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 33 "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE RESPONSIBLE USE OF AGRICULTURAL BIOTECHNOLOGY FOR THE BENEFIT OF THE PEOPLE OF HAWAII."

Offered by: Senators Inouye, Buen, Bunda, M. Ige, Iwase, Slom, Taniguchi.

No. 34 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESUME FRY/SEED PRODUCTION AT THE ANUENUE FISHERIES RESEARCH CENTER."

Offered by: Senators Inouye, Buen, Bunda, M. Ige, Iwase, Slom, Taniguchi.

No. 35 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF MOTOR VEHICLES TO HELP EDUCATE THE ENGLISH AS SECOND LANGUAGE ETHNIC GROUPS AND PROMOTE COMPLIANCE WITH DEPARTMENT RULES."

Offered by: Senator Tam.

No. 36 "SENATE RESOLUTION REVIEWING INEFFICIENCY OF GOVERNMENT OPERATIONS CAUSED BY DELAYED SERVICES TO STATE AGENCIES AND DEPARTMENTS."

Offered by: Senator Tam.

No. 37 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ADOPT RULES TO REQUIRE REGISTERED TRAVEL AGENCIES AND REGISTERED CHARTER TOUR OPERATORS TO UNDERGO PERIODIC SEMINARS ABOUT THE FINANCIAL PITFALLS OF THEIR BUSINESS."

Offered by: Senators Kawamoto, Buen, Bunda, Fukunaga.

No. 38 "SENATE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO TRAIN AND CONSULT WITH OPERATORS AND STAFF OF ADULT RESIDENTIAL CARE HOME OPERATORS, AT THE TIME OF LICENSING AND PERIODICALLY THEREAFTER, REGARDING THEIR DUTIES AND RESPONSIBILITIES FOR THEIR RESIDENTS."

Offered by: Senators Kawamoto, Bunda, Chun Oakland, Levin, Matsuura.

No. 39 "SENATE RESOLUTION REQUESTING THE IMPLEMENTATION OF A SYSTEM-WIDE MASTER PLAN AND AN ACCOMPANYING INFORMATIONAL STUDY, ADDRESSING THE CURRENT AND PROJECTED NEED FOR PRISON FACILITIES IN HAWAII."

Offered by: Senators Kawamoto, Bunda, Chumbley, Levin, Matsunaga, Matsuura, Sakamoto, Slom, Tam.

No. 40 "SENATE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF EDUCATION AND THE NATIONAL INSTITUTE OF MENTAL HEALTH TO ENGAGE IN A NATIONAL EXAMINATION OF THE APPROPRIATE USE OF PSYCHIATRIC DRUGS AND THEIR EFFECTS ON CHILDREN."

Offered by: Senator Levin.

No. 41 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE LIKELY SOCIAL AND ECONOMIC IMPACTS OF SITING A PRISON FACILITY ON THE ISLAND OF HAWAII."

Offered by: Senator Levin.

No. 42 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE LIKELY SOCIAL AND ECONOMIC IMPACTS OF SITING A HOLISTIC HAWAIIAN ALTERNATIVE TO PRISON FACILITY ON THE ISLAND OF HAWAII."

Offered by: Senator Levin.

#### STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2787) recommending that the Senate advise and consent to the nominations of MICHAEL N. GOSHI, PATRICK K. KOBAYASHI and LORI ANN C. LUM to the Hawaii Community Development Authority, in accordance with Gov. Msg. No. 158.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2787 and Gov. Msg. No. 158 was deferred until Tuesday, March 14, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2788) recommending that the Senate advise and consent to the nominations of WONDA MAE AGPALSA and MILTON PA to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 161.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2788 and Gov. Msg. No. 161 was deferred until Tuesday, March 14, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2789) recommending that the Senate advise and consent to the nominations of GEORGE W. MAIOHO and PAUL K. ELIA to the Molokai Irrigation System Water Users Advisory Board, in accordance with Gov. Msg. No. 167.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2789 and Gov. Msg. No. 167 was deferred until Tuesday, March 14, 2000.

#### ORDER OF THE DAY

#### MATTERS DEFERRED FROM THURSDAY, MARCH 9, 2000

#### REFERRAL OF HOUSE BILLS

The President made the following committee assignments of House bills received on Thursday, March 9, 2000:

House Bill                      Referred to:

No. 2581, H.D. 1      Committee on Government Operations and Housing, then to the Committee on Judiciary

No. 2582, H.D. 1      Committee on Government Operations and Housing, then to the Committee on Judiciary

No. 2587, H.D. 1      Committee on Government Operations and Housing, then to the Committee on Judiciary

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 9, 2000, and Friday, March 10, 2000:

Senate  
Concurrent  
Resolution                      Referred to:

No. 51                      Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 52                      Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 53                      Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 54                      Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 55                      Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 56                      Committee on Ways and Means

No. 57                      Committee on Education and Technology, then to the Committee on Ways and Means

No. 58                      Committee on Education and Technology, then to the Committee on Ways and Means

No. 59                      Committee on Education and Technology, then to the Committee on Ways and Means

No. 60                      Committee on Economic Development, then to the Committee on Ways and Means

No. 61                      Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 62                      Jointly to the Committee on Judiciary and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 63                      Committee on Judiciary, then to the Committee on Ways and Means

No. 64                      Committee on Economic Development, then to the Committee on Ways and Means

No. 65                      Jointly to the Committee on Education and Technology and the Committee on Ways and Means

No. 66                      Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary

No. 67                      Committee on Economic Development, then to the Committee on Ways and Means

#### REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, March 9, 2000, and Friday March 10, 2000:

Senate  
Resolution                      Referred to:

No. 22                      Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 23 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 24 Committee on Economic Development, then to the Committee on Ways and Means

No. 25 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 1762 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 2536, H.D. 1 Committee on Health and Human Services, then to the Committee on Education and Technology, then to the Committee on Ways and Means

No. 2551, H.D. 1 Jointly to the Committee on Ways and Means and the Committee on Health and Human Services

No. 2736, H.D. 1 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

Senator M. Ige rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President and fellow Senators, it's with a heavy heart that I rise on this point. I need to say that the subject of my point is someone who I have great respect for, someone whose advice and words I have long relied upon, and he knows that at times when I was at a loss for words, that I have sought his advice, especially when it came to quoting poetry from Lord Tennyson. This person is our colleague, the Senator from Mililani.

"It is ironic that our Senate Rules of Decorum on this chamber floor requires that I address him as the Senator from Mililani. Yet these very same rules do not provide me any guidance as to how we fulfill our advice and consent responsibility when one of our own is nominated and chooses to remain a sitting Senator amongst us.

"Fellow colleagues, the ability to question one of us is especially crucial given the position for which Governor Cayetano has nominated the Senator from Mililani. The Senator from Mililani is to be the chair of the Labor and Industrial Relations Appeals Board. As the vice chairman of the Senate Labor and Environment Committee, I have reviewed the provisions of the Hawaii Revised Statutes, Section 371-4, and its legislative history. What is very clear is that the Legislature, when enacting this statute, referenced that the successor who is appointed must be qualified. Just as critical, the law states that it is declared to be in the public's best interest to continue board members as long as efficiency is demonstrated.

"We can all assume that the governor is aware of the law and has probably conferred with the attorney general. I, however, cannot say that I know my responsibilities and, basically, my responsibility to act upon this advice and consent especially in my role as the vice chairman for the Committee on Labor and Environment, which has been referred this nomination. For these reasons, Mr. President, I am again invoking Senate Rule No. 84 and would like to read the letter to the attorney general as follows:

'I raise the following questions to you as a state officer under Senate Rule 84. The law states that each member of the Labor and Industrial Relations Appeals Board shall hold office until his successor is appointed and qualified. What is meant by qualified? Whose responsibility is it to determine the successor is qualified? May we presume that when the Governor nominated Senator Iwase, that he is qualified?

'The Standing Committee Report of the 1969 Legislature states that the members of the Appeals Board are, quote, "expected to be and should be specialists," end of quote, in the matter of workmen's compensation. What is the criteria for the word specialist? Is the criteria one where fellow attorneys in the legal community consider the nominee to be a specialist in the field? Note that the standing committee report also draws a distinction between a judge, who is not expected to be a specialist in the subject matter of every case that is tried before him, and the member of the Appeals Board, which is expected to be a specialist.

'The law goes on to state and I quote: "Because cumulative experience and continuity in office are essential to the proper handling of appeals under workers' compensation law and other labor laws, it is hereby declared to be in the public interest" -- the public interest -- "to continue board members in office as long as efficiency is demonstrated," end of quote.

'A lay person's reading of this means that unless the board member is inefficient, the board member should continue. Is this correct? The clear language of the statute requires a demonstration of efficiency or inefficiency. Whose responsibility is it to make that determination? Is it required in this advice and consent that the Senate must first determine the sitting Chair, Mr. Frank Yap, to be inefficient because he is not permitted to continue?

'These are critical questions and the responses are necessary to fulfill my advice and consent responsibilities.

'With warm personal regards, I remain

/s/Marshall K. Ige'

"Mr. President, another letter that I'd like to read is to Mr. Yap:

'In accordance with Senate Rule 84, I request a reply to the following questions: (1) Have you asked to be retained by the Governor in your present position as Chair Attorney for the Labor and Industrial Appeals Board? (2) Has any determination been made that you are inefficient as a board member? (3) Prior to your appointment to the position of Chair Attorney to the Labor and Industrial Appeals Board, what were your qualifications for that position? And lastly, (4) In your position as the Chair Attorney for the Labor and Industrial Appeals Board, have you had any negative evaluations that you are aware of?

'With warm personal regards, I remain

/s/Marshall K. Ige'

"Mr. President, I would request a response tomorrow. Thank you."

Senator Slom also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.



"This morning the Republican Party of Hawaii instituted legal action against the Senate and the House of Representatives in an effort to reform the Conference Committee procedures. We have all had memos that have transpired in the last several days on this issue. We have been aware of this issue for quite some time. I am sorry that legal action, in fact, is necessary. I think it is something that we all realize that we should be doing in a better fashion and that in fact we can do in a better fashion if we believe in what we're saying about truly open government, open meetings, open voting.

"I do note, Mr. President, that in your memo you did mention specifically the heavy workload of the two Minority members of the Senate, for which I am grateful, but let you be aware that the 100 percent Minority stands by, ready to do anything and everything possible to make sure that there are better procedures followed in Conference.

"And Mr. President, I just want to also mention that in case you are taken into custody, the Republican Minority, we have ponied up \$15 for bail money which we can use. (Laughter.) But I do hope and think that this is something that we can do; we ought to do; and we can do it voluntarily during this Legislative Session.

"Thank you, Mr. President."

#### ADJOURNMENT

At 12:13 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 14, 2000.

## THIRTY-FIRST DAY

Tuesday, March 14, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Marie Rosso, MM, Maryknoll Sister, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Chun who were excused.

The President announced that he had read and approved the Journal of the Thirtieth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland introduced Peter Schall, Vice President and Managing Director of the Hilton Hawaiian Village, and congratulated him on being named the Year 2000 recipient of the Palaka Award from Winners At Work, a nonprofit entity. Accompanying Mr. Schall was Victoria Lum from the Hilton Hawaiian Village, and Russell Higa and Pam Huch Kekumano from Winners At Work.

Senator Chun Oakland then congratulated the Hawaiian Electric Company, Inc. (HECO) on receiving the Exemplary Voluntary Effort Award from the U.S. Department of Labor and introduced the following HECO representatives: T. Michael "Mike" May, President and CEO; Jackie Mahi Erickson, Vice President of Customer Operations and General Counsel; Alma Freitas, Corporate Excellence Representative; Melissa Smith, Construction and Maintenance Department; and Jeanette Menor, Systems Operation Department.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 90 to 111) were read by the Clerk and were referred to committees:

## Senate Concurrent Resolution

No. 90 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO TO WORK TOGETHER TO TRANSFORM THE BIG ISLAND INTO A MAJOR PACIFIC-WIDE RESEARCH CENTER."

Offered by: Senator Matsuura.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means

No. 91 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF EDUCATION PROVIDE FUNDING OUT OF ITS CAPITAL IMPROVEMENT FUNDS TO REPLACE DEGRADED ELECTRICAL WIRING IN KEAAU MIDDLE SCHOOL'S BUILDING A."

Offered by: Senators Matsuura, D. Ige.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means

No. 92 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS

RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE HAWAIIAN PEOPLE."

Offered by: Senators Hanabusa, Anderson, Buen, Bunda, Chun, Chun Oakland, Fukunaga, D. Ige, M. Ige, Ihara, Inouye, Iwase, Kawamoto, Levin, Matsunaga, Matsuura, Mizuguchi, Nakata, Sakamoto, Slom, Tam.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 93 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPOINT THE TRUSTEES TO THE OFFICE OF HAWAIIAN AFFAIRS TO SERVE OUT THEIR TERMS OF OFFICE IF THE RICE V. CAYETANO DECISION REQUIRES THEIR REMOVAL AS ELECTED OFFICIALS."

Offered by: Senators Hanabusa, Anderson, Buen, Bunda, Chumbley, Chun, Chun Oakland, Fukunaga, D. Ige, M. Ige, Ihara, Inouye, Iwase, Kanno, Kawamoto, Levin, Matsunaga, Matsuura, Mizuguchi, Nakata, Sakamoto, Slom, Tam, Tanaka.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary

No. 94 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES SECRETARY OF THE INTERIOR, UPON THE ESTABLISHMENT OF THE HAWAIIAN HOMES COMMISSION AS AN ELECTED BODY, AFFIRM IN WRITING THAT THE HAWAIIAN HOMES COMMISSION IS A GOVERNING BODY DULY RECOGNIZED BY THE SECRETARY OF THE INTERIOR AS A NATIVE GROUP."

Offered by: Senators Hanabusa, Anderson, Chun, Kanno, Matsuura, Nakata, Tanaka.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 95 "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO SHARE IN THE COST OF CONDUCTING A COMPREHENSIVE INVENTORY OF CEDED LANDS IN THE STATE OF HAWAII."

Offered by: Senators Hanabusa, Anderson, Chun, Kanno, Matsuura, Nakata, Tanaka.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 96 "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR FURTHER SCIENTIFIC AND ECONOMIC EVALUATION BEFORE CONTINUING THE EXPANSION OF GENETIC ENGINEERING IN HAWAII."

Offered by: Senator D. Ige.

Referred to: \* Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 97 "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII."

Offered by: Senators Inouye, Bunda, Chun, Chun Oakland, Fukunaga, D. Ige, Kanno, Levin, Matsunaga, Matsuura, Nakata, Slom.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 98 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE IMPACT OF INCREASING THE DEPARTMENT OF TRANSPORTATION'S AUTHORITY AND JURISDICTION OVER HARBORS."

Offered by: Senator Bunda.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 99 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE FEASIBILITY AND ADVISABILITY OF ESTABLISHING A '311' NON-EMERGENCY TELEPHONE SYSTEM FOR THE STATE OF HAWAII AS A MEANS OF INCREASING THE EFFECTIVENESS AND EFFICIENCY OF THE STATE'S '911' EMERGENCY TELEPHONE SYSTEM."

Offered by: Senator Bunda.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 100 "SENATE CONCURRENT RESOLUTION REQUESTS THE GOVERNOR TO CONVENE A TASK FORCE TO STUDY THE EFFECTS OF ELECTRONIC COMMERCE ON HAWAII'S TAX BASE."

Offered by: Senator Bunda.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 101 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES."

Offered by: Senators Kawamoto, Anderson, Bunda, Fukunaga, Hanabusa, D. Ige, Iwase, Levin, Mizuguchi, Nakata, Sakamoto, Slom, Tam.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 102 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD."

Offered by: Senators Kawamoto, Anderson, Bunda, Fukunaga, Hanabusa, D. Ige, Iwase, Kanno, Mizuguchi, Nakata, Sakamoto, Slom, Tam.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 103 "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM 'AN UNTOLD TRIUMPH' AND FOR THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS."

Offered by: Senators Kawamoto, Buen, Bunda, Fukunaga, Sakamoto, Taniguchi.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 104 "SENATE CONCURRENT RESOLUTION ASKING THE CONGRESS OF THE UNITED STATES TO ADDRESS THE ISSUE OF AVAILABILITY OF OBTAINING A FALSE IDENTIFICATION VIA THE INTERNET."

Offered by: Senators Kanno, Taniguchi.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 105 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE ON ALTERNATIVE MEDICINE."

Offered by: Senators Kanno, Taniguchi.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 106 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE PUBLIC LIBRARY SYSTEM TO COOPERATE AND FACILITATE THE ESTABLISHMENT OF A PROGRAM OF VOLUNTEER STARTER LIBRARIES."

Offered by: Senators Sakamoto, Bunda, Chun, Chun Oakland, Hanabusa, D. Ige, Inouye, Kanno, Kawamoto, Levin, Tanaka.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means

No. 107 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU ANALYZE, DEVELOP, AND IMPLEMENT A SYSTEM OF COLLECTION, COMPILING, AND DISTRIBUTION OF REQUIRED ANNUAL REPORTS FOR THE LEGISLATURE OF THE STATE OF HAWAII."

Offered by: Senators Sakamoto, Chun, Chun Oakland, D. Ige, Inouye, Kanno, Kawamoto.

Referred to: Committee on Ways and Means

No. 108 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR REGULATING THE ALARM INDUSTRY."

Offered by: Senators Sakamoto, Bunda, Chun, Chun Oakland, D. Ige, Inouye, Kanno, Kawamoto, Levin, Taniguchi.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation

and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 109 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A RULE DRAFTING POLICY TASK FORCE."

Offered by: Senator Inouye.

Referred to: Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 110 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO AUDIT THE DEPARTMENT OF EDUCATION ON ITS PRODUCTIVITY AND EFFICIENCY IN LUMP SUM BUDGETING AND BASIC CLASSROOM NEEDS."

Offered by: Senator Tam.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means

No. 111 "SENATE CONCURRENT RESOLUTION FORMULATING A PLAN FOR THE IMPLEMENTATION AT THE INDIVIDUAL SCHOOL LEVEL FOR A COMPUTER EDUCATION PROGRAM IN THE PUBLIC SCHOOLS."

Offered by: Senator Tam.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 43 to 55) were read by the Clerk and were referred to committees:

##### Senate Resolution

No. 43 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO TO WORK TOGETHER TO TRANSFORM THE BIG ISLAND INTO A MAJOR PACIFIC-WIDE RESEARCH CENTER."

Offered by: Senator Matsuura.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means

No. 44 "SENATE RESOLUTION REQUESTING THAT THE BOARD OF EDUCATION PROVIDE FUNDING OUT OF ITS CAPITAL IMPROVEMENT FUNDS TO REPLACE DEGRADED ELECTRICAL WIRING IN KEAAU MIDDLE SCHOOL'S BUILDING A."

Offered by: Senators Matsuura, D. Ige.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means

No. 45 "SENATE RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE HAWAIIAN PEOPLE."

Offered by: Senators Hanabusa, Anderson, Buen, Bunda, Chumbley, Chun, Chun Oakland, Fukunaga, D. Ige, M. Ige, Ihara, Inouye, Iwase, Kanno, Kawamoto, Levin, Matsunaga, Matsuura, Mizuguchi, Nakata, Sakamoto, Slom, Tam, Tanaka.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 46 "SENATE RESOLUTION REQUESTING SUPPORT FOR FURTHER SCIENTIFIC AND ECONOMIC EVALUATION BEFORE CONTINUING THE EXPANSION OF GENETIC ENGINEERING IN HAWAII."

Offered by: Senator D. Ige.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 47 "SENATE RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII."

Offered by: Senators Inouye, Bunda, Chun, Chun Oakland, Fukunaga, D. Ige, Kanno, Levin, Matsunaga, Matsuura, Nakata, Slom, Taniguchi.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 48 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE FEASIBILITY AND ADVISABILITY OF ESTABLISHING A '311' NON-EMERGENCY TELEPHONE SYSTEM FOR THE STATE OF HAWAII AS A MEANS OF INCREASING THE EFFECTIVENESS AND EFFICIENCY OF THE STATE'S '911' EMERGENCY TELEPHONE SYSTEM."

Offered by: Senator Bunda.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 49 "SENATE RESOLUTION REQUESTS THE GOVERNOR TO CONVENE A TASK FORCE TO STUDY THE EFFECTS OF ELECTRONIC COMMERCE ON HAWAII'S TAX BASE."

Offered by: Senator Bunda.

Referred to: Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means

No. 50 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES."

Offered by: Senators Kawamoto, Anderson, Bunda, Hanabusa, D. Ige, Iwase, Levin, Mizuguchi, Nakata, Sakamoto, Slom, Taniguchi.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 51 "SENATE RESOLUTION URGING THE UNITED STATES NAVY TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD."

Offered by: Senators Kawamoto, Anderson, Hanabusa, D. Ige, Iwase, Kanno, Mizuguchi, Nakata, Sakamoto, Slom, Taniguchi.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 52 "SENATE RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM 'AN UNTOLD TRIUMPH' AND FOR THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS."

Offered by: Senators Kawamoto, Buen, Bunda, Sakamoto, Taniguchi.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 53 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE ON ALTERNATIVE MEDICINE."

Offered by: Senators Kanno, Taniguchi.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

No. 54 "SENATE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR REGULATING THE ALARM INDUSTRY."

Offered by: Senators Sakamoto, Bunda, Chun, D. Ige, Inouye, Kanno, Kawamoto, Levin, Taniguchi.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 55 "SENATE RESOLUTION FORMULATING A PLAN FOR THE IMPLEMENTATION AT THE INDIVIDUAL SCHOOL LEVEL FOR A COMPUTER EDUCATION PROGRAM IN THE PUBLIC SCHOOLS."

Offered by: Senator Tam.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means

#### STANDING COMMITTEE REPORTS

Senator Hanabusa, for the majority of the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2790) recommending that the Senate advise and consent to the nomination of LYNN P. MCCRORY to the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 164.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2790 and Gov. Msg. No. 164 was deferred until Wednesday, March 15, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2791) recommending that the Senate advise and consent to the nominations of BRUCE A. COPPA and LAWRENCE N.C. ING to the Land Use Commission, in accordance with Gov. Msg. No. 165.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2791 and Gov. Msg. No. 165 was deferred until Wednesday, March 15, 2000.

#### ORDER OF THE DAY

##### ADVISE AND CONSENT

Stand. Com. Rep. No. 2787 (Gov. Msg. No. 158):

Senator Hanabusa moved that Stand. Com. Rep. No. 2787 be received and placed on file, seconded by Senator Kanno and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Hawaii Community Development Authority of the following:

MICHAEL N. GOSHI, terms to expire June 30, 2000 and June 30, 2004;

PATRICK K. KOBAYASHI, term to expire June 30, 2002; and

LORI ANN C. LUM, term to expire June 30, 2004,

seconded by Senator Kanno.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, Chun, M. Ige, Kawamoto, Tanaka).

Stand. Com. Rep. No. 2788 (Gov. Msg. No. 161):

Senator Hanabusa moved that Stand. Com. Rep. No. 2788 be received and placed on file, seconded by Senator Kanno and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Hawaiian Homes Commission of the following:

WONDA MAE AGPALSA, term to expire June 30, 2003; and

MILTON PA, term to expire June 30, 2004,

seconded by Senator Kanno.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, Chun, M. Ige, Kawamoto, Tanaka).

Stand. Com. Rep. No. 2789 (Gov. Msg. No. 167):

Senator Hanabusa moved that Stand. Com. Rep. No. 2789 be received and placed on file, seconded by Senator Kanno and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations of GEORGE W. MAIOHO and PAUL K. ELIA to the Molokai Irrigation System Water Users Advisory Board, terms to expire June 30, 2004, seconded by Senator Kanno.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, Chun, M. Ige, Kawamoto, Tanaka).

### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Monday, March 13, 2000:

Senate  
Concurrent  
Resolution

Referred to:

No. 79 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 80 Committee on Judiciary, then to the Committee on Ways and Means

No. 81 Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 82 Committee on Economic Development, then to the Committee on Ways and Means

No. 83 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means

No. 84 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 85 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 86 Committee on Judiciary, then to the Committee on Ways and Means

No. 87 Committee on Education and Technology, then to the Committee on Health and Human Services

No. 88 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 89 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Labor and Environment, then to the Committee on Ways and Means

### REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Monday, March 13, 2000:

Senate  
Resolution

Referred to:

No. 33 Jointly to the Committee on Economic Development and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 34 Committee on Economic Development, then to the Committee on Ways and Means

No. 35 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 36 Jointly to the Committee on Government Operations and Housing and the Committee on Judiciary, then to the Committee on Ways and Means

No. 37 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 38 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 39 Committee on Judiciary, then to the Committee on Ways and Means

No. 40 Committee on Education and Technology, then to the Committee on Health and Human Services

No. 41 Committee on Judiciary, then to the Committee on Ways and Means

No. 42 Jointly to the Committee on Judiciary and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 1762 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

No. 1844, H.D. 2 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 1880, H.D. 1 Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs

No. 2649, H.D. 1 Committee on Judiciary

### ADJOURNMENT

At 11:56 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 15, 2000.

## THIRTY-SECOND DAY

Wednesday, March 15, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bud Stonebraker, Associate Pastor, Calvary Chapel of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Iwase and Matsuura who were excused.

The President announced that he had read and approved the Journal of the Thirty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Ihara introduced Corinna Eckl, the National Conference of State Legislatures' Hawaii Liaison.

Senators Fukunaga and Sakamoto then introduced Sandra Kim, Hawaii's Junior Miss 2000; Joy Tanimura, First Runner-Up; and Christine Gibo, Second Runner-Up.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 112 to 117) were read by the Clerk and were referred to committees:

## Senate Concurrent Resolution

No. 112 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE ATHLETIC DIRECTORS AND COACHES ASSOCIATION TO DEVELOP A PROPOSED COMPENSATION SCHEDULE FOR HIGH SCHOOL COACHES."

Offered by: Senators Hanabusa, Matsuura, Kawamoto, Chun, Inouye, Kanno, Levin, Nakata, Sakamoto, Slom, Tam, Tanaka, Taniguchi.

Referred to: Committee on Education and Technology, then to the Committee on Ways and Means

No. 113 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE EXISTING REPRESENTATION FRAMEWORK OF THE OFFICE OF HAWAIIAN AFFAIRS AND THE EFFECTS OF THE RICE V. CAYETANO DECISION."

Offered by: Senators Hanabusa, Buen, M. Ige, Kawamoto, Levin, Nakata, Slom, Tam, Tanaka, Taniguchi.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means

No. 114 "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONTINUE THE DOMESTIC VIOLENCE WORKING GROUP ESTABLISHED IN 1999 BY THE HAWAII STATE LEGISLATURE AND EXPAND THE MEMBERSHIP OF THE GROUP."

Offered by: Senators Matsunaga, Chumbley.

Referred to: Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 115 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S ELECTION AND CAMPAIGN SPENDING LAWS."

Offered by: Senators Matsunaga, Chumbley.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 116 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO CONDUCT PUBLIC HEARINGS AND CONSIDER JUDICIAL PERFORMANCE BASED UPON PEER REVIEW WITH RESPECT TO JUSTICES AND JUDGES WHO ARE BEING CONSIDERED FOR RETENTION."

Offered by: Senators Matsunaga, Chumbley.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 117 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SOCIAL WORK LICENSING LAWS."

Offered by: Senators Kanno, Taniguchi.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 56 to 58) were read by the Clerk and were referred to committees:

## Senate Resolution

No. 56 "SENATE RESOLUTION REQUESTING A STUDY OF THE EXISTING REPRESENTATION FRAMEWORK OF THE OFFICE OF HAWAIIAN AFFAIRS AND THE EFFECTS OF THE RICE V. CAYETANO DECISION."

Offered by: Senators Hanabusa, Kawamoto, Levin, Nakata, Slom, Tam, Tanaka, Taniguchi.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means

No. 57 "SENATE RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO CONDUCT PUBLIC HEARINGS AND CONSIDER JUDICIAL PERFORMANCE BASED UPON PEER REVIEW WITH RESPECT TO JUSTICES AND JUDGES WHO ARE BEING CONSIDERED FOR RETENTION."

Offered by: Senators Matsunaga, Chumbley.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 58 "SENATE RESOLUTION REQUESTING A STUDY OF SOCIAL WORK LICENSING LAWS."

Offered by: Senators Kanno, Taniguchi.

Referred to: Jointly to the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, then to the Committee on Ways and Means

### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2790 (Gov. Msg. No. 164):

Senator Hanabusa moved that Stand. Com. Rep. No. 2790 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of LYNN P. MCCRORY to the Board of Land and Natural Resources, term to expire June 30, 2004, seconded by Senator Tanaka.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Nakata). Excused, 3 (Bunda, Iwase, Matsuura).

Stand. Com. Rep. No. 2791 (Gov. Msg. No. 165):

Senator Hanabusa moved that Stand. Com. Rep. No. 2791 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Land Use Commission of the following:

BRUCE A. COPPA, terms to expire June 30, 2000, and June 30, 2004; and

LAWRENCE N.C. ING, term to expire June 30, 2004,

seconded by Senator Tanaka.

Senator Slom rose to speak with reservations on one of the nominee's as follows:

"Mr. President, I would like to vote with reservations on Mr. Coppa's appointment.

"Let me just say that my concerns go back to the governor's ERTF days when he was a member of the ERTF. In addition to not having small business and community representation on that task force, there were a number of public meetings held around the island to get feedback from citizens, including my district in East Honolulu, and in fact there was a lot of citizen input, so much so, that the ERTF staff could put it together in a big book. And the response of the ERTF task members was, 'thank you very much for your input, but we'll continue to meet behind closed doors,' as they did, and they did not accept any of the changes made by the community.

"I think that this is a very difficult position for anybody on any commission or board and, in particular, one as important as the Land Use Commission. So I will vote with reservations.

"Thank you."

Senator Nakata rose and said:

"Mr. President, I vote with reservations for Mr. Coppa. Thank you."

The Chair so ordered.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Iwase, Matsuura).

### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill                      Referred to:

No. 1763, H.D. 2      Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 2185, H.D. 2      Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs

No. 2280, H.D. 2      Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means

Senator M. Ige rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, first of all, we asked the attorney general some questions on Monday."

The President interjected:

"Yes, the attorney general called my office about an hour ago and the response should be in my office this afternoon at about one o'clock. It will then be transmitted to all Senators."

Senator M. Ige responded:

"I deeply appreciate it. My understanding is that yesterday he was on Kaho'olawe, and I believe that he is doing his best to respond to our concerns.

"Mr. President, you and I have discussed the various challenges raised as to whether I should be permitted to vote on the confirmation of Earl Anzai for attorney general. I want to say at the outset that I appreciate your position and the position of my colleagues that the Senate Rules will not be invoked to force a recusal on my part on this vote.

"I know that as elected officials we're all concerned about the representation of our constituency and the fulfillment of our responsibilities. I have had many sleepless nights over this issue. I have had discussions with my wife, my family, close personal friends. This issue, as in the cartoon in the newspaper, is a no win situation for me. If I were to vote in favor of Mr. Anzai, it may be construed as an admission that the attorney general has properly charged me. If I were to vote against Mr. Anzai, then it will be construed as a vote in retaliation.

"I have made my decision on what I'll be doing when Mr. Anzai's nomination is before us for advise and consent. Mr. President and fellow colleagues, I will ask that you excuse me from voting under Senate Rule 71 (2) when this matter is before us.

"Mr. President and colleagues, I thank you for your collective support of me as a fellow Senator. I do not want this institution, the Senate, to be tainted by any sentiment that you are protecting me from what should be the right thing to do.

"In closing, although the governor says he knows how I would vote, I believe he does not. I will, however -- for the benefit of my constituents who have the right to know how I would have voted -- give this sealed envelope, an open letter to my constituents, to Mr. Paul Kawaguchi and ask that he open it after the Anzai vote is taken. In this way, my constituents, Mr. Anzai, and the governor will know how I have voted.



"Mr. President and colleagues, I thank you."

### SENATE CONCURRENT RESOLUTIONS SENATE RESOLUTIONS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive Senate concurrent resolutions and Senate resolutions prior to 6:00 o'clock p.m. In consequence thereof, and subsequent to its recessing at 12:01 o'clock p.m., the following resolutions were received and deferred:

### SENATE CONCURRENT RESOLUTIONS

#### Senate Concurrent Resolution

No. 118 "SENATE CONCURRENT RESOLUTION REQUESTING STATE AND COUNTY AGENCIES TO RESPOND TO THE FINAL REPORT OF THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF REGARDING WAYS TO ASSIST SMALL BUSINESSES IN HAWAII."

Offered by: Senators Sakamoto, Chumbley, Chun Oakland, Fukunaga, Ihara, Kanno, Levin, Matsunaga, Slom, Tam.

No. 119 "SENATE CONCURRENT RESOLUTION PROJECT CITIZEN RECYCLING BIN PROJECT FOR KEAAU MIDDLE SCHOOL."

Offered by: Senators Matsuura, D. Ige.

No. 120 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO UPDATE THE LEGISLATURE ON THE EXISTENCE AND PURPOSE OF ANY DIABETES PROGRAMS IN HAWAII."

Offered by: Senator Tam.

No. 121 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE DEPARTMENT OF BUDGET AND FINANCE TO CONDUCT PUBLIC HEARINGS ON RESTRICTIONS IMPOSED ON DEPARTMENTAL AND AGENCY BUDGET ALLOCATIONS."

Offered by: Senator Tam.

No. 122 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS."

Offered by: Senators Chumbley, Matsunaga.

No. 123 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO COMPLY WITH EXISTING LAW AND REGULATIONS TO PREVENT THE EMPLOYMENT OF PERSONS WITH CRIMINAL CONVICTIONS IN POSITIONS WHICH PLACE THEM IN CLOSE PROXIMITY TO CHILDREN."

Offered by: Senators Chumbley, Matsunaga.

No. 124 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE APPROPRIATE MEASURES IN THE UNITED STATES CONGRESS CALLING FOR AN APOLOGY TO THE PEOPLE OF THE REPUBLIC OF THE MARSHALL ISLANDS FOR INJURIES SUSTAINED BY MARSHALL ISLANDERS AS A RESULT OF UNITED STATES NUCLEAR TESTING, AND INCREASED FUNDING IN THE RENEGOTIATED COMPACT OF FREE ASSOCIATION AS JUST

COMPENSATION FOR NUCLEAR-RELATED INJURIES AND DEATHS AND EXPANDED MEDICAL CARE FOR AFFECTED MARSHALL ISLANDERS."

Offered by: Senators Nakata, Hanabusa, Taniguchi.

No. 125 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR."

Offered by: Senators Fukunaga, Ihara, Tam, Chun Oakland, Taniguchi.

No. 126 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE POLICIES OF THE DEPARTMENT OF EDUCATION FOR PROCUREMENT OF PROFESSIONAL SERVICES."

Offered by: Senator Tam.

No. 127 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN ANNUAL FINANCIAL AUDIT OF THE STATE GOVERNMENT AND THE COUNTIES."

Offered by: Senator Tam.

No. 128 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE NEED FOR LEGISLATION TO ALLOW TEACHERS WHOSE CARS HAVE BEEN VANDALIZED TO PURSUE CLAIMS AGAINST THE STATE."

Offered by: Senator M. Ige.

No. 129 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK."

Offered by: Senators Kanno, Hanabusa, Ihara, Nakata, Taniguchi.

No. 130 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE EXISTING CONSTRUCTION LAWS AND PRACTICES RELATING TO NEW RESIDENTIAL OWNERS WHO REQUIRE REMEDIAL WORK."

Offered by: Senator Kanno.

No. 131 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII."

Offered by: Senator Inouye.

No. 132 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HURRICANE RELIEF FUND TO ESTABLISH A LOW COST LOAN FUND AND TO ESTABLISH A GRANT PROGRAM TO HELP HOMEOWNERS."

Offered by: Senator Inouye.

No. 133 "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY THE IMPLICATIONS OF INCREASED ACCESS TO STERILE SYRINGES."

Offered by: Senator Chun Oakland.

No. 134 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION."

Offered by: Senator Chun Oakland.

No. 135 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS."

Offered by: Senator Chun Oakland.

No. 136 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PROGRAMMATIC AND FINANCIAL AUDIT OF THE ALCOHOL AND DRUG ABUSE DIVISION OF THE DEPARTMENT OF HEALTH."

Offered by: Senator Chun Oakland, by request.

No. 137 "SENATE CONCURRENT RESOLUTION URGING LANDLORDS, ASSOCIATIONS OF APARTMENT OWNERS, AND TENANTS WITH AND WITHOUT PETS, TO RESPECT EACH OTHERS' RIGHTS AND TO WORK TOGETHER TO PROVIDE FOR THE NEEDS OF ALL OWNERS AND TENANTS."

Offered by: Senator Chun Oakland.

No. 138 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HEALTH AND EDUCATION TO ASSESS THE PREVALENCE OF HEAD LICE AND THE CURRENT USE OF CHEMICAL TREATMENT FOR HEAD LICE IN HAWAII'S SCHOOLS."

Offered by: Senator Chun Oakland.

No. 139 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH SUMMER SCHOOL CLASSES FOR STUDENTS IN WEST MAUI."

Offered by: Senators Buen, Anderson, Chun, Hanabusa, Matsuura.

No. 140 "SENATE CONCURRENT RESOLUTION RECOGNIZING THE TENTH ANNIVERSARY OF THE PRESIDENTIAL ORDER TO STOP THE BOMBING OF KAHOLAWE."

Offered by: Senators Buen, Anderson, Chun, Hanabusa, Matsuura.

No. 141 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE."

Offered by: Senators Chun, Anderson, Buen, Bunda, Chumbley, Hanabusa, M. Ige, Kawamoto, Nakata, Tam, Tanaka.

No. 142 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION CONSIDER ESTABLISHING EITHER A WORK EXPERIENCE OR A COMMUNITY SERVICE COMPONENT AS A REQUIREMENT FOR GRADUATION FROM HIGH SCHOOL."

Offered by: Senators Mizuguchi, D. Ige.

No. 143 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO IDENTIFY POTENTIAL SOURCES OF PERMANENT DEDICATED FUNDING AND FUNDING NEEDS OF THE NATURAL AREA RESERVES SYSTEM."

Offered by: Senator Nakata.

No. 144 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE ATTORNEY GENERAL TO CONDUCT A LEGAL REVIEW OF CONCERNS REGARDING AUTOMATIC PERMIT APPROVAL."

Offered by: Senator Nakata.

No. 145 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HAWAII TOURISM AUTHORITY CONDUCT A STUDY TO EVALUATE THE CONDITIONS OF STATE PARK REST ROOM FACILITIES."

Offered by: Senator Nakata.

No. 146 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ASSESS EXISTING TYPES OF ENERGY-EFFICIENT TECHNOLOGY AND EQUIPMENT AVAILABLE TO IMPROVE THE LEARNING ENVIRONMENT AND MINIMIZE THE COST TO OPERATE SCHOOLS."

Offered by: Senator Nakata.

No. 147 "SENATE CONCURRENT RESOLUTION REQUESTING THE CAMPAIGN SPENDING COMMISSION TO ESTABLISH CLEAR CAMPAIGN SPENDING GUIDELINES."

Offered by: Senators Hanabusa, Anderson, Bunda, Chun, M. Ige, Nakata, Sakamoto, Tanaka.

No. 148 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO CHANGE THE METHOD OF ALLOCATING FUNDS FOR NEW SCHOOL ATHLETIC PROGRAMS."

Offered by: Senators Hanabusa, Anderson, Bunda, Chun, M. Ige, Nakata, Sakamoto, Tanaka.

No. 149 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A GENERIC DOCKET ON THE ISSUES OF OVERHEAD AND UNDERGROUND PLACEMENT OF UTILITY LINES."

Offered by: Senators Fukunaga, Ihara, Kanno, Taniguchi.

No. 150 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP A PROCESS OF NOTIFYING STATE AND COUNTY ELECTED OFFICIALS OF BUSINESS INQUIRIES MADE TO STATE AGENCIES."

Offered by: Senator Levin.

No. 151 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE ITS 1992 SUMMARY OF SPECIAL AND REVOLVING FUNDS."

Offered by: Senator Levin.

No. 152 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW THE STATUTORY FRAMEWORK RELATING TO THE LEASING OF STATE LANDS."

Offered by: Senator Chun.

No. 153 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN AUDIT OF POTENTIAL COST SAVINGS IF DIRECT FILING OF CRIMINAL CHARGES WERE INSTITUTED."

Offered by: Senator Matsunaga.

No. 154 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE THE ALLOCATION OF FISHING RIGHTS."

Offered by: Senators Chun, Buen, Chumbley, D. Ige, Slom, Taniguchi.

No. 155 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF."

Offered by: Senators Sakamoto, Anderson, Chun, M. Ige, Inouye, Tam.

No. 156 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY FOR THE PURPOSE OF PROVIDING ADDITIONAL SAFE BIKEPATHS."

Offered by: Senators Kawamoto, Buen.

No. 157 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH A POSITION OF MILITARY LIAISON OFFICER FOR THE BOARD OF EDUCATION."

Offered by: Senators Kawamoto, Buen.

No. 158 "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO CONTINUE TO MAINTAIN AND PROVIDE ACCESS TO THE NATIONWIDE CRIMINAL JUSTICE INFORMATION SYSTEMS THROUGH THE HONOLULU POLICE DEPARTMENT."

Offered by: Senator Kawamoto.

No. 159 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE ESTABLISHMENT OF ALTERNATIVE ACCESS ROUTES FOR THE NORTH SHORE OF OAHU."

Offered by: Senator Bunda.

No. 160 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXAMINE COSTS AND WAYS TO CONNECT THE NORTH SHORE TO THE WAIANAE COAST OVER THE KAENA POINT WHILE AVOIDING THE KAENA POINT NATURAL AREA RESERVE."

Offered by: Senator Bunda.

No. 161 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ADOPT A DEPARTMENT-WIDE POLICY TO REQUIRE AGENCIES UNDER STATE CONTRACT WHO PROVIDE SERVICES TO CHILDREN TO CONDUCT CRIMINAL HISTORY CHECKS OF PROSPECTIVE EMPLOYEES."

Offered by: Senator Matsunaga.

No. 162 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO DETERMINE WHETHER PUBLIC CONTRACTS WITH PRIVATE NON-PROFIT SERVICE PROVIDERS SHOULD INCLUDE PROVISIONS REGARDING ALLOCATION OF LIABILITY."

Offered by: Senator Matsunaga.

No. 163 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTING POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE."

Offered by: Senator Matsuura.

No. 164 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF HAWAII'S MUTUAL BENEFIT SOCIETIES AND HEALTH MAINTENANCE ORGANIZATIONS."

Offered by: Senators Matsuura, by request, Kanno, by request, Taniguchi, by request.

No. 165 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE HOW THE COST SAVINGS ATTRIBUTABLE TO MOTOR VEHICLE REFORM UNDER ACT 251, SESSION LAWS OF HAWAII 1997, HAS IMPACTED CONSUMER ACCESSIBILITY TO MEDICALLY REASONABLE, NECESSARY, AND APPROPRIATE REFERRAL TO MASSAGE THERAPY AND PHYSICAL THERAPY."

Offered by: Senators Hanabusa, Kanno, Taniguchi.

No. 166 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION."

Offered by: Senator Kanno.

No. 167 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO WORK WITH AREA RESIDENTS TO DEVELOP USE OPTIONS FOR THE STADIUM BOWL-ODROME PROPERTY."

Offered by: Senator Taniguchi.

No. 168 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE PUBLIC UTILITIES COMMISSION."

Offered by: Senators Taniguchi, by request, Kanno.

No. 169 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO

CONDUCT A STUDY ON METHODS TO FINANCE THE UNDERGROUNDING OF OVERHEAD UTILITY LINES."

Offered by: Senators Taniguchi, Kanno, Hanabusa, Ihara, Inouye, Matsuura, Slom.

No. 170 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO COLLABORATE WITH ELECTRICAL SERVICE PROVIDERS AND ASSESS NET ENERGY METERING."

Offered by: Senators Taniguchi, Kanno, Hanabusa, Ihara, Matsuura, Slom.

No. 171 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CONVENE A WORKING GROUP TO STUDY THE FEASIBILITY OF IMPLEMENTING A ONE-CALL SYSTEM FOR THE LOCATION OF UNDERGROUND FACILITIES."

Offered by: Senators Taniguchi, Kanno, Hanabusa, Ihara, Inouye, Matsuura, Slom.

No. 172 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO ISSUE AN ADMINISTRATIVE DIRECTIVE IN ACCORDANCE TO THE PRESIDENT OF THE UNITED STATES EXECUTIVE ORDER 13123, GREENING THE GOVERNMENT THROUGH EFFICIENT ENERGY MANAGEMENT."

Offered by: Senators Fukunaga, Ihara, Kanno.

No. 173 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A NEW DOCKET ON DEMAND SIDE MANAGEMENT."

Offered by: Senators Fukunaga, Ihara, Kanno, Taniguchi.

No. 174 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF PROCESS SERVERS."

Offered by: Senators Fukunaga, Ihara, Kanno, Taniguchi.

No. 175 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE ADEQUACY OF THE DEPARTMENT OF EDUCATION'S LANGUAGE ARTS PROGRAM IN HAWAII FOR CREOLE ENGLISH-SPEAKING STUDENTS WITH LIMITED ENGLISH PROFICIENCY."

Offered by: Senator D. Ige.

No. 176 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DEVELOP A PROPOSAL FOR A CHIEF INFORMATION OFFICER FOR THE STATE OF HAWAII."

Offered by: Senators D. Ige, Fukunaga, Ihara, Sakamoto.

No. 177 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF EDUCATION TO STUDY OTHER PROGRAMS NATIONWIDE THAT DEAL WITH PROFICIENCY-BASED UNIVERSITY ADMISSIONS AND STANDARDS-BASED EDUCATION REFORM."

Offered by: Senator Sakamoto.

No. 178 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO APPOINT A CITIZENS' ADVISORY COMMISSION TO REVIEW THE STATE'S ALA WAI GOLF COURSE REVITALIZATION PLAN."

Offered by: Senators Ihara, Fukunaga, Levin, Matsunaga, Taniguchi.

No. 179 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES."

Offered by: Senators Ihara, Fukunaga, Sakamoto, Taniguchi.

No. 180 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CREATE AND IMPLEMENT A STANDARDIZED POWER PURCHASE AGREEMENT."

Offered by: Senators Ihara, Fukunaga, Kanno, Sakamoto.

No. 181 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CREATE AND IMPLEMENT A STANDARDIZED INTERCONNECTION AGREEMENT."

Offered by: Senators Inouye, Fukunaga, Ihara, Kanno, Nakata, Taniguchi.

No. 182 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A DOCKET ON NET METERING."

Offered by: Senators Inouye, Ihara, Kanno, Levin, Nakata, Taniguchi.

No. 183 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF THE USE OF HYDROGEN AS A FUEL FOR TRANSPORTATION AND POWER GENERATION."

Offered by: Senators Inouye, Anderson, Buen, Chumbley, Chun, Chun Oakland, Fukunaga, Hanabusa, D. Ige, Ihara, Kanno, Kawamoto, Levin, Matsunaga, Matsuura, Mizuguchi, Nakata, Sakamoto, Slom, Tam, Tanaka, Taniguchi.

No. 184 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE EMPLOYEES' RETIREMENT SYSTEM TO INVEST TEN PERCENT OF ALTERNATIVE ASSET ALLOCATIONS IN VENTURE CAPITAL FUNDS FOR HAWAII TECHNOLOGY COMPANIES."

Offered by: Senator Inouye.

No. 185 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT AN ANALYSIS OF CURRENT AND COMPARATIVE PATTERNS OF PUBLIC SCHOOL FINANCING FOR K-12 EDUCATION."

Offered by: Senator Levin.

No. 186 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO INVESTIGATE THE ALLEGED LACK OF AVAILABLE PSYCHIATRIC CARE WITHIN CORRECTIONAL FACILITIES."

Offered by: Senator Levin.

No. 187 "SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE PHILIPPINES SUPREME COURT TO EXPEDITE A REVIEW OF THE CONVICTION OF AMERICAN CITIZEN LEON R. ROUSE."

Offered by: Senator Levin, by request.

No. 188 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO SUPPORT AND EXPLORE A VOLUNTEER-BASED COMMUNITY LIBRARY ASSISTANCE PROGRAM."

Offered by: Senator Tam.

No. 189 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO DEVELOP A DIRECTORY WITH FLOOR PLANS FOR EACH JUDICIARY BUILDING AND TO POST THE DAILY COURT CALENDAR EACH DAY NEXT TO THE DIRECTORY."

Offered by: Senator Tam.

No. 190 "SENATE CONCURRENT RESOLUTION REQUESTING CLARIFICATION TO ASCERTAIN WHAT RULES OR OTHER MEASURES MAY BE PUT IN PLACE BY THE KANEOHE BAY REGIONAL COUNCIL AND ITS ACTUAL AUTHORITY."

Offered by: Senator Tam.

No. 191 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AUDIT OF THE FORMER AND CURRENT STATE GOVERNMENT AND COUNTIES."

Offered by: Senator Tam.

No. 192 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CREATE AN ELEMENTARY SCHOOL-LEVEL PHYSICAL EDUCATION PROGRAM."

Offered by: Senator Slom.

No. 193 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REPORT TO THE LEGISLATURE THE STATUS OF ITS EFFORTS TO CONVERT TO THE NEW GOVERNMENTAL ACCOUNTING STANDARDS REQUIRED BY THE GOVERNMENT ACCOUNTING STANDARDS BOARD."

Offered by: Senators Slom, Anderson, Buen, Chun, Fukunaga, Hanabusa, Ihara, Matsunaga, Matsuura, Nakata, Sakamoto, Tam, Taniguchi.

No. 194 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE THE LEGISLATURE WITH STATISTICAL DATA ON TERMINATION OF PREGNANCIES."

Offered by: Senators Slom, Anderson, Chun, Matsuura, Sakamoto.

No. 195 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO AMEND THE FEDERAL EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974, AS AMENDED, TO ALLOW AN AMENDMENT TO THE HAWAII PREPAID HEALTH CARE ACT TO REMOVE THE 1.5 PER CENT LIMIT OF EMPLOYEES WAGES THAT EMPLOYEES ARE REQUIRED TO PAY FOR HEALTH CARE PREMIUMS IN ORDER TO ACHIEVE

EQUITY AND AFFORD HAWAII'S EMPLOYERS RELIEF FROM INCREASING HEALTH CARE COVERAGE COSTS."

Offered by: Senators Slom, Anderson, Fukunaga, Ihara, Sakamoto.

No. 196 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, TO REPORT ON THE TRANSITION OF THE HAWAII STATE HOSPITAL TO A SECURED PSYCHOSOCIAL REHABILITATION FACILITY."

Offered by: Senator Chun Oakland.

No. 197 "SENATE CONCURRENT RESOLUTION REQUESTING THE KEIKI INJURY PREVENTION COALITION TO CONVENE A WORKING GROUP TO EVALUATE AND RECOMMEND MEASURES TO ENCOURAGE THE USE OF TRIGGER OR GUN LOCKS BY FIREARM OWNERS."

Offered by: Senator Chun Oakland.

No. 198 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE OFFICE OF THE ATTORNEY GENERAL'S ACTIONS AND EXPENSES RELATED TO THE FELIX CONSENT DECREE, SPECIAL EDUCATION AND SECTION 504 STUDENTS."

Offered by: Senator Chun Oakland.

No. 199 "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS ON HOW TO IMPROVE THE LAWS CONCERNING THE SEXUAL EXPLOITATION OF WOMEN AND CHILDREN."

Offered by: Senator Chun Oakland.

No. 200 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO DEVELOP A DATABASE THAT PROVIDES AN INTEGRATED INFORMATION SYSTEM CAPABLE OF TRACKING AN INDIVIDUAL'S INVOLVEMENT IN THE FAMILY COURT SYSTEM AND SOCIAL SERVICE AGENCIES."

Offered by: Senator Chun Oakland.

No. 201 "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A RESEARCH INSTITUTE AND A MASTER OF ARTS PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA CENTER FOR HAWAIIAN STUDIES."

Offered by: Senator Matsuura.

No. 202 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE GUARDIANS AD LITEM FEES."

Offered by: Senator Tam.

No. 203 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ESTABLISH A TRANSITION PLAN TO TRANSFER THE FUNCTIONS AND RESPONSIBILITIES OF THE CONVENTION CENTER AUTHORITY TO THE HAWAII TOURISM AUTHORITY."

Offered by: Senators Buen, Inouye.

No. 204 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO

CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS."

Offered by: Senator Kanno.

No. 205 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF CONSUMER PROTECTION TO CONVENE A WORKING GROUP TO STUDY THE NEED FOR LEGISLATION REQUIRING PLATINUM STAMPING."

Offered by: Senators Buen, by request, Kanno.

No. 206 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT ASSESSING THE IMPACT OF THE INCREASED WORKLOADS OF SCHOOL PRINCIPALS ON THEIR ABILITY TO BE EFFECTIVE INSTRUCTIONAL LEADERS."

Offered by: Senator Kanno.

No. 207 "SENATE CONCURRENT RESOLUTION URGING THE ATTORNEY GENERAL TO AMICABLY AND INFORMALLY RESOLVE, THROUGH NEGOTIATION AND SETTLEMENT, KALIMA V. STATE OF HAWAII, CIVIL NO. 99-4771-12 VSM, PENDING BEFORE THE FIRST CIRCUIT COURT."

Offered by: Senators Hanabusa, Anderson, Buen, M. Ige, Matsuura.

No. 208 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT."

Offered by: Senators Kanno, Chun Oakland.

No. 209 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF CONVERTING THE SMALL BUSINESS OMBUDSMAN POSITION TO AN ENVIRONMENTAL CONSUMER ADVOCATE POSITION."

Offered by: Senator Kanno.

No. 210 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATURE'S CONSULTANT ON THE PROVISION OF MENTAL HEALTH SERVICES AT THE HAWAII STATE HOSPITAL."

Offered by: Senators Mizuguchi, Chun Oakland.

No. 211 "SENATE CONCURRENT RESOLUTION URGING THE MEDIA TO COMMIT ITSELF ANEW TO ITS OWN CODE OF ETHICS AND ABIDE BY THE DISCIPLINE AND RESPONSIBILITY INHERENT IN THE CONSTITUTIONAL PROTECTIONS WISELY GRANTED TO OUR SPEECH AND PRESS."

Offered by: Senator Anderson.

### SENATE RESOLUTIONS

#### Senate Resolution

No. 59 "SENATE RESOLUTION REQUESTING THE GOVERNOR AND THE DEPARTMENT OF BUDGET AND FINANCE TO CONDUCT PUBLIC HEARINGS ON RESTRICTIONS IMPOSED ON DEPARTMENTAL AND AGENCY BUDGET ALLOCATIONS."

Offered by: Senator Tam.

No. 60 "SENATE RESOLUTION REQUESTING THE GOVERNMENT OPERATIONS AND HOUSING COMMITTEE TO REVIEW CURRENT TELEPHONE USAGE AND TO DETERMINE WHETHER DEPARTMENTAL GUIDELINES NEED TO BE ESTABLISHED."

Offered by: Senator Tam.

No. 61 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR."

Offered by: Senators Fukunaga, Ihara, Tam, Chun Oakland, Taniguchi.

No. 62 "SENATE RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK."

Offered by: Senators Kanno, Hanabusa, Ihara, Nakata, Taniguchi.

No. 63 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE EXISTING CONSTRUCTION LAWS AND PRACTICES RELATING TO NEW RESIDENTIAL OWNERS WHO REQUIRE REMEDIAL WORK."

Offered by: Senator Kanno.

No. 64 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII."

Offered by: Senator Inouye.

No. 65 "SENATE RESOLUTION REQUESTING THE HAWAII HURRICANE RELIEF FUND TO ESTABLISH A LOW COST LOAN FUND AND TO ESTABLISH A GRANT PROGRAM TO HELP HOMEOWNERS."

Offered by: Senator Inouye.

No. 66 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH SUMMER SCHOOL CLASSES FOR STUDENTS IN WEST MAUI."

Offered by: Senators Buen, Anderson, Chun, Hanabusa, Matsuura.

No. 67 "SENATE RESOLUTION RECOGNIZING THE TENTH ANNIVERSARY OF THE PRESIDENTIAL ORDER TO STOP THE BOMBING OF KAHŌ'OLAWĒ."

Offered by: Senators Buen, Anderson, Chun, Hanabusa, Matsuura.

No. 68 "SENATE RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE."

Offered by: Senators Chun, Anderson, Buen, Bunda, Chumbley, Hanabusa, M. Ige, Kawamoto, Nakata, Tam, Tanaka.

No. 69 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION CONSIDER ESTABLISHING EITHER A WORK EXPERIENCE OR A COMMUNITY SERVICE COMPONENT AS A REQUIREMENT FOR GRADUATION FROM HIGH SCHOOL."

Offered by: Senators Mizuguchi, D. Ige.

No. 70 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO IDENTIFY POTENTIAL SOURCES OF PERMANENT DEDICATED FUNDING AND FUNDING NEEDS OF THE NATURAL AREA RESERVES SYSTEM."

Offered by: Senator Nakata.

No. 71 "SENATE RESOLUTION REQUESTING THE STATE ATTORNEY GENERAL TO CONDUCT A LEGAL REVIEW OF CONCERNS REGARDING AUTOMATIC PERMIT APPROVAL."

Offered by: Senator Nakata.

No. 72 "SENATE RESOLUTION REQUESTING THE CAMPAIGN SPENDING COMMISSION TO ESTABLISH CLEAR CAMPAIGN SPENDING GUIDELINES."

Offered by: Senators Hanabusa, Anderson, Bunda, M. Ige, Sakamoto, Tanaka.

No. 73 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A GENERIC DOCKET ON THE ISSUES OF OVERHEAD AND UNDERGROUND PLACEMENT OF UTILITY LINES."

Offered by: Senators Fukunaga, Ihara, Kanno, Taniguchi.

No. 74 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP A PROCESS OF NOTIFYING STATE AND COUNTY ELECTED OFFICIALS OF BUSINESS INQUIRIES MADE TO STATE AGENCIES."

Offered by: Senator Levin.

No. 75 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE THE ALLOCATION OF FISHING RIGHTS."

Offered by: Senators Chun, Buen, Chumbley, D. Ige, Slom.

No. 76 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO DEVELOP A SEAMLESS K-16 EDUCATION SYSTEM THAT WILL ENABLE STUDENTS TO MOVE EASILY FROM ELEMENTARY SCHOOL TO MIDDLE SCHOOL, MIDDLE SCHOOL TO HIGH SCHOOL, HIGH SCHOOL TO COLLEGE, AND COLLEGE TO WORK."

Offered by: Senators Sakamoto, Anderson, Chun, M. Ige, Inouye, Tam, Taniguchi.

No. 77 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY FOR THE PURPOSE OF PROVIDING ADDITIONAL SAFE BIKEPATHS."

Offered by: Senators Kawamoto, Buen.

No. 78 "SENATE RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH A POSITION OF

MILITARY LIAISON OFFICER FOR THE BOARD OF EDUCATION."

Offered by: Senators Kawamoto, Buen.

No. 79 "SENATE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO CONTINUE TO MAINTAIN AND PROVIDE ACCESS TO THE NATIONWIDE CRIMINAL JUSTICE INFORMATION SYSTEMS THROUGH THE HONOLULU POLICE DEPARTMENT."

Offered by: Senator Kawamoto.

No. 80 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE ESTABLISHMENT OF ALTERNATIVE ACCESS ROUTES FOR THE NORTH SHORE OF OAHU."

Offered by: Senator Bunda.

No. 81 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTING POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE."

Offered by: Senator Matsuura.

No. 82 "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF HAWAII'S MUTUAL BENEFIT SOCIETIES AND HEALTH MAINTENANCE ORGANIZATIONS."

Offered by: Senators Matsuura, by request, Kanno, by request, Taniguchi, by request.

No. 83 "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE HOW THE COST SAVINGS ATTRIBUTABLE TO MOTOR VEHICLE REFORM UNDER ACT 251, SESSION LAWS OF HAWAII 1997, HAS IMPACTED CONSUMER ACCESSIBILITY TO MEDICALLY REASONABLE, NECESSARY, AND APPROPRIATE REFERRAL TO MASSAGE THERAPY AND PHYSICAL THERAPY."

Offered by: Senators Hanabusa, Kanno, Taniguchi.

No. 84 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A NEW DOCKET ON DEMAND SIDE MANAGEMENT."

Offered by: Senators Fukunaga, Ihara, Kanno, Taniguchi.

No. 85 "SENATE RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DEVELOP A PROPOSAL FOR A CHIEF INFORMATION OFFICER FOR THE STATE OF HAWAII."

Offered by: Senators D. Ige, Fukunaga, Ihara, Sakamoto.

No. 86 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF EDUCATION TO STUDY OTHER PROGRAMS NATIONWIDE THAT DEAL WITH PROFICIENCY-BASED UNIVERSITY ADMISSIONS AND STANDARDS-BASED EDUCATION REFORM."

Offered by: Senator Sakamoto.

No. 87 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO APPOINT A CITIZENS' ADVISORY COMMISSION TO REVIEW THE STATE'S ALA WAI GOLF COURSE REVITALIZATION PLAN."

Offered by: Senators Ihara, Fukunaga, Levin, Taniguchi.

No. 88 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CREATE AND IMPLEMENT A STANDARDIZED POWER PURCHASE AGREEMENT."

Offered by: Senators Ihara, Fukunaga, Kanno, Sakamoto.

No. 89 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CREATE AND IMPLEMENT A STANDARDIZED INTERCONNECTION AGREEMENT."

Offered by: Senators Inouye, Fukunaga, Ihara, Kanno, Nakata, Taniguchi.

No. 90 "SENATE RESOLUTION ENCOURAGING THE EMPLOYEES' RETIREMENT SYSTEM TO INVEST TEN PERCENT OF ALTERNATIVE ASSET ALLOCATIONS IN VENTURE CAPITAL FUNDS FOR HAWAII TECHNOLOGY COMPANIES."

Offered by: Senator Inouye.

No. 91 "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS AND HOUSING TO REVIEW THE PROCUREMENT PROCESS FOR ARCHITECTURAL AND ENGINEERING SERVICES."

Offered by: Senator Tam.

No. 92 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CREATE AN ELEMENTARY SCHOOL-LEVEL PHYSICAL EDUCATION PROGRAM."

Offered by: Senator Slom.

No. 93 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A DOCKET ON NET METERING."

Offered by: Senators Inouye, Ihara, Kanno, Levin, Nakata, Taniguchi.

No. 94 "SENATE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ESTABLISH A TRANSITION PLAN TO TRANSFER THE FUNCTIONS AND RESPONSIBILITIES OF THE CONVENTION CENTER AUTHORITY TO THE HAWAII TOURISM AUTHORITY."

Offered by: Senators Buen, Inouye.

No. 95 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS."

Offered by: Senator Kanno.

No. 96 "SENATE RESOLUTION REQUESTING THE OFFICE OF CONSUMER PROTECTION TO CONVENE A WORKING GROUP TO STUDY THE NEED FOR LEGISLATION REQUIRING PLATINUM STAMPING."

Offered by: Senators Buen, by request, Kanno.

No. 97 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION."

Offered by: Senator Kanno.

No. 98 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT."

Offered by: Senators Kanno, Chun Oakland.

No. 99 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATURE'S CONSULTANT ON THE PROVISION OF MENTAL HEALTH SERVICES AT THE HAWAII STATE HOSPITAL."

Offered by: Senators Mizuguchi, Chun Oakland.

#### ADJOURNMENT

At 6:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Thursday, March 16, 2000.



## THIRTY-THIRD DAY

Thursday, March 16, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Edgar Avila, Pastor, Moanalua Community Church, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Iwase who were excused.

The President announced that he had read and approved the Journal of the Thirty-Second Day.

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock a.m. with the Vice President in the Chair.

Senator Tam, in recognizing National Brain Awareness Week and Hawaii Brain Awareness Volunteer Recognition Day, introduced Dr. James F. Craine, chairperson of the board of the Craine Institute of Neuropsychology Community-based Healthcare, and recognized him for his dedication, community leadership, and contributions to health care. Senator Tam also introduced Dr. William Wood, a recipient of the prestigious Vikki Lianne Moritsugu Public Health Leadership Award, and recognized him for his outstanding work in championing the causes of brain injury and organ donation programs.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

## STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2792) recommending that S.C.R. No. 12 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 12, entitled: "SENATE CONCURRENT RESOLUTION ADOPTING KEY COMMUNITY OUTCOMES OF WELL-BEING FOR THE PEOPLE OF THE STATE OF HAWAII," was adopted.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2793) recommending that H.B. No. 2895, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2895, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2794) recommending that the Senate advise and consent to the nominations of KENNETH R. JOYNER, LANCE M. MARUGAME and RICHARD Y. MITSUMORI to the State Board of Barbering and Cosmetology, in accordance with Gov. Msg. No. 150.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2794 and Gov. Msg. No. 150 was deferred until Friday, March 17, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2795) recommending that the Senate advise and consent to the nomination of ROBERT E. KLEIN, D.C., to the State Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 151.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2795 and Gov. Msg. No. 151 was deferred until Friday, March 17, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2796) recommending that the Senate advise and consent to the nomination of BARTON M. SEXTON to the Credit Union Advisory Board, in accordance with Gov. Msg. No. 154.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2796 and Gov. Msg. No. 154 was deferred until Friday, March 17, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2797) recommending that the Senate advise and consent to the nomination of GERALD M. YAMAMOTO to the Elevator Mechanics Licensing Board, in accordance with Gov. Msg. No. 157.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2797 and Gov. Msg. No. 157 was deferred until Friday, March 17, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2798) recommending that the Senate advise and consent to the nominations of RONALD Y. FUJIMOTO, D.O., DAVID T. LEE, D.O., and PATRICIA L. BLANCHETTE, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 166.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2798 and Gov. Msg. No. 166 was deferred until Friday, March 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2799) recommending that the Senate consent to the nomination of BARBARA P. RICHARDSON to the office of Judge, District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 1.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2799 and Jud. Com. No. 1 was deferred until Friday, March 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2800) recommending that the Senate consent to the nomination of ALEY K. AUNA, JR., to the office of Judge, District Family Court of the Third Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 2.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2800 and Jud. Com. No. 2 was deferred until Friday, March 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2801) recommending that the Senate consent to the nomination of TERENCE T. YOSHIOKA to the office of Judge, District

Family Court of the Third Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 3.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2801 and Jud. Com. No. 3 was deferred until Friday, March 17, 2000.

### ORDER OF THE DAY

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair made the following committee assignments of concurrent resolutions that were offered on Wednesday, March 15, 2000:

Senate  
Concurrent  
Resolution

Referred to:

- |         |  |         |   |
|---------|--|---------|---|
| No. 118 | Jointly to the Committee on Commerce and Consumer Protection, the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means | No. 133 | Committee on Health and Human Services, then to the Committee on Ways and Means   |
| No. 119 | Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means   | No. 134 | Committee on Health and Human Services, then to the Committee on Ways and Means   |
| No. 120 | Committee on Health and Human Services, then to the Committee on Ways and Means  | No. 135 | Committee on Health and Human Services, then to the Committee on Ways and Means   |
| No. 121 | Committee on Ways and Means  | No. 136 | Committee on Health and Human Services, then to the Committee on Ways and Means   |
| No. 122 | Committee on Judiciary, then to the Committee on Ways and Means  | No. 137 | Committee on Government Operations and Housing  |
| No. 123 | Committee on Education and Technology, then to the Committee on Judiciary  | No. 138 | Jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means                    |
| No. 124 | Committee on Transportation and Intergovernmental Affairs  | No. 139 | Committee on Education and Technology, then to the Committee on Ways and Means  |
| No. 125 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means   | No. 140 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs   |
| No. 126 | Jointly to the Committee on Education and Technology and the Committee on Government Operations and Housing, then to the Committee on Ways and Means   | No. 141 | Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means |
| No. 127 | Jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means                                       | No. 142 | Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means                        |
| No. 128 | Jointly to the Committee on Judiciary and the Committee on Education and Technology, then to the Committee on Ways and Means   | No. 143 | Committee on Labor and Environment, then to the Committee on Ways and Means   |
| No. 129 | Committee on Labor and Environment, then to the Committee on Ways and Means  | No. 144 | Committee on Judiciary  |
| No. 130 | Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means   | No. 145 | Committee on Economic Development, then to the Committee on Ways and Means  |
| No. 131 | Committee on Economic Development, then to the Committee on Ways and Means   | No. 146 | Jointly to the Committee on Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means                         |
| No. 132 | Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means   | No. 147 | Committee on Judiciary  |
|         |  | No. 148 | Committee on Education and Technology, then to the Committee on Ways and Means  |
|         |  | No. 149 | Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means  |
|         |  | No. 150 | Committee on Economic Development, then to the Committee on Ways and Means  |
|         |  | No. 151 | Committee on Ways and Means   |
|         |  | No. 152 | Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means                |
|         |  | No. 153 | Committee on Judiciary, then to the Committee on Ways and Means   |
|         |  | No. 154 | Committee on Economic Development, then to the Committee on Judiciary   |
|         |  | No. 155 | Committee on Economic Development, then to the Committee on Ways and Means  |
|         |  | No. 156 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means  |

No. 157 Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 158 Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 159 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 160 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 161 Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 162 Committee on Judiciary, then to the Committee on Ways and Means

No. 163 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 164 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 165 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 166 Committee on Health and Human Services, then to the Committee on Education and Technology

No. 167 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 168 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 169 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 170 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 171 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 172 Committee on Economic Development, then to the Committee on Ways and Means

No. 173 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 174 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means

No. 175 Committee on Education and Technology, then to the Committee on Ways and Means

No. 176 Committee on Education and Technology, then to the Committee on Ways and Means

No. 177 Committee on Education and Technology, then to the Committee on Ways and Means

No. 178 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 179 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 180 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 181 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 182 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 183 Committee on Economic Development, then to the Committee on Ways and Means

No. 184 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Economic Development, then to the Committee on Ways and Means

No. 185 Committee on Education and Technology, then to the Committee on Ways and Means

No. 186 Jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 187 Committee on Judiciary

No. 188 Committee on Education and Technology, then to the Committee on Ways and Means

No. 189 Committee on Judiciary, then to the Committee on Ways and Means

No. 190 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 191 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 192 Committee on Education and Technology, then to the Committee on Ways and Means

No. 193 Committee on Ways and Means

No. 194 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 195 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 196 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 197 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 198 Committee on Judiciary, then to the Committee on Ways and Means

No. 199 Committee on Judiciary, then to the Committee on Ways and Means

No. 200 Committee on Judiciary, then to the Committee on Ways and Means

No. 201 Committee on Education and Technology, then to the Committee on Ways and Means

No. 202 Committee on Judiciary, then to the Committee on Ways and Means

No. 203 Committee on Economic Development, then to the Committee on Ways and Means

No. 204 Jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 205 Committee on Commerce and Consumer Protection

No. 206 Committee on Education and Technology, then to the Committee on Ways and Means

No. 207 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means

No. 208 Jointly to the Committee on Health and Human Services and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 209 Jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 210 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 211 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

#### REFERRAL OF SENATE RESOLUTIONS

The Chair made the following committee assignments of resolutions that were offered on Wednesday, March 15, 2000:

Senate Resolution	Referred to:
No. 59	Committee on Ways and Means
No. 60	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 61	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 62	Committee on Labor and Environment, then to the Committee on Ways and Means
No. 63	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 64	Committee on Economic Development, then to the Committee on Ways and Means
No. 65	Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
No. 66	Committee on Education and Technology, then to the Committee on Ways and Means
No. 67	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs
No. 68	Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 69	Jointly to the Committee on Education and Technology and the Committee on Labor and Environment, then to the Committee on Ways and Means
No. 70	Committee on Labor and Environment, then to the Committee on Ways and Means

No. 71 Committee on Judiciary

No. 72 Committee on Judiciary

No. 73 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 74 Committee on Economic Development, then to the Committee on Ways and Means

No. 75 Committee on Economic Development, then to the Committee on Judiciary

No. 76 Committee on Education and Technology, then to the Committee on Ways and Means

No. 77 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 78 Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 79 Jointly to the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 80 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 81 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 82 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 83 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 84 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 85 Committee on Education and Technology, then to the Committee on Ways and Means

No. 86 Committee on Education and Technology, then to the Committee on Ways and Means

No. 87 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 88 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 89 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 90 Jointly to the Committee on Commerce and Consumer Protection and the Committee on Economic Development, then to the Committee on Ways and Means

No. 91 Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 92 Committee on Education and Technology, then to the Committee on Ways and Means

No. 93 Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 94 Committee on Economic Development, then to the Committee on Ways and Means

No. 95 Jointly to the Committee on Labor and Environment and the Committee on Health and Human Services, then to the Committee on Ways and Means

No. 96 Committee on Commerce and Consumer Protection

No. 97 Committee on Health and Human Services, then to the Committee on Education and Technology

No. 98 Jointly to the Committee on Health and Human Services and the Committee on Labor and Environment, then to the Committee on Ways and Means

No. 99 Committee on Health and Human Services, then to the Committee on Ways and Means

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Now that the referrals have become the property of the Senate, Mr. President, I would like to speak on a resolution that we introduced. The resolution has now been referred to committees.

"Being here for 20 years, I know the process. Your bills and your resolutions go to a committee, and ours never get heard. So for that reason, I wanted to read why I put in this particular Senate concurrent resolution.

"This resolution urges the media to commit itself anew to its own code of ethics and to abide by the discipline and responsibility inherent in the constitutional protections wisely granted to our freedom of speech and press. The reason we introduced this resolution is because I believe that over the years the press has become so powerful. I refer to all of the media -- printed media, radio, television, the like. People are afraid to speak their minds. They've taken away something that we hold dearly -- the freedom of speech, Mr. President.

"I believe that the group that authored the code of ethics wanted it where the people would not be afraid of what people and large companies and others would do to them. And that's why speech is protected under the Constitution of the United States. And under the Constitution of the State of Hawaii, we followed suit and enacted very similar language.

"The other day we were speaking on an issue, Mr. President, and I passed out copies of a particular issue at that time for Mr. Anzai's confirmation. I asked one of the people about the constitution and I made copies after we left that hearing because I didn't have it there and I put it on everybody's desk. And if the media was so interested, they would have asked what does this mean. But they weren't interested in the information I provided to my colleagues and the media.

"Also, I introduced this resolution because I'm tired of sending press releases and letters to the editor that are meaningful to the people of this state. Senator Slom and I sent out a release the other day. The governor of this state said there was an emergency at Waimea and he declared it such. The two Senate Republicans said let's act and not react but realize there's a problem. And according to the director of transportation, there are six other areas in this state that are likely to face the same problem. One of them happens to be Makapuu Point, Waimanalo. We've been working on this problem because it's going to impact on Senator Slom's district on the island and the senatorial district I represent. And it's going to impact on tourism and businesses and the community as a whole. My concerns have been shared with the community but it doesn't get printed because nobody cares.

"An article in the weekly -- good old Sam, one of the only two Republicans in the Senate, continues his high tax sucks, Sam eliminate taxes . . . it's called a pony show, more or less. And then it goes down here to say, 'speaking of silly, Republican Whitney Anderson, proponent for gambling.' It doesn't say one thing about a survey and a referendum that allows people to vote. It doesn't say that. It says that I'm a silly fool for introducing gambling legislation. It doesn't mention that I sent out a survey and we had one of the highest returns ever. Interestingly, a return response required the people to pay for their own stamp. Of the eighteen percent that responded, almost 82 percent said they wanted a chance to vote on the issue of gambling. It took us 20 years to find a referendum and it's only an advisory referendum, because the rest of you folks here don't want to give the people the vehicle for a direct voice. And that bothers me.

"Then this newest article printed while the Senate considered Mr. Anzai's confirmation says, 'Perhaps his hardest critic on the Judiciary Committee, Republican Senator Whitney Anderson said Anzai is doing a damn good job. But Anderson added, however, that he had philosophical differences.' Nobody cares about the philosophical differences that I have. They didn't ask, What are your philosophical differences? I shared them for the Margery Bronster confirmation and I'm doing the same with Anzai. Nobody cares, but they infringe on everybody's privacy or everybody's concerns here in this state. And those are the philosophical differences of Whitney Anderson. But it has nothing to do with Anzai.

"The article reads, 'Anderson, whose wife used to work for Bishop Estate, is a very close friend of Henry Peters, who's being indicted.' What the hell has that got to do with anybody being the attorney general of this state?

"It took me 11 years, ladies and gentlemen -- 11 years -- to get one bill passed in the House. And I worked on that for three years with the help of then Speaker of the House Henry Peters. And I've got some other information as far as since he's been with Bishop Estate. And I'll use it later when I'm ready, because I'm tired of people making believe they know what the hell's going on in this little four-square building that we live in and they don't live in the real world. They don't go out and get the information.

"There's another one, and this came to me because of my colleague, Senator Kawamoto, when they wrote against him. Everybody's great at writing against someone. They've busted up families, they've ruined them.

"I've told everybody here that I have two kids that work up at Kamehameha Schools. My daughter is a secretary for 16 teachers and she works because she has to work. My son-in-law, who worked for me for 16 years, no longer works for me because we closed my business. He's a graduate of St. Louis, went to the university and took up courses and is qualified for his current position, but has been turned down three times for promotions even though the bosses wanted him. He's blackballed because you keep reading junk about Whitney Anderson and Bishop Estate. So he doesn't get any promotions, even if the bosses want him.

"That's why I put in this type of a resolution. The media has a code of ethics. They are supposed to give people news. I checked the other day. We sent approximately 30 per year -- press releases, letters to the editor -- and maybe four gets printed, five at the most. And when does it get printed? Sometimes months after the issue. Even my wife tells me, 'What the hell is this? You're coming off the wall. You don't know what you're talking about. It's not the issue of the day.' Of course it's not! But that's why we put in bills and resolutions, my friends, good ones that are supposed to be helpful to the people of this state. And if they don't want to print something, that's fine, but then go to somebody else and

find out, Why is this selected for publication? What's happening here?

"You can leave Whitney Anderson out. Call me a dummy if you want to -- I don't care. I'm sick and tired of my family being dragged through the mud because you like to print something. If I vote against Mr. Anzai or for Mr. Anzai, that's me. That's from the information that I have gathered over years of working with the gentleman. It has nothing to do with Bishop Estate. It has nothing to do with Henry Peters. I vote my conscience. I always have. I speak my conscience.

"Most of the people are afraid to speak against the media. And you folks think that we don't see that all the cameras go off and the people stop writing. A friend of mine came home on a plane from the mainland and a news reporter said, 'We've got to get rid of Senator Anderson.' And he said, 'Ha?' And that got back to my wife and she told me. I really don't care what you think of Whitney Anderson, but you damn well better care what you're doing to the people of this state. Because it's not fair. You're not printing the news. You're not living up to your own ethics.

"Thank you very much, Mr. President, for the time."

Senator Buen also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Yesterday, at one o'clock in the afternoon, the Mayor of Maui County declared there is a drought condition that exists in Upcountry Maui, and I understand that the Mayor of the Big Island also announced that there is a drought condition that exists in the districts of Hilo and Puna.

"This past weekend, I drove to Upcountry Maui, riding through Kula and on to Ulupalakua, and I was shocked. The beautiful green pasturelands were no longer green. It was brown for miles and miles. The cattle were searching for green grass to eat. There was none.

"For three years now, Maui's large and small farmers and ranchers have suffered drought conditions. Maui County's invaluable green environment has also suffered, with native species put at risk.

"Mr. President, yesterday, many farmers and ranchers from Maui flew to Oahu to testify in your Economic Development Committee, pleading for help from the legislature to pass H.B. No. 2023, H.D. 2. The purpose of the bill is to give tax incentives to agricultural landowners to construct water storage facilities. It will catch water during times of abundant rainfall and use it during times of drought and will provide solutions to help insure that they have adequate water resources available year-round.

"Your Committee on Economic Development, passed out H.B. No. 2023, H.D. 2, to the Ways and Means Committee with amendments that will give incentives to the small independent farmers as well. For West Maui, the bill will help Maui Pineapple Company to construct water storage facilities.

"The Maui farmers will be seeking help from the governor to plead with him to declare an emergency drought condition to give immediate relief. Right now there is a \$2 million capital improvement project to construct a water reservoir for Upcountry Maui that the governor is proposing to lapse. On behalf of the farmers, ranchers, and residents on Maui, I, too, am pleading with the governor to release these funds. For many years -- for many years -- the farmers have experienced tremendous hardships financially. They need help now.

"I ask the Senate and governor to support the timely and effective solution to this matter so the residents of Maui County

and other counties can be assured of adequate water resources in the short and long term.

"Thank you, Mr. President."

#### ADJOURNMENT

At 12:12 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 17, 2000.

## THIRTY-FOURTH DAY

Friday, March 17, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Frances Ann Thom, OSF, Mission Educator, St. Francis Medical Center, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Iwase who were excused.

The President announced that he had read and approved the Journal of the Thirty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland introduced and recognized Jeannette C. Takamura, Ph.D., on her appointment as Assistant Secretary for Aging, U.S. Department of Health and Human Services. Accompanying Dr. Takamura was her husband, Carl Takamura; Lt. Governor Mazie Hirono; Dr. Collette Browne; Dr. Shimeji Kanazawa; and Carol Takahashi.

Senator Inouye then introduced and congratulated the following recipients of the Small Business Person of the Year Awards 2000: Les and Laura Sherrill, Small Business Person of the Year; Vaughn Vasconcellos, Entrepreneurial Success Award; Karen Sotomura, Small Business Exporter of the Year; Darryl Mleynek, Financial Services Advocate of the Year; William Emmsley, Minority Small Business Advocate of the Year; Floyd Takeuchi, Small Business Journalist of the Year; Anna Marie Springer, Women in Business Advocate of the Year; Ricky Price, Welfare to Work Small Business Owner; and Blayne Hanagami, Welfare to Work, SBA Associate.

Senator Chun introduced the students, teachers, and parents of the fifth grade class from Ele'ele School on Kauai. At this time, the students performed a song for the members of the Senate and their guests.

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

## JUDICIARY COMMUNICATION

Jud. Com. No. 4, submitting for consideration and consent, the nomination of GERONIMO VALDRIZ to the office of Judge, District Court of the Second Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of six years, was read by the Clerk and was referred to the Committee on Judiciary.

## STANDING COMMITTEE REPORTS

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2802) recommending that H.B. No. 2565 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2565, entitled: "A BILL FOR AN ACT RELATING TO GARMENT INDUSTRY HOMEWORK," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 20, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2803)

recommending that H.B. No. 2526, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2526, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USED OIL," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 20, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2804) recommending that H.B. No. 536, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 536, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2805) recommending that H.B. No. 540, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 540, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2806) recommending that H.B. No. 1846, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1846, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2807) recommending that H.B. No. 2273, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2273, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2808) recommending that H.B. No. 2277, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2277, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2809) recommending that H.B. No. 2506, H.D. 1, as amended

in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2506, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2810) recommending that H.B. No. 2510 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2510, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2811) recommending that H.B. No. 2512 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2812) recommending that H.B. No. 2514, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2514, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2813) recommending that H.B. No. 2517, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2517, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2814) recommending that H.B. No. 2524 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2524, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLACTICS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2815) recommending that H.B. No. 2525, H.D. 2, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2525, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2816) recommending that H.B. No. 2531, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2531, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2817) recommending that H.B. No. 2536, H.D. 1, pass Second Reading and be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2536, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," passed Second Reading and was referred to the Committee on Education and Technology.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2818) recommending that H.B. No. 2542, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2542, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2819) recommending that H.B. No. 2746, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2746, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PEER EDUCATION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 2794 (Gov. Msg. No. 150):

Senator Kanno moved that Stand. Com. Rep. No. 2794 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of KENNETH R. JOYNER, LANCE M. MARUGAME and RICHARD Y. MITSUMORI to



the State Board of Barbering and Cosmetology, terms to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, Iwase, Kawamoto).

Stand. Com. Rep. No. 2795 (Gov. Msg. No. 151):

Senator Kanno moved that Stand. Com. Rep. No. 2795 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of ROBERT E. KLEIN, D.C., to the State Board of Chiropractic Examiners, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, Iwase, Kawamoto).

Stand. Com. Rep. No. 2796 (Gov. Msg. No. 154):

Senator Kanno moved that Stand. Com. Rep. No. 2796 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of BARTON M. SAXTON to the Credit Union Advisory Board, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, Iwase, Kawamoto).

Stand. Com. Rep. No. 2797 (Gov. Msg. No. 157):

Senator Kanno moved that Stand. Com. Rep. No. 2797 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of GERALD M. YAMAMOTO to the Elevator Mechanics Licensing Board, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, Iwase, Kawamoto).

Stand. Com. Rep. No. 2798 (Gov. Msg. No. 166):

Senator Kanno moved that Stand. Com. Rep. No. 2798 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Board of Medical Examiners of the following:

RONALD Y. FUJIMOTO, D.O., and DAVID T. LEE, D.O., terms to expire June 30, 2003; and

PATRICIA L. BLANCHETTE, M.D., term to expire June 30, 2004,

seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, Iwase, Kawamoto).

Stand. Com. Rep. No. 2799 (Jud. Com. No. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 2799 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of BARBARA P. RICHARDSON as Judge of the District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Matsunaga rose in support of the nominee and said:

"Mr. President, I rise in support of the nominee.

"Mr. President and members, Ms. Richardson has served as a Per Diem Judge since 1986, and has been in private practice since 1991. In addition, Ms. Richardson has been active in the Committee for Judicial Education for Per Diem Judges, the Junior League of Honolulu, and the Punahou School Parent Faculty Association.

"Mr. President, during the Senate Judiciary Committee hearing, the Committee heard her views on the importance of judicial performance reviews for judges, the types of judicial education programs that the judges most urgently need, and her thoughts on the confidentiality of juvenile records. The Committee also heard from members of the legal community as well as private citizens who voiced their strong support for Ms. Richardson. To quote some of the testimony -- 'Barbara Richardson is a fair, well organized, honest, and hard-working individual.' 'Ms. Richardson is also thoughtful, intelligent, and is highly qualified for the position of District Court Judge in the First Circuit.'

"As you can see, Mr. President, this appointment is well deserved. I am confident that Ms. Richardson's commitment to excellence will enhance and protect the quality of life for all of us in our community. I urge my colleagues to consent to this nomination.

"Thank you, Mr. President."

Senator Anderson rose for a conflict ruling as follows:

"Mr. President, I did declare in the Committee that I might have a potential conflict. I am related, even though I've never met the nominee before she came up. Thank you."

The Chair ruled that Senator Anderson was not in conflict.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, Iwase, Kawamoto).

At this time, Senator Matsunaga introduced the newly confirmed Judge Barbara Richardson. (Judge Richardson, who was seated in the gallery with members of her family, rose to be recognized.)

Stand. Com. Rep. No. 2800 (Jud. Com. No. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 2800 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of ALEY K. AUNA, JR., as Judge of the District Family Court of the Third Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Chumbley rose to speak in favor of the nomination and said:

"Mr. President, I rise to speak in favor of this nomination.

"Mr. President, Aley Auna, Jr., holds a Bachelor of Science degree from Brigham Young University, Hawaii and a J.D. degree from the University of Hawaii's William S. Richardson School of Law. Mr. Auna has served as a Deputy Attorney General with the Department of the Attorney General assigned to the Family Law Division and Social Services Division in Hilo since 1988. In addition, some of Mr. Auna's many professional and community activities include: the Alumni Board of Brigham Young University, Hawaii; the Children in Transition Program; the Hawaii Island Teen Court; and the Boy Scouts of America.

"During the Senate Judiciary Committee hearing, the Committee heard Mr. Auna's views on how to improve victim's rights and his thoughts on domestic violence and criminal history checks. But the one thing that stands out in our minds the most is his personal philosophy that he shared with the Committee. It is an old Confucius adage, which I will attempt to say in the Mandarin Chinese language as Mr. Auna so eloquently did for us in the hearing -- 'Shiu Shun Chi Jaa Jur Gwa Ping Tein Sheaw' . . . in English this means, 'When you cultivate yourself, organize your family, and govern your nation, you will have peace under heaven.'

"I truly believe that Mr. Auna represents a man that, through the example of his life, has accomplished cultivating himself, his family and our community to the highest standard of moral integrity and has contributed to a piece of heaven here on Earth.

"The Committee also heard from several employees of the Department of Human Services in Hilo, several members of the legal community, and many private citizens voice their overwhelming support for Mr. Auna. Testimony unanimously supported Mr. Auna by indicating that he is a man of great wisdom, compassion, and fairness.

"As you can see, this appointment comes with great community support and is well deserved. I am confident that Mr. Auna has the commitment and the vision to do an excellent job as a District Family Court Judge in Hawaii County. I urge all of my colleagues to consent to this nomination.

"Thank you."

Senator Inouye also rose to support the nominee as follows:

"Mr. President, I rise in support of the nominee.

"Mr. President and fellow colleagues, I am very proud as a Senator to support the nominee, Aley K. Auna, Jr. As a former Mayor of the County of Hawaii, Mr. Auna and his family have been committed to the community and are so active in the Big Island community as well.

"This appointment is well deserving. As a Hawaiian, I'm very proud to see this appointment made this morning and very proud to vote with my colleagues to approve.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, Iwase, Kawamoto).

Senator Chumbley then introduced Judge Aley Auna, who was seated in the gallery with his family. (Judge Auna rose to be recognized.)

Stand. Com. Rep. No. 2801 (Jud. Com. No. 3):

Senator Chumbley moved that Stand. Com. Rep. No. 2801 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of TERENCE T. YOSHIOKA as Judge of the District Family Court of the Third Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Chumbley rose to support the nominee and stated:

"Mr. President, I rise to speak in favor of this nomination.

"Terence Yoshioka holds a B.A. degree from the University of Hawaii at Manoa and a J.D. degree from the University of Washington School of Law. Mr. Yoshioka is presently a partner in the law firm of Nakamoto, Yoshioka and Okamoto in Hilo. He has 31 years of law experience and prior to his private practice, Mr. Yoshioka was employed with the Office of the Corporation Counsel. His professional and community activities include: the Hawaii Public Defender Council; Hospice of Hilo; the University of Hawaii at Hilo's College Athletic Boosters Club; and the Cub Scouts of America.

"During the Senate Judiciary Committee hearing, the Committee heard Mr. Yoshioka's recommendations on how to improve the current laws pertaining to child support and custody, his views on issues related to divorce, and about his knowledge and experience in mediation. The Committee also heard several members of the legal community, private citizens, and organizations come forward to voice their overwhelming support for Mr. Yoshioka. Testimony unanimously supported Mr. Yoshioka by indicating that he is a thoughtful, well respected, and honorable individual. Further, testifiers acknowledged that Mr. Yoshioka will bring a wealth of knowledge and experience along with an ideal judicial temperament to the position of District Family Court Judge in the Third Circuit. The Judiciary could not be luckier to have him serve on the bench.

"As you can see, this appointment also comes with great community support and is well deserved. I am confident that Mr. Yoshioka has the commitment and the vision to do an excellent job in his duties. I urge all of my colleagues to consent to this nomination.

"Thank you."

Senator Inouye also rose in support and said:

"Mr. President, I rise in support of the nominee.

"Mr. President and fellow colleagues, Mr. Yoshioka is well deserving of this honor. He and his family have been very active in our Big Island community.

"It's very difficult for me to say at this time, Mr. President, but Mr. Yoshioka's wife, several years ago, had a very serious illness. And through his love for his wife and his family, he supported her over the years and she has overcome her illness. I'm very proud of Terence and the family's support.

"Mr. President and fellow colleagues, again, Mr. Yoshioka is well deserving of this honor.

"Thank You.

Senator Levin rose at this time and said:

"Mr. President, I rise to speak in favor of all three nominees, if I may.

"I have had the pleasure of meeting all three and know all three. Two will be serving the district that I represent and we are particularly pleased to have them.

"The difference between Mr. Yoshioka and Mr. Auna is that Mr. Auna is just a kid. He's a younger generation, whereas Mr. Yoshioka and I (it's hard to believe) were actually young attorneys at one time, together, 30 years ago. Of the two nominees, one is an excellent chess player, the other is an excellent poker player. I probably financed Mr. Yoshioka's car with my contributions I made over the years. If that is not a conflict, then I rise in favor of his nomination.

"Thank you."

Senator Matsuura rose for a conflict ruling from the Chair as follows:

"Mr. President, I would like a ruling of conflict from the Chair, please."

The Chair responded:

"State your potential conflict."

Senator Matsuura continued:

"Mr. Yoshioka and his law firm represent our family."

The President stated:

"No conflict, you may vote."

Senator Matsuura then rose to support the nominee and said:

"Mr. President, I'd like to rise in support of Mr. Yoshioka.

"It's a great honor to support Mr. Yoshioka. The years of service that he gave to our family is greatly appreciated. It's a great loss to our family and the community, but a great asset to the state.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, Iwase, Kawamoto).

Senator Chumbley introduced Judge Terence Yoshioka at this time. (Judge Yoshioka, who was seated in the gallery with his family, then rose to be recognized.)

At this time, the President made the following remarks:

"I must admit that I was an old YMCA summer counselor for our new judge, Terence Yoshioka, so I know that I contributed to his qualifications and his well-being today. So I must take some credit for that." (Laughter.)

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill

Referred to:

No. 1889, H.D. 2 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 2392, H.D. 2 Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

#### ADJOURNMENT

At 12:23 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 20, 2000.

## THIRTY-FIFTH DAY

Monday, March 20, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Associate Pastor Burton Maxwell, Central Seventh-day Adventist Church, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Chun Oakland, Fukunaga, Ihara, Inouye, Iwase, Levin and Tam who were excused.

The President announced that he had read and approved the Journal of the Thirty-Fourth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kawamoto introduced General Edward L. Correa, Jr., and congratulated him on his appointment as Adjutant General and promotion to Major General.

Senator Chun then introduced General Myron Dobashi, Commander of the Hawaii Air National Guard, and congratulated him on his promotion to Brigadier General.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

## STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2820) recommending that H.B. No. 2414, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2414, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ASBESTOS PROPERTY DAMAGE LITIGATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2821) recommending that H.B. No. 2829, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2829, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTIONS APPOINTMENT AND REVIEW PANEL," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

## THIRD READING

H.B. No. 2565:

By unanimous consent, H.B. No. 2565, entitled: "A BILL FOR AN ACT RELATING TO GARMENT INDUSTRY HOMEWORK," was recommitted to the Committee on Labor and Environment.

H.B. No. 2526, H.D. 1:

On motion by Senator Nakata, seconded by Senator M. Ige and carried, H.B. No. 2526, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USED OIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, none. Excused, 8 (Bunda, Chun Oakland, Fukunaga, Ihara, Inouye, Iwase, Levin, Tam).

Senator Buen, for the Committee on Economic Development, requested a waiver of the 72-hour Notice of a Public Hearing for H.B. No. 2183, and the Chair granted the waiver.

## ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 21, 2000.

## THIRTY-SIXTH DAY

Tuesday, March 21, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Helene Wood, SSSC, Interim Director, Office of Worship, St. Stephen's Diocesan Center, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Chun who were excused.

The President announced that he had read and approved the Journal of the Thirty-Fifth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland, on behalf of President Mizuguchi and herself, introduced Jennifer Lin Hong, Miss Chinatown USA 2000; Denby Annette Kwai Foong Dung, Miss Chinatown Hawaii First Princess; and Rene' Bao Sim Wong, Miss Chinatown Hawaii Second Princess. Accompanying the young women were Paul Chun from the Honolulu Chinese Jaycees and Leonard Kam of the Chinatown Merchants Association.

Senator Tam, in celebrating the grand opening of The Hawaiian Chinese Multicultural Museum and Archives, introduced the museum's president and founder, James Ho, and vice-president, William H.K. Lum.

At this time, the Chair appointed Senators Chun Oakland, Tam and Anderson to escort Miss Chinatown USA 2000 Jennifer Lin Hong to the podium to address the members of the Senate.

Queen Jennifer addressed the members of the Senate and their guests as follows:

"Thank you, Mr. President, Senators, ladies and gentlemen in the gallery, special guests -- good morning.

"On behalf of the Miss Chinatown Hawaii pageant; First Princess Denby Dung; Second Princess Rene' Wong; pageant producer and Honolulu Chinese Jaycees past president, Paul Chun; and Chinatown Merchants Association representative, Leonard Kam, thank you very much for taking the time out of your busy schedules to acknowledge us today.

"As a former participant of the Youth Legislature Program, I do have tremendous respect for all of the hard work and efforts that you put into making this a beautiful state, and in turn, on behalf of the Chinese community, we'd like to thank you for your unselfish service to your own communities as well as to the State of Hawaii.

"I was very honored to represent this State in San Francisco. I learned a lot about the Chinese culture and its heritage through the pageant, as well as through the San Francisco pageant.

"I'd like to wish all of you much success and happiness in the Year of the Dragon and for the remainder of your legislative session.

"Thank you."

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

## STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2822) recommending that H.B. No. 1836 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1836, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2823) recommending that H.B. No. 2774 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2774, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2824) recommending that H.B. No. 3016, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 3016, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2825) recommending that H.B. No. 1939, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1939, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHOLAWE ISLAND RESERVE COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2826) recommending that H.B. No. 2309, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2309, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE IN NORTH KONA, HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2827) recommending that H.B. No. 2501, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2501, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Nakata, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2828) recommending that H.B. No. 2504 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2504, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2829) recommending that H.B. No. 2574, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2574, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2830) recommending that H.B. No. 2733, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2733, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2831) recommending that H.B. No. 2768, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2768, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2832) recommending that H.B. No. 2836, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2836, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2833) recommending that H.B. No. 3001, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 3001, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill	Referred to:
------------	--------------

No. 2396, H.D. 1	Committee on Education and Technology, then to the Committee on Commerce and Consumer Protection
------------------	--

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I was called out of the Ways and Means Committee today by the media because the governor issued a press release this morning. He didn't bother sending me a copy of the press release but the heading of the press release says: 'Governor Blasts Republican Legislators for Opposing State Plans to Privatize Small Boat Harbors.' And in his statement, the governor called Republican Senator Sam Slom and Representative Galen Fox 'hypocrites' for opposing the state administration's bill to privatize the small boat harbors and the Ala Wai and Keehi Lagoons.

"Our chief executive went on to say, 'Given their past behavior, one must conclude that Senator Slom and Representative Fox are fighting the privatization of the Ala Wai and Keehi to curry the political favor of the well-heeled, demanding and rabid boaters who want to maintain the status quo and continue to take advantage of the low mooring fees. This cozy deal has been going on for over 20 years. Apparently Senator Slom and Representative Fox see nothing wrong with continuing this form of low-cost affordable housing at taxpayer's expense for another 20 years.'

"Mr. President, I am worried that our governor is either losing his mind or he doesn't have enough to do. Maybe he needs another trip. The governor is complaining about my position and the Majority's position that was expressed at the ECD hearing last Friday. If the governor would have taken time to come to the hearing, or if the governor would have taken time to respond to the many people that called his office and his representative -- the head of the DLNR -- he would find out that in fact this issue is not about privatization, which I absolutely strongly support, but this issue is about arrogance of power from this state administration and from its representatives who do not talk to, inform, or seek input from the people in an area where the government wants to do something.

"Now Mr. President, several of us in this body last night spent several hours in Pearl City where the governor, just a little while before, had tried to ram down sex offenders into a community without first seeking their advice, their counsel, listening to them, or anything else. Every individual, every organization that testified last night testified against the governor and against the state health director not because they were against the facility per se, but because they were not shown the courtesy or the respect to even be included in early discussions. Instead, after the decision was made, they were told this is the way it's going to be -- we're going to put sex offenders within a half mile of Momilani School. People don't like that, Mr. President.

"And in the area of the Ala Wai and the issue of privatization, in a bill which was not well thought out, we saw and heard from many people in the area. And contrary to what the governor has said about well-heeled people, if the governor, as I say, would ever come down to a hearing, if he would ever listen to the people in this state, he would have found out that we were talking and listening to more than 150 people that showed up. And they included residents, taxpayers, retirees, canoe paddlers of which there are 30 clubs, surfers, and young boaters (young people learning how to sail), all who were complaining about how this state has systematically been forcing them out of their culture, out of their recreation, out of their way of life in Waikiki and elsewhere.

"These people were unanimous in their opposition not only to not being able to use these facilities and to practice their art, but they also raised the legitimate concern of safety. Because had this bill or does this bill become law, what will happen is the large cruise boats and dinner boats presently at Kewalo Basin will move to the Ala Wai. And as it was shown and demonstrated by the testimony, which the governor was not interested in, it would be very difficult for these boats to enter and leave the harbor, to turn around in the harbor, and do all of these things. It would be a very dangerous mix to put them with canoe paddlers, with surfers, with young yachtsmen.

"Those were the issues, Mr. President -- the issues of safety, the issues of arrogance, the issues of not telling people in an area and not listening to them. Interestingly enough, though, the head of the DLNR after the hearing was over -- and by the way, he didn't stay to listen to the people either because his comment was, 'I've heard all of this before; I don't need to hear it again' -- he came back, however, and apologized to the committee chair and to the committee members and said perhaps we can work out an accommodation; perhaps we can take out the most objectionable part of the bill and leave the other flexibility which is what the administration said it sought. By the way, there was no discussion and no opposition to Keehi Lagoon, only to Ala Wai where the people live.

"Mr. President, if the governor would take out a map, he would find that the eighth senatorial district, of which I represent the people, does not extend to the Ala Wai. Although, I do know he's making plans to live in my district, so maybe he would like to reapportion it so that it does go a little bit further -- maybe down to East L.A.

"In any respect, I, like my 24 colleagues in this body, are State Senators and we represent everyone in this state. And when someone feels that they do not get a fair hearing or that their chief executive or their appointed minions do not listen to them, then they are free and urged to come to any one of us. And we will, as we demonstrated at the hearing last night, we will listen to them and we will take action even if the governor is too busy to do that but has plenty of time to issue press releases.

"So that's the issue on privatization, and thank you very much, Mr. President."

Senator Anderson also rose on a point of personal privilege and stated:

"I rise on a point of personal privilege, Mr. President.

"I can agree with everything that the Minority Floor Leader said. I was also interested in the Ala Wai.

"I previously stated that people believe in what they read. And there was an article on Sunday. I didn't bring it up on the floor yesterday but when my boy tells me, 'You know, Bubba, what's in here is absolutely true; this is what happened years ago,' this is a Democrat who supported Hawaiian rights. This is by Mr. Walter Heen.

"Now, I've known Mr. Heen for years -- we grew up together; I knew his dad. Then when I read, 'Linda Lingle invites Hawaiian voters and others to join the new Republican party,' he believes that's wrong. Well, the Republican party has a plank for Hawaiians. I don't know if the Majority party does.

"The thing that bothers me is that they went back to 1896 when the Republican party was formed and how they were in bed with the 'Big-5.' Well let me remind you, ladies and gentlemen, the Big-5 at that time owned property, they lived here and their children went to school here. There were many concerns. There were people who I understand, after talking to some of the older ones, said, 'You know, maybe plantation days weren't as bad as everybody thinks. When we came over, we had a house. We had a store that we could buy supplies from.' They were trying to improve their lives and that's why many came here. All of the immigrants who came here were trying to improve themselves and that's why they came to Hawaii.

"Let me go on further -- 'The Republican party did nothing except in 1920.' They gave Kuhio a little bit of background because he was a Republican who got the Hawaiian Homes, but the Hawaiian Homes Lands were junk because they couldn't grow sugar on them. Well that's very true. There was a lot of game playing and it didn't change after the Majority party took control. In fact, in 1961, as I reminded everyone, it was the Association of Hawaiian Civic Clubs along with the homesteaders who turned around and told two different departments they had no right to exchange lands, that only the Hawaiian Homes Commission should exchange lands. The Hawaiians used to own maybe an acre in Waikiki and ended up with nine acres on the mountain. They no longer own that one acre in Waikiki. It was the Majority party who was in charge in those days.

"We have lost more land, and I tried to explain that to my boy, Mr. President, in the last 40 years -- legally -- than in all the other years put together. And that's what kind of bothered me, also the awarding of Hawaiian Homes. They go on here to say that prior to 1962 there was only 1,745 people on the land. Again, that's very true. Hawaiian Homes was a political football and it really didn't take hold until Billie Beamer took charge of Hawaiian Homes. The first thing she did was to say we're going to have to look at what lands we actually own. Those people who were behind in their payment -- either you catch up or you're out. And she started to build homes. Now, yes, she was appointed by Governor Ariyoshi and she ran for lieutenant governor, but remember, Billie Beamer also ran for lieutenant governor as a Republican. She was always a Republican. But that doesn't make any difference of party, it was the individual. She looked at and prioritized lands -- what we own. And then she started putting people on those lands.

"On the other side -- 'Hawaiian delegation disputes Lingle and Kane' -- this is from our esteemed Congressional delegation -- Inouye, Akaka, Abercrombie and Mink. They are troubled because they feel the Republican party on Rice/Cayetano took advantage of this decision to try to split the Hawaiian Community. Right here it says, 'It's all the Republican's fault.'

"Well let me tell you, when Governor Ariyoshi was in office, we had a problem with H-3. We had the Majority people in Hawaii but President Bush was the President of the United States. Elizabeth Dole was in charge of transportation. We sent Senator Mary George, who was very friendly with Elizabeth Dole, to D.C. We also sent John Medeiros and Whitney Anderson, along with some of our other colleagues, because we had to speak to both sides. I've taken trips up to Washington. We only listen to the four. And they're saying, well, today, nine years, they have done so well that they have had 70 pieces of legislation since the nine of them were elected. What happened to Cee Heftel and Danny Akaka when they were Congressmen and Senator Matsunaga and Senator Inouye was there? What happened then? Didn't we have four from the

Majority party? Weren't they the Majority ruling, regardless who was President?

"But still, the Hawaiians were not that well known. And still, the people of our state don't get the legislation passed. And our high cost of living is the same. Nowhere in here does it mention that when Whitney Anderson happened to be the Minority Leader in the House and President Bush (according to this article) withdrew the interior department's memorandum confirmation of the trust, I wrote a letter. I was told I can't do that as a Minority. This is a partisan issue and I believe it was a cultural one. We took part in that.

"I have a letter here recently that we sent to the chairman of housing, to help housing. Nowhere in any of these articles does it mention that. And the reason I mention this, my colleagues, is because neither one of us are 100 percent right or wrong. You need both houses and two parties regardless of whatever you think. That's why our votes go the way they do. Because we have dialogue.

"When I went to D.C. and talked to the Republicans, I was disgusted with them. Because when I explained our situation, they said, 'I didn't know you folks were having problems.' There is nobody from Hawaii in the Republican caucuses, so there is no discussion of Hawaiian issues. It makes me angry when they try to brush us off. They're as bad there as we are here.

"You may notice I'm not yelling today, Mr. President, but I do get upset when I hear the wrong doings were the doings of the Republicans.' And that's not true. The Majority party today is in bed with the supposedly Big-5 and they keep telling me whenever I vote against something, 'You can't do that. They're a kamaaina firm.' That's a lot of baloney. They're firms that bought the kamaaina firms. They are from all over the world. They are no longer kamaaina firms owned by kamaaina. They no longer have the interests that you and I do. They no longer care about the roads and the schools and everything else. They might care about the bottom buck, but that buck doesn't stay here in Hawaii.

"So that's why I was upset, Mr. President, because people believe everything that they read, or nearly everything. That's been my point for 20 years. Whenever I take this floor, it's because I think it's a disservice to the people when the media does not print all of the truth.

"Thank you very much for allowing me the time."

#### ADJOURNMENT

At 12:27 o'clock p.m., on motion by Senator Chumbley, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 22, 2000.



## THIRTY-SEVENTH DAY

Wednesday, March 22, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Richard Pease, Central Oahu Corps, Salvation Army, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

The President announced that he had read and approved the Journal of the Thirty-Sixth Day.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland, with the assistance of Senators Ihara, Iwase, Nakata, Sakamoto, Levin and Matsuura, introduced and congratulated the following recipients of the NIU Awards sponsored by Volunteer Legal Services Hawaii: Professor Wayne Tanna and his students at Chaminade University and UH West Oahu, Outstanding Contribution To The Delivery Of Legal Services Award; Alicia Leonhard representing the Law Firm of Alston Hunt Floyd and Ing, Distinguished Contribution By A Law Firm Award; David Andrew, Distinguished Contribution By An Individual Award; Gayle Nakama, Quest For Justice Award; Dyan Medeiros, Spirit Of Hawaii Lawyers Care Award; and Edward Hudcovic, Spirit Of Volunteer Legal Services Award.

Senator Chun Oakland, with the assistance of Senators Slom, Ihara, Chumbley and Inouye, then introduced and congratulated the following YWCA's Leaderluncheon 2000 Honorees: Dr. Julia Frohlich; Sister Francine Gries, OSF; Patti J. Lyons; and representing Belt Collins Hawaii, Anne Mapes and James Bell. Accompanying the honorees was Susan Doyle, executive director of the YWCA.

Senator Chun Oakland, on behalf of Senator Anderson and herself, recognized the contributions of Waimanalo Health Center and Waimanalo Elementary and Intermediate School for participating in Nickelodeon's "The Big Help" Project and introduced Marium Holokai, Principal of Waimanalo Elementary and Intermediate School; and the following students: Cody Hashimoto, Puanani Reis, Bronson Reis-Moniz, and Trisha Castillo.

At 12:13 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:30 o'clock p.m.

## STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2834) recommending that the Senate advise and consent to the nomination of DANA S. ISHIBASHI to the Defender Council, in accordance with Gov. Msg. No. 155.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2834 and Gov. Msg. No. 155 was deferred until Thursday, March 23, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2835) recommending that H.B. No. 1275, H.D. 1, as amended

in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1275, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2836) recommending that H.B. No. 1387, H.D. 2, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1387, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2837) recommending that H.B. No. 2534, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2534, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Nakata, for the Committee on Health and Human Services and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2838) recommending that H.B. No. 2511, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2839) recommending that H.B. No. 2513, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2513, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2840) recommending that H.B. No. 2022 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2022, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY

PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 23, 2000.

Senators Fukunaga and Levin, jointly with Senator Chun Oakland, for the Committee on Ways and Means and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2841) recommending that H.B. No. 2551, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2551, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 23, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2842) recommending that H.B. No. 1969, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1969, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2843) recommending that H.B. No. 1994, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1994, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2844) recommending that H.B. No. 2406, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2406, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 24, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2845) recommending that H.B. No. 2407, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2407, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2846)

recommending that H.B. No. 2569, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2569, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2847) recommending that H.B. No. 2607, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2607, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2848) recommending that H.B. No. 2801, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2801, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2849) recommending that H.B. No. 2802 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2802, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2850) recommending that H.B. No. 2996, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2996, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2851) recommending that H.B. No. 2997 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2997, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2852) recommending that H.B. No. 2528, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

2528, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2853) recommending that H.B. No. 2529, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2529, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2854) recommending that H.B. No. 3021, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 3021, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2855) recommending that H.B. No. 2410, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2410, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2856) recommending that H.B. No. 2423, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2857) recommending that H.B. No. 2646, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2646, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," passed Second Reading and was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

#### RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following concurrent resolution that was offered:

Senate  
Concurrent  
Resolution

Referred to:

No. 89 Committee on Labor and Environment,  
then to the Committee on Ways and Means

Senator Kawamoto rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I just visited my vice-chair and he'll be leaving the hospital tomorrow. He looks good. He wishes you all well and thanks everyone very much for their prayers.

"Thank you."

#### ADJOURNMENT

At 12:35 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 23, 2000.

## THIRTY-EIGHTH DAY

Thursday, March 23, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Kaina, Kawaihāo Church, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Iwase and Matsuura who were excused.

The President announced that he had read and approved the Journal of the Thirty-Seventh Day.

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland introduced the following student "shadows" from Gus Webling Elementary School: Franklyn Baxter, Stephane Hall, Jayna Omaye and Ross Shibata. Accompanying the students was their teacher Russell Minobe.

Senator D. Ige congratulated the Honolulu Symphony on the occasion of its centennial anniversary season and introduced the following individuals: Robert Levy, chairman of the Honolulu Symphony; Michael Largarticha, vice president of the Musicians Association of Hawaii; Donna Bebbler, director of development; and David Saltzman, musician and chair of the Orchestra Committee.

Senator Chumbley, on behalf of Senators Tanaka and Buen, introduced the members and teachers of Kihei Elementary School's Trouble-Makers Chorus from Maui. At this time, the students performed a song for the members of the Senate and their guests.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

## STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2858) recommending that H.B. No. 2648, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2648, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2859) recommending that H.B. No. 2653, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2653, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2860) recommending that H.B. No. 283, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 283, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2861) recommending that H.B. No. 284, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 284, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2862) recommending that H.B. No. 1914, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1914, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SCHOOL REFORM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2863) recommending that H.B. No. 2098, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2098, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2864) recommending that H.B. No. 755, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 755, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2865) recommending that H.B. No. 1902, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1902, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2866) recommending that H.B. No. 2573, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2573, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2867) recommending that H.B. No. 2576, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2576, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2868) recommending that H.B. No. 2762 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2762, entitled: "A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 24, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2869) recommending that H.B. No. 2418, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2834 (Gov. Msg. No. 155):

Senator Chumbley moved that Stand. Com. Rep. No. 2834 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of DANA S. ISHIBASHI to the Defender Council, term to expire June 30, 2002, seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Matsuura, Tanaka).

### THIRD READING

H.B. No. 2022:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 2022, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE

PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Matsuura, Tanaka).

H.B. No. 2551, H.D. 1:

On motion by Senator Fukunaga, seconded by Senator Chun Oakland and carried, H.B. No. 2551, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, Iwase, Matsuura, Tanaka).

### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill                      Referred to:

No. 2314, H.D. 1              Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

No. 2691, H.D. 2              Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

### RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following concurrent resolutions that were offered:

Senate  
Concurrent  
Resolution                      Referred to:

No. 49                              Committee on Education and Technology, then to the Committee on Ways and Means

No. 50                              Committee on Economic Development, then to the Committee on Ways and Means

### RE-REFERRAL OF SENATE RESOLUTION

The Chair re-referred the following resolution that was offered:

Senate  
Resolution                      Referred to:

No. 21                              Committee on Economic Development, then to the Committee on Ways and Means

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I was fortunate yesterday afternoon, with some of my colleagues, to attend the closing session of the Pacific Basin Economic Council and had an opportunity to hear from Mr. Steve Forbes who I have long admired and respected. It was interesting because he laid out the ingredients for a successful economy and for growth.

"Basically, he summed those up into five general areas and categories. One was that any country or any state that is seeking to have economic advancement needs, first of all, the rule of law that is very consistent and as differentiated from a subjective or changeable rule of men; secondly, to have sound money, meaning a good financial and debt policy; third, he touched on taxes and the need to reduce taxes and make them equitable. He reminded us that basically taxes are a price that people who work and are successful must pay, and the harder they work and the more successful, the higher the price they pay. The fourth item that he mentioned was that there must be a non-bureaucratic interference to both set up and to operate and run businesses; and finally, to reduce trade barriers and monopolies. And I thought about those comments and I thought how they applied to Hawaii, and of course we are making some progress in some of those areas, but have a long way to go in many others.

"I note that the governor of our state was in the audience and was quoted in the media today as saying that Mr. Forbes, basically, was out of touch and not familiar with all of the things that we've done here. And I was just trying to think of what perhaps the governor had in mind. Perhaps he was thinking about how we have been slashing and cutting regulations and red tape under the auspices of the lieutenant governor. For example, last night, Mr. President, we did pass a bill in the Senate Economic Development Committee which took a giant step by eliminating an agency that has not been funded, staffed or in operation since 1995. So that would be an example of cutting regulations. Of course, it doesn't apply to anybody, but that was one thing that we did. And then when he was talking about trade barriers and all, maybe he had in mind the special treatment that we afford to certain businesses within our community, like airlines for example, or banks for example, or other businesses that even lobby to pass certain laws and then find out that the laws apply to them and they come to us to exempt them from the very laws that they've lobbied. Maybe that was what the governor had in mind, or perhaps he was interested in television and film and wanted to see if we could raise the subsidy even more for Baywatch and for specified television and film programs.

"So I guess maybe the governor is right after all, that Mr. Forbes, who is listened to around the world, maybe just doesn't get it about what a special place we are here in Hawaii.

"Thank you, Mr. President."

#### ADJOURNMENT

At 12:17 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 24, 2000.

## THIRTY-NINTH DAY

Friday, March 24, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Frances Regis Hadano, OSF, Regional Administrator, Franciscan Sisters of Syracuse, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Fukunaga and Tanaka who were excused.

The President announced that he had read and approved the Journal of the Thirty-Eighth Day.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 222, submitting for consideration and consent, the nomination of KAREN S.S. AHN to the office of Judge, 11th Division, Circuit Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was read by the Clerk and was referred to the Committee on Judiciary.

## STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2870) recommending that the Senate consent to the nomination of MICHAEL D. WILSON to the office of Judge, 6th Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 208.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2870 and Gov. Msg. No. 208 was deferred until Tuesday, March 28, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2871) recommending that H.B. No. 1893, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1893, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2000.

Senator Nakata, jointly with Senators Kanno and Taniguchi, for the Committee on Labor and Environment and the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2872) recommending that H.B. No. 2289 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2289, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2873) recommending that H.B. No. 2530, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2530, H.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2874) recommending that H.B. No. 2556, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2556, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Chun Oakland, for the Committee on Labor and Environment and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2875) recommending that H.B. No. 3022, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 3022, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILD CARE CERTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2876) recommending that H.B. No. 1882, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1882, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2877) recommending that H.B. No. 1970, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1970, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREPAID TELEPHONE CALLING SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2878) recommending that H.B. No. 1982 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1982, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2879) recommending that H.B. No. 2148 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2148, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2880) recommending that H.B. No. 2218, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2218, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2881) recommending that H.B. No. 2468, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2468, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2882) recommending that H.B. No. 2472, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2472, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2883) recommending that H.B. No. 2474, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2474, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2884) recommending that H.B. No. 2986, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2986, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2885) recommending that H.B. No. 1691, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2886) recommending that H.B. No. 1757, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1757, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2887) recommending that H.B. No. 1761 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1761, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2888) recommending that H.B. No. 2243, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2243, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2889) recommending that H.B. No. 2354, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2354, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2890) recommending that H.B. No. 2457 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2457, entitled: "A BILL FOR AN ACT RELATING TO VETERANS LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2891) recommending that H.B. No. 2563 pass Second Reading and be placed on the calendar for Third Reading.



On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2000.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2892) recommending that H.B. No. 2643, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2643, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2893) recommending that H.B. No. 2761, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2761, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2894) recommending that H.B. No. 1906, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1906, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PSYCHOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2895) recommending that H.B. No. 2129, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2129, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWN BROKERS AND SECONDHAND DEALERS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2896) recommending that H.B. No. 2446, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2446, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2897) recommending that H.B. No. 2463, H.D.

1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2463, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2898) recommending that H.B. No. 2464, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2464, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE BOARD OF NURSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2899) recommending that H.B. No. 2469, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2469, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2900) recommending that H.B. No. 2486, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2486, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC LICENSURE REQUIREMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2901) recommending that H.B. No. 2488, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2488, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETURN OF PRESCRIPTION DRUGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2902) recommending that H.B. No. 2736, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2736, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTITY THEFT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand.

Com. Rep. No. 2903) recommending that H.B. No. 101, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 101, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Tam, for the Committee on Commerce and Consumer Protection and the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2904) recommending that H.B. No. 2222, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2222, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Ways and Means.

## ORDER OF THE DAY

### THIRD READING

H.B. No. 2406, H.D. 1, S.D. 1:

On motion by Senator Inouye, seconded by Senator Buen and carried, H.B. No. 2406, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, Fukunaga, Iwase, Levin, Tanaka).

H.B. No. 2762:

On motion by Senator Hanabusa, seconded by Senator Chun and carried, H.B. No. 2762, entitled: "A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, Fukunaga, Iwase, Levin, Tanaka).

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I do read a little and I've been watching what's going on. We seem to be having a problem at one of the schools on the Leeward side, Maili Elementary School. And I believe it was Mr. Rees who just wrote a very touching article. And I was wondering if my fellow colleagues would like to dedicate their CIP or whatever pork we may be receiving to help those students. I believe that the health and welfare of students should be first and foremost. And there's a stench, I understand, which could cause a health problem and, most certainly, the existence of all of those little flies.

"The state is a big land owner and maybe we should find a way to find a piece of property in a different location. I haven't

discussed this with anyone, but I thought it's something that we could all be considering.

"Thank you very much, Mr. President."

## STANDING COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that House bills pass Second Reading and be referred to committees. The Senate further authorized the adoption of a standing committee report recommending that a House bill be referred to its committee of last referral. In consequence thereof, and subsequent to its recessing at 11:56 o'clock a.m., the Senate took the following actions on the following bills and standing committee reports:

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2905) recommending that H.B. No. 1947, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1947, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2906) recommending that H.B. No. 2023, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2023, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2907) recommending that H.B. No. 2152, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2152, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2908) recommending that H.B. No. 2404, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2404, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2909) recommending that H.B. No. 2568, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2568, H.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2910) recommending that H.B. No. 2570, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2570, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2911) recommending that H.B. No. 2803, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2803, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2912) recommending that H.B. No. 2999, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2999, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2913) recommending that H.B. No. 3014, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 3014, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Inouye, for the Committee on Labor and Environment and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2914) recommending that H.B. No. 2405, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2405, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2915) recommending that H.B. No. 2438, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2438, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2916) recommending that H.B. No. 2261, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2261, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2917) recommending that H.B. No. 1909, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1909, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Tam, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2918) recommending that H.B. No. 2505 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2505, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2919) recommending that H.B. No. 2835, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2835, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2920) recommending that H.B. No. 564, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 564, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2921) recommending that H.B. No. 1933, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1933, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2922) recommending that H.B. No. 2445, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2445, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2923) recommending that H.B. No. 2476, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2476, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2924) recommending that H.B. No. 2539, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2539, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2925) recommending that H.B. No. 2554, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2554, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2926) recommending that H.B. No. 2984, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2984, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2927) recommending that H.B. No. 2555, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

2555, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator D. Ige, for the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2928) recommending that H.B. No. 1884, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1884, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Tam, for the Committee on Commerce and Consumer Protection and the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2929) recommending that H.B. No. 1983, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1983, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2930) recommending that H.B. No. 2314, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2314, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2931) recommending that H.B. No. 2467, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2467, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2932) recommending that H.B. No. 2487, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2487, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Chun Oakland, for the Committee on Labor and Environment and the Committee on Health and Human Services, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2933) recommending that H.B. No. 2154, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2154, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2934) recommending that H.B. No. 2311, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2311, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE FOR DESIGN PROFESSIONAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the majority of the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2935) recommending that H.B. No. 2716, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2716, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2936) recommending that H.B. No. 2846, H.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2846, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 2937) recommending that H.B. No. 2878, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2878, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2938) recommending that H.B. No. 2391, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2391, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PARENT-COMMUNITY NETWORKING CENTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2939)

recommending that H.B. No. 2620, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2620, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2940) recommending that H.B. No. 2447, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2447, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2941) recommending that H.B. No. 2458, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2458, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2942) recommending that H.B. No. 1780, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1780, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2943) recommending that H.B. No. 1946, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1946, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Nakata, for the Committee on Economic Development and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2944) recommending that H.B. No. 1949, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1949, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALIEN AQUATIC ORGANISMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2945) recommending that H.B. No. 1956, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1956, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2946) recommending that H.B. No. 2183, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2183, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2947) recommending that H.B. No. 2204, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2204, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2948) recommending that H.B. No. 2793, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2793, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2949) recommending that H.B. No. 2964, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2964, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Nakata, for the Committee on Economic Development and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2950) recommending that H.B. No. 2973, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2973, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MICONIA ERADICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2951) recommending that H.B. No. 2073, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2073, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2952) recommending that H.B. No. 2280, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2280, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2953) recommending that H.B. No. 2409, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2409, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2954) recommending that H.B. No. 2497, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2497, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2955) recommending that H.B. No. 2624, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2624, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2956) recommending that H.B. No. 2760, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

2760, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2957) recommending that H.B. No. 2615 pass Second Reading and be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2615, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS," passed Second Reading and was referred to the Committee on Transportation and Intergovernmental Affairs.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2958) recommending that H.B. No. 1940, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1940, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL LEGAL FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2959) recommending that H.B. No. 1984, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1984, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2960) recommending that H.B. No. 2160, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2160, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2961) recommending that H.B. No. 2422, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2422, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE TOBACCO SETTLEMENT AGREEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2962) recommending that H.B. No. 2650, H.D. 1, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2650, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2963) recommending that H.B. No. 1834, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1834, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2964) recommending that H.B. No. 2279, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2279, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Nakata, jointly with Senator Kawamoto, for the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2965) recommending that H.B. No. 839, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 839, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF WASTEWATER LEASING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Kawamoto, for the Committee on Labor and Environment and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2966) recommending that H.B. No. 2559, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2559, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Kawamoto, for the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2967) recommending that H.B. No. 1944, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1944, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Kawamoto, for the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2968) recommending that H.B. No. 2448, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2448, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Chun Oakland, for the Committee on Education and Technology and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2969) recommending that H.B. No. 319, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 319, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Chun Oakland, for the Committee on Education and Technology and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2970) recommending that H.B. No. 1917, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1917, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2971) recommending that H.B. No. 2262, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2262, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Inouye, for the Committee on Education and Technology and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2972) recommending that H.B. No. 2443, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2443, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Inouye, for the Committee on Education and Technology and the Committee

on Economic Development, presented a report (Stand. Com. Rep. No. 2973) recommending that H.B. No. 2459 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2459, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TELECOMMUNICATIONS AND INFORMATION ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Kawamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 2974) recommending that H.B. No. 1889, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1889, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2975) recommending that H.B. No. 2403 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2403, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator Hanabusa, for the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2976) recommending that H.B. No. 2572, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2572, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2977) recommending that H.B. No. 2753, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2753, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, jointly with Senator D. Ige, for the Committee on Economic Development and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2978) recommending that H.B. No. 2955, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2955, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW ECONOMY SKILLS TRAINING,"



passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2979) recommending that H.B. No. 2519, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2519, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the majority of the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2980) recommending that H.B. No. 149, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 149, H.D. 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2981) recommending that H.B. No. 1875, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1875, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2982) recommending that H.B. No. 2096, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2096, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2983) recommending that H.B. No. 2701, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2701, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2984) recommending that H.B. No. 1758, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1758, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2985) recommending that H.B. No. 1763, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1763, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, jointly with Senators Chumbley and Matsunaga, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2986) recommending that H.B. No. 1759, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1759, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senators Kanno and Taniguchi, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2987) recommending that H.B. No. 1762 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1762, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2988) recommending that H.B. No. 1881, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1881, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, jointly with Senators Kanno and Taniguchi, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2989) recommending that H.B. No. 2349, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2349, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2990) recommending that H.B. No. 2691, H.D. 2, as

amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2691, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2991) recommending that H.B. No. 2727, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2727, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND VEHICLE TRANSFERS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2992) recommending that H.B. No. 2156, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2156, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BASIC DENTAL SERVICES FOR ADULTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2993) recommending that H.B. No. 1873, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1873, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2994) recommending that H.B. No. 1876, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1876, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2995) recommending that H.B. No. 1905, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1905, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2996)

recommending that H.B. No. 2040, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2040, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2997) recommending that H.B. No. 2060, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2060, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2998) recommending that H.B. No. 2062, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2062, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 2999) recommending that H.B. No. 2087, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2087, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3000) recommending that H.B. No. 2285, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2285, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN STUDIES PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3001) recommending that H.B. No. 2491, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2491, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3002) recommending that H.B. No. 2566, H.D. 2, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2566, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senators Fukunaga and Levin, for the Committee on Education and Technology and the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3003) recommending that H.B. No. 2820, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2820, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3004) recommending that H.B. No. 2822, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2822, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ADMINISTRATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3005) recommending that H.B. No. 3002, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 3002, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLAYGROUNDS IN SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3006) recommending that H.B. No. 2088, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2088, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3007) recommending that H.B. No. 2104, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2104, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3008) recommending that H.B. No. 2425, H.D. 1, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2425, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3009) recommending that H.B. No. 2429, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2429, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3010) recommending that H.B. No. 2432, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2432, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, jointly with Senator D. Ige, for the Committee on Government Operations and Housing and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3011) recommending that H.B. No. 2451, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2451, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A REPAIRS AND MAINTENANCE SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3012) recommending that H.B. No. 2588, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2588, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3013) recommending that H.B. No. 1874, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1874, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL

ACCOUNTABILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3014) recommending that H.B. No. 2388, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2388, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator D. Ige, jointly with Senator Chun Oakland, for the Committee on Education and Technology and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3015) recommending that H.B. No. 2521, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3016) recommending that H.B. No. 2536, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2536, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3017) recommending that H.B. No. 2763, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2763, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3018) recommending that H.B. No. 2066, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2066, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senators Kanno and Taniguchi, and Senator Inouye, for the Committee on Education and Technology, the Committee on Commerce and Consumer Protection and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3019) recommending that H.B. No. 2901, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2901, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3020) recommending that H.B. No. 2959, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2959, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENTERTAINMENT INDUSTRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3021) recommending that H.B. No. 2582, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2582, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the majority of the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3022) recommending that H.B. No. 2171, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2171, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3023) recommending that H.B. No. 1883, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1883, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3024) recommending that H.B. No. 2188, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2188, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a joint report of the majority of the Committees

(Stand. Com. Rep. No. 3025) recommending that H.B. No. 2392, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 2392, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce and Consumer Protection and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3026) recommending that H.B. No. 2961, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2961, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3027) recommending that H.B. No. 2492, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2492, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

#### ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 28, 2000.

## FORTIETH DAY

Tuesday, March 28, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by William Kunisch, Seminarian for the Diocese of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Taniguchi who were excused.

The President announced that he had read and approved the Journal of the Thirty-Ninth Day.

At this time, the following student shadows were introduced to the members of the Senate:

Senator Tam introduced Leo Gushi from McKinley High School;

Senator Kawamoto introduced Rochelle Murakami from Waipahu High School;

Senator Ihara introduced Maile Cerizo from King Kekaulike School and Kara Smith from Baldwin High School;

Senator Hanabusa introduced Melvin Jadulang from Kohala High School;

Senator Chumbley introduced Joshua Kanaka'ole from Hana High School;

Senator Kanno introduced Christina New from Campbell High School;

Senator Chun introduced Marci Furutani and Tracie Jacinto from Kauai High and Intermediate School;

Senator Matsuura introduced Kafaleen Fabian from Waiakea High School, and his daughter, Grace Matsuura, from Hilo Union Elementary School;

Senator Chun Oakland introduced Jason Moniz from Pa'aulo School;

Senator Iwase introduced Ruby Marcelo from Mililani High school;

Senator Anderson introduced Garrett Soong from Baldwin High School; and

Senator Sakamoto introduced Marcus Sortijas from Radford High School and Jane Chung from Moanalua High School.

Senator Sakamoto then introduced Patrick J. Conroy in recognition of his contributions to safety education and congratulated him on receiving the prestigious National Safety Council's Distinguished Service to Safety Award. Accompanying Mr. Conroy was his wife, Jane; Harvey King; Maritza Vurgos; and Roy Akamine.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 223 to 255) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 223, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of ROEN K. HIROSE, term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 224, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of JACK LAW, term to expire June 30, 2002, was referred to the Committee on Judiciary.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nomination of HIN CHIU LAU, term to expire June 30, 2003, was referred to the Committee on Economic Development.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Board of Directors of the Hawaii Health Systems Corporation, the nominations of WAYNE M.T. LU, WILLIAM F. MIELCKE, CAROLYN A. NII, DIANE J. PLOTTS and CLIFTON K. TSUJI, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of LANI RAE GARCIA, term to expire June 30, 2004, was referred to the Committee on Judiciary.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Hawaii School-to-Work Executive Council, the nominations of: HARVARD C.S. KIM, term to expire June 30, 2001; JODEE MALIA CRANE and NORMAN JIMENO, terms to expire June 30, 2002; and NOBLEZA E. MAGSANOC, term to expire June 30, 2003, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 229, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nominations of: SUSAN K. FORBES, DRPH., term to expire June 30, 2001; MELODY S. FANNING, term to expire June 30, 2003; and CRAIG KADOOKA, M.D., NOELLA J. KONG, ROSEMARY NELSON and PATRICK S. SAKA, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 230, submitting for consideration and confirmation to the Honolulu Subarea Health Planning Council, the nominations of: KATHLEEN DELAHANTY, PAMELA HINSDALE and ROBYN KAUFMAN, terms to expire June 30, 2003; and ANDREW W. CHAR, STEPHEN A. KULA, MARK TAYLOR, PATRICIA TOMPKINS and JAMES P. WALSH, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 231, submitting for consideration and confirmation to the West Oahu Subarea Health Planning Council, the nominations of: WENDY A. ABE, LEE ELLEN BUENCONSEJO, M.D., NELSON M. HIGA, C. MIKE KIDO and RICHARD F. KOLBE, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 232, submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nominations of: JIM D. ALDRED, term to expire June 30, 2003; and JOHN E. AOKI, M.D., AGNES E.P. CADIZ, LESLIE S. CHINEN and ANNETTE L. OSTREM, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 233, submitting for consideration and confirmation to the Hawaii County Subarea Health Planning

Council, the nominations of: ROBERTA M. CARTWRIGHT and SUSAN B. HUNT, terms to expire June 30, 2003; and JOHN MCNEIL, CLIFFORD K. MOTTA, IDA H. OTAKE, PAUL P. PAIVA, ALAN R. PARKER and BEVERLY JEAN WITHINGTON, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 234, submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nominations of: PETRA LOPEZ, DAVID PETERS and BELLE SHEPHERD terms to expire June 30, 2003; and LILI BRYAN-CONANT, CESAR G. CADABES, CARMEN L. PANUI, ELIZABETH UBAY and KENNETH VILLABRILLE, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 235, submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of TIMOTHY T. SHIROMA, term to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 236, submitting for consideration and confirmation to the Board of Directors, High Technology Development Corporation, the nomination of DAVID LASSNER, PH.D., term to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 237, submitting for consideration and confirmation to the Statewide Independent Living Council, the nominations of: GARRETT TOGUCHI, term to expire June 30, 2001; and BARBARA FISCHLOWITZ-LEONG, RANDALL LICHTER and MARK T. OBATAKE, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 238, submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, the nominations of: JEFFREY L. CHANG, term to expire June 30, 2003; and ISABELLA A. ABBOTT, PH.D., and ROBERT J. LUUWAI, terms to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 239, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of: LYONS K. NAONE III, term to expire June 30, 2001; ERIC K. KEAWE, term to expire June 30, 2003; and MARY LANI AKUI, LANE KAAIAI and CASINA K. WATERMAN, terms to expire June 30, 2004, was referred to the Committee on Education and Technology.

Gov. Msg. No. 240, submitting for consideration and confirmation to the Medical Advisory Board, the nominations of: DAVID MAI, M.D., term to expire June 30, 2002; STEPHEN M. OISHI, M.D., term to expire June 30, 2003; and ROBERT L. SIMMONS, M.D., term to expire June 30, 2004, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 241, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nominations of HOWARD A. OKITA, MORRIE STOEBSNER and ROBERT K. TIRRELL, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 242, submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nominations of REGINALD E. DAVID, NEAL EVENHUIS, PH.D., and LLOYD L. LOOPE, PH.D., terms to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 243, submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nominations of STEPHEN G. DUBEY, N.D., and DIANA JOY

OSTROFF, N.D., terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 244, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of CHERILYN S.L. LAI, O.D., term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 245, submitting for consideration and confirmation to the Pest Control Board, the nominations of: MICHAEL E. KRUPNICK, term to expire June 30, 2003; and HENRY L. GUERRERO SR., and GORDON M. MACHADO, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 246, submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nominations of CHARLES T. ARAKI, ED.D., and DONALD S. KARIMOTO, terms to expire June 30, 2004, was referred to the Committee on Education and Technology.

Gov. Msg. No. 247, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of ALBERT K.P. AH NEE, term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 248, submitting for consideration and confirmation to the Board of Registration, Island of Oahu, the nomination of EUCLID LEE, term to expire June 30, 2004, was referred to the Committee on Judiciary.

Gov. Msg. No. 249, submitting for consideration and confirmation to the Board of Registration, Island of Hawaii, the nomination of DAVID M. VIEIRA SR., term to expire June 30, 2004, was referred to the Committee on Judiciary.

Gov. Msg. No. 250, submitting for consideration and confirmation to the Board of Registration, Kauai and Niihau, the nomination of PAUL K. SHINSEKI, term to expire June 30, 2004, was referred to the Committee on Judiciary.

Gov. Msg. No. 251, submitting for consideration and confirmation to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, the nominations of: CRAIG G. NAKAMURA, term to expire June 30, 2003; and ANTHONY MONDELLO, term to expire June 30, 2004, was referred to the Committee on Judiciary.

Gov. Msg. No. 252, submitting for consideration and confirmation to the State Rehabilitation Council, the nominations of: VICTORIA A. SUYAT, term to expire June 30, 2001; CARRICK WONG, term to expire June 30, 2002; and LYNN C. FOX, PETER L. FRITZ, STERLING KRYSLER, LILLIAN Y. SHIBATA, RICHARD W. SMITH and MARK YABUI, terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 253, submitting for consideration and confirmation to the Board of Directors, Research Corporation of the University of Hawaii, the nomination of LYNN C. KINNEY, term to expire June 30, 2001, was referred to the Committee on Education and Technology.

Gov. Msg. No. 254, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nominations of HIROSHI SAKAI and ROBERT S. TOYOFUKU, terms to expire June 30, 2004, was referred to the Committee on Judiciary.

Gov. Msg. No. 255, submitting for consideration and confirmation to the State Commission on the Status of Women, the nominations of: MARGARET K. MASUNAGA, term to expire June 30, 2002; and NANCY KREIDMAN, term to expire

June 30, 2003, was referred to the Committee on Health and Human Services.

### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 398 to 401) were read by the Clerk and were placed on file:

Hse. Com. No. 398, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 2406, H.D. 1.

Hse. Com. No. 399, informing the Senate that the Speaker on March 24, 2000, made the following changes to conferees on the part of the House at the conference on the following House bills:

H.B. No. 71, H.D. 2 (S.D. 1):

Discharged Representatives P. Oshiro and Saiki as co-chairmen, and Representative Hamakawa as a manager.  
Appointed Representative Hamakawa as lead co-chairman and Representative Yamane as second co-chairman.

H.B. No. 83, H.D. 1 (S.D. 1):

Discharged Representative P. Oshiro as chairman, and Representative Hamakawa as a manager.  
Appointed Representative Hamakawa as chairman.

H.B. No. 140 (S.D. 2):

Discharged Representative Saiki as a manager.

H.B. No. 150, H.D. 2 (S.D. 1):

Discharged Representative P. Oshiro as second co-chairman.  
Appointed Representative Hamakawa as second co-chairman.

H.B. No. 157, H.D. 2 (S.D. 2, C.D. 1):

Discharged Representative Saiki as third co-chairman.  
Appointed Representative Yamane as third co-chairman.

H.B. No. 235, H.D. 2 (S.D. 2):

Discharged Representatives P. Oshiro and Saiki as co-chairmen, and Representative Hamakawa as a manager.  
Appointed Representative Hamakawa as lead co-chairman and Representative Suzuki as second co-chairman.

H.B. No. 374, H.D. 2 (S.D. 1):

Discharged Representative Saiki as a manager.  
Appointed Representative Espero as a manager.

H.B. No. 557, H.D. 2 (S.D. 1):

Discharged Representative Saiki as second co-chairman.  
Appointed Representative Espero as second co-chairman.

H.B. No. 632, H.D. 2 (S.D. 1):

Discharged Representative Saiki as a manager.  
Appointed Representative Espero as a manager.

H.B. No. 949, H.D. 2 (S.D. 2):

Discharged Representative Saiki as a manager.  
Appointed Representative Espero as a manager.

H.B. No. 1006, H.D. 2 (S.D. 2):

Discharged Representative P. Oshiro as lead co-chairman.

Appointed Representative Hamakawa as lead co-chairman.

H.B. No. 1620, H.D. 1 (S.D. 2):

Discharged Representative Saiki as a manager.  
Appointed Representative Yamane as a manager.

Hse. Com. No. 400, informing the Senate that the Speaker on March 24, 2000, made the following changes to conferees on the part of the House at the conference on the following Senate bills:

S.B. No. 176 (H.D. 2):

Discharged Representative P. Oshiro as second co-chairman.  
Appointed Representative Hamakawa as second co-chairman.

S.B. No. 456, S.D. 2 (H.D. 1):

Discharged Representative P. Oshiro as second co-chairman.  
Appointed Representative Hamakawa as second co-chairman.

S.B. No. 585, S.D. 1 (H.D. 2):

Discharged Representative P. Oshiro as lead co-chairman.  
Appointed Representative Hamakawa as lead co-chairman.

S.B. No. 594, S.D. 1 (H.D. 1, C.D. 1):

Discharged Representative P. Oshiro as chairman, and Representative Hamakawa as a manager.  
Appointed Representative Hamakawa as chairman, and Representative Saiki as a manager.

S.B. No. 605, S.D. 1 (H.D. 2):

Discharged Representative P. Oshiro as second co-chairman.  
Appointed Representative Hamakawa as second co-chairman.

S.B. No. 825, S.D. 2 (H.D. 2):

Discharged Representative P. Oshiro as second co-chairman.  
Appointed Representative Hamakawa as second co-chairman.

S.B. No. 1050, S.D. 2 (H.D. 1):

Discharged Representative P. Oshiro as second co-chairman, and Representative Saiki as third co-chairman.  
Appointed Representative Hamakawa as second co-chairman, and Representative Kawakami as third co-chairman.

S.B. No. 1058, S.D. 2 (H.D. 1):

Discharged Representative P. Oshiro as second co-chairman, and Representative Saiki as third co-chairman.  
Appointed Representative Hamakawa as second co-chairman, and Representative Kawakami as third co-chairman.

S.B. No. 1088, S.D. 1 (H.D. 1):

Discharged Representative P. Oshiro as second co-chairman.  
Appointed Representative Hamakawa as second co-chairman.

S.B. No. 1089, S.D. 1 (H.D. 1):

Discharged Representative P. Oshiro as second co-chairman.  
Appointed Representative Hamakawa as second co-chairman.



S.B. No. 1151, S.D. 1 (H.D. 1):

Discharged Representative P. Oshiro as second co-chairman.  
Appointed Representative Hamakawa as second co-chairman.

S.B. No. 1212, S.D. 2 (H.D. 1):

Discharged Representative P. Oshiro as second co-chairman.  
Appointed Representative Hamakawa as second co-chairman.

S.B. No. 1276, S.D. 1 (H.D. 2):

Discharged Representative Saiki as second co-chairman.  
Appointed Representative Kawakami as second co-chairman.

S.B. No. 1379, S.D. 2 (H.D. 1):

Discharged Representative P. Oshiro as chairman, and Representative Hamakawa as a manager.  
Appointed Representative Hamakawa as chairman, and Representative Saiki as a manager.

S.B. No. 1462, S.D. 1 (H.D. 2):

Discharged Representative P. Oshiro as lead co-chairman, and Representative Hamakawa as a manager.  
Appointed Representative Hamakawa as lead co-chairman, and Representative Saiki as a manager.

Hse. Com. No. 401, informing the Senate that the Speaker on March 24, 2000, discharged Representative Hamakawa as a manager on the part of the House at the conference on H.B. No. 1006, H.D. 2 (S.D. 2).

#### STANDING COMMITTEE REPORTS

Senator Kawamoto, jointly with Senator Hanabusa, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3028) recommending that H.B. No. 2185, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2185, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 30, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3029) recommending that H.B. No. 2490, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2490, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 30, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3030) recommending that the Senate advise and consent to the nomination of JOSEPH F. BLANCO as Special Advisor for Technology Development, in accordance with Gov. Msg. No. 140.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3030 and Gov. Msg. No. 140 was deferred until Wednesday, March 29, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3031) recommending that the Senate advise and consent to the nominations of WALTER NUNOKAWA, PH.D., and CHARLES KAWAKAMI to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 170.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3031 and Gov. Msg. No. 170 was deferred until Wednesday, March 29, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3032) recommending that the Senate advise and consent to the nomination of CLYDE T. KODANI to the Western Interstate Commission for Higher Education (WICHE), in accordance with Gov. Msg. No. 207.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3032 and Gov. Msg. No. 207 was deferred until Wednesday, March 29, 2000.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 2870 (Gov. Msg. No. 208):

Senator Chumbley moved that Stand. Com. Rep. No. 2870 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of MICHAEL D. WILSON as Judge of the 6th Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Matsunaga rose in support of the nominee and said:

"Mr. President, I rise in support of the nominee.

"Mike Wilson holds a Bachelor of Science degree from the University of Wisconsin and a J.D. degree from Antioch School of Law. Mr. Wilson has served as the Director of the Department of Land and Natural Resources, and is currently the Executive Director for the Division of Consumer Advocacy. In addition to his professional career, Mr. Wilson has made time for several professional and community organizations including the Western Association of Fish and Wildlife Agencies, the American Inns of Court Barristers, Save Our Bays and Beaches or SOBB, and the Parents Ad Hoc Committee to Stop Violence.

"Mr. President during the Senate Judiciary Committee hearing, the Committee heard his thoughts on creating special classes of crimes for offenses perpetrated on vulnerable populations, domestic violence, dangerous drugs, and felony murder statutes. In addition, the Committee questioned Mr. Wilson regarding his recommendations on how to improve victim's rights, the state's tort laws regarding immunity from liability for counties that administer beach parks, and how he will utilize judicial restraint to balance his passion for policy making.

"The Committee also heard from many state agency directors, several members of the legal community, and private citizens. To quote some of the testimony that was reiterated several times -- 'Mike Wilson is intelligent, honest, fair, and possesses an excellent judicial demeanor.' Further, 'Mr. Wilson has the requisite character, integrity, and human understanding that makes him highly qualified to be a judge in the First Circuit Court.'

"Mr. President, this appointment comes with great community support and is well deserved. I am confident that

Mr. Wilson's commitment to excellence will enhance and protect the quality of life for all of us in our community. I urge my colleagues to consent to this nomination.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

At this time, Senator Matsunaga introduced the newly confirmed Judge Michael Wilson to the members of the Senate. (Judge Wilson, who was seated in the gallery with family and friends, rose to be recognized.)

### THIRD READING

H.B. No. 1902, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun and carried, H.B. No. 1902, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

H.B. No. 1893, H.D. 1, S.D. 1:

On motion by Senator Nakata, seconded by Senator Chumbley and carried, H.B. No. 1893, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

H.B. No. 2563:

On motion by Senator Kawamoto, seconded by Senator Buen and carried, H.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

H.B. No. 2761, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Buen and carried, H.B. No. 2761, H.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, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

H.B. No. 1906, H.D. 1:

On motion by Senator Kanno, seconded by Senator Hanabusa and carried, H.B. No. 1906, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PSYCHOLOGISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

H.B. No. 2463, H.D. 1:

On motion by Senator Kanno, seconded by Senator Hanabusa and carried, H.B. No. 2463, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

H.B. No. 2464, H.D. 1:

On motion by Senator Kanno, seconded by Senator Hanabusa and carried, H.B. No. 2464, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE BOARD OF NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

H.B. No. 2486, H.D. 1:

On motion by Senator Kanno, seconded by Senator Hanabusa and carried, H.B. No. 2486, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC LICENSURE REQUIREMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

H.B. No. 2488, H.D. 1:

On motion by Senator Kanno, seconded by Senator Hanabusa and carried, H.B. No. 2488, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETURN OF PRESCRIPTION DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, M. Ige, Iwase, Tanaka, Taniguchi).

### RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill	Referred to:
------------	--------------

No. 2618, H.D. 2	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary
------------------	---

### RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following concurrent resolution that was offered:

Senate Concurrent Resolution	Referred to:
------------------------------------	--------------

No. 105	Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means
---------	--

### RE-REFERRAL OF SENATE RESOLUTION

The Chair re-referred the following resolution that was offered:

Senate  
Resolution

Referred to:

No. 53 Jointly to the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Again, I'd like to bring forth a little article that was featured in *Mid Week*. I've said it on this floor before because the media gets the idea that some people will be wary of speaking against the media. I don't mind if my name appears in the paper as long as the report is factual. But an article by Mr. Jones in *Mid Week* doesn't have all of his facts right. First of all, he could ask his spouse and find out the facts.

"But this article reads, 'many utterances from Senator Anderson make me wonder if he is really just protecting his wife's job as a Bishop Estate/Kamehameha Schools' travel agent, knowing he's dead political meat that voters can smell from the distance.' Number one, my wife hasn't been with Bishop Estate/Kamehameha Schools for quite a while. Her departure was their fault because whenever they had something nasty to say about me, the media made negative inferences about her position with Bishop Estate. She was there to do a job, making much less than they do writing things that they know nothing about.

"And as far as me smelling like dead meat, ladies and gentlemen, as far as I know right now, there is no one running against me in this next election. So, Mr. Jones can go ahead and move to the district, if he wants to, or go and find someone to run against me, because that's what groups are doing right now.

"I'm tired of people thinking that everybody here is a crook and can be bought and is not going to go ahead and utter a word against them because we're afraid. And it's this kind of public junk that makes me absolutely disgusted with what's happening in the media. I said the other day the media has a code of ethics, and by God, they should live up to it.

"Thank you very much, Mr. President."

Senator Chumbley rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, earlier when I introduced my shadow, I talked about his distinguished family and some of his grandparents. Well, members, as of this Sunday we have a new grandfather among us. Reid and Hayley Mizuguchi gave birth to their son, Cody Rikio Mizuguchi, on Sunday. So, Grandpa Mizuguchi, congratulations on behalf of all of us."

The President responded:

"Thank you. Today, I feel a little older but much prouder. Thank you very much."

Senator Slom also rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"I have received, as my colleagues have, the latest Legislative Auditor's Report, the 'Management Audit of the Highways Division of the State Department of Transportation.' And in that audit, Marion Higa found a number of very serious

problem areas which need addressing. This was an audit of the period for fiscal year 1997-1998 of the Highways Division which expends nearly \$270 million every year.

"The report concludes, 'We found the division failed to plan adequately for the construction and maintenance of state highways, increasing costs unnecessarily. . . . Inadequate planning also hinders the division's budgeting for highway construction. Contracts were based on inaccurate design and construction cost estimates and consequently, debt services incurred unnecessarily for excess revenue bond funds.' She continues, 'The Highways Division has not followed the basic standards of highway maintenance, planning and management of the American Association of State Highway and Transportation Officials.'

"She found that the division's lax financial management practices resulted in unnecessary costs to taxpayers. And she said, 'Although procurement code violations have been a serious and recurring problem for the department, the division continues to award contracts without ensuring adequate competition. Furthermore, the division ignored procurement record retention requirements which resulted in its inability to justify the selection of many of the design consultants in our sample. . . . In fact, division staff avoided the contract change order review and authorization process by inappropriately charging additional contract costs to temporary force accounts. The division also failed to adequately monitor utility work.'

"And the report goes on and on, Mr. President, and concludes: 'Moreover, we observed employees playing computer games, taking naps and reading novels during work hours.' Mr. President, I beseech you, don't they know that taking naps is in the purview of the State Senate, and they should not be interfering in our territory.

"Finally, the auditor reported, 'The director has ignored administrative directives for effecting organizational change and the governor's order to increase the division's span of supervisory control.'

"Waste, loss, unfixed and unsafe roads. Senator Sakamoto introduced his shadow Marcus, who wants to write a mystery novel. Well, Marcus, you can start here in the state. The mystery is, Why do we continue to employ and pay and raise the salaries of people who are both incompetent, violate the rules and break the laws? That's the real mystery.

"I was at the HSTA Convention this morning, and the teachers are very upset because they don't like the inference in the legislation we're trying to pass holding them accountable. And certainly, accountability is buzz word this year, but as I've said before, accountability should be for all of us -- including all of the appointed personnel, including the state Department of Transportation. So, if we're going to hold people accountable, then we shouldn't stop with the teachers. We should hold all public officials because, after all, it's not their money, it's the taxpayers' money.

"And so when we say we don't have money to end the fly problem at Maili School, or we can't provide this or that or textbooks for our children, we look around at the money that is wasted and we look around at all of these audit reports, and while we give glowing accommodations to our state auditor, the best thing that we can do, as I've said before, is to implement the reports and hold people accountable. There's no excuse for this.

"Thank you, Mr. Grandpa."

Senator Anderson rose again on a point of personal privilege and said:

"Mr. President, I'd like to do a personal privilege follow-up on what the Minority Floor Leader said.

"We recently wrote a letter to the governor because the Department of Transportation director said that there are six other locations already identified as potential for a disaster. We're going to have another Waimea if we don't fix these areas. We wrote the governor and asked him, over and above our state funds, could he check to see if there are federal funds to go ahead and take care of these areas before a disaster harms residents or visitors to our island state.

"Well, I read in the paper this morning (I believe it was this morning or Sunday) that the Department of Transportation will be widening the road from Kaneohe. This project will help the people at a cost of \$2.7 million. That means that they're not prioritizing properly. Also, on Keolu in Kailua they have already surveyed and started to cut the road. I think they are going to put a new pipe there.

"We have Makapuu that's falling. We have five other areas that they know about. We should be taking care of those sites now, Mr. President. And that's what the governor and the department should do is prioritize what has to be fixed to make sure that no one gets killed on the road because of falling rocks or a disaster like Waimea that no one really got killed but then after the fact they had to find a way to get the people from point A to point B. We should be working on those issues now and preventing them now.

"Thank you very much, Mr. President."

#### ADJOURNMENT

At 12:14 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 29, 2000.

## FORTY-FIRST DAY

Wednesday, March 29, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Derald Skinner, Calvary Chapel, Pearl Harbor, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Inouye and Iwase who were excused.

The President announced that he had read and approved the Journal of the Fortieth Day.

At this time, the following student shadows were introduced to the members of the Senate:

Senator Buen, on behalf of Senator Anderson, introduced Rae Ann Pagatpatan from Baldwin High School;

Senator Tam introduced Ian Eguchi from McKinley High School;

Senator Slom introduced Kaellen Bursey and Wendy Kawakami from Niu Valley Middle School;

Senator Kawamoto, on behalf of Senator Bunda, introduced Litasha Johnson from Waialua High and Intermediate School;

Senator Ihara introduced Ashley Celesky from King Kekaulike School and Annie Lee from Waiakea High School;

Senator Matsuura introduced Joel Samuels from Hilo High School, and his daughter, Joy Matsuura, from Hilo Union Elementary School;

Senator Kanno introduced Latanya Adachi-Chandler and Robin Gealon from Campbell High School;

Senator Chun Oakland introduced Sandy Talioaga from Kalakaua Middle School; and

Senator Sakamoto, on behalf of Senator Iwase, introduced Shameice Logan from Leilehua High School.

Senator Sakamoto then acknowledged the role of the members of District 50 Lions Hawaii and Lions Clubs International in hosting the 83rd Annual Lions Clubs International Convention in Honolulu, and introduced the following individuals: Mel Nakamura, past district governor and chairman of the 2000 Lions Club Convention Host Committee in Hawaii; Roy Aoki, vice district governor; Alan S. Hayashi, executive director of the Convention Authority; Tony S. Vericella, president and CEO of the Hawaii Visitors and Convention Bureau (HVCB); Sandra-Butler Moreno, HVCB vice president of meetings, conventions and incentives; and H. Lorrie Campbell, HVCB senior director of national accounts and citywide conventions.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 256 to 259) were read by the Clerk and were placed on file:

Gov. Msg. No. 256, dated March 10, 2000, transmitting an addendum to a report prepared by the Office of Youth Services regarding H.C.R. No. 63 (1999).

Gov. Msg. No. 257, dated March 8, 2000, transmitting a report prepared by the Department of Health pursuant to Act 41, SLH 1992, establishing the Primary Health Care Incentive Program and the Primary Care Roundtable.

Gov. Msg. No. 258, dated March 15, 2000, transmitting the 1999 State Certified Arbitration Program (SCAP) Report.

Gov. Msg. No. 259, dated March 17, 2000, transmitting the Department of Defense Annual Report for Fiscal Year 1999, pursuant to Section 121-10, HRS.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 30, from the State Auditor dated March 23, 2000, transmitting a report, "Management Audit of the Highways Division of the Department of Transportation," (Report No. 00-09), was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 402 to 404) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 402, returning S.B. No. 2769, which passed Third Reading in the House of Representatives on March 28, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2769, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REDUCING GREENHOUSE GAS EMISSIONS," was deferred until Thursday, March 30, 2000.

Hse. Com. No. 403, returning S.B. No. 2885, which passed Third Reading in the House of Representatives on March 28, 2000, was placed on file.

Hse. Com. No. 404, transmitting H.C.R. No. 126, H.D. 1, which was adopted by the House of Representatives on March 28, 2000, was placed on file.

By unanimous consent, H.C.R. No. 126, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF THE GOLF INDUSTRY IN HAWAII AND DESIGNATING THE EWA PLAINS/KAPOLEI REGION AS THE GOLF CAPITAL OF OAHU," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 3030 (Gov. Msg. No. 140):

Senator D. Ige moved that Stand. Com. Rep. No. 3030 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator D. Ige then moved that the Senate advise and consent to the nomination of JOSEPH F. BLANCO as Special Advisor for Technology Development, term to expire June 30, 2003, seconded by Senator Sakamoto.

Senator D. Ige rose in support of the nominee and said:

"Mr. President, I rise to speak on Gov. Msg. No. 140, Stand. Com. Rep. No. 3030.

"I'd like to rise to speak in support of Joseph Blanco as the Governor's Special Advisor for Technology Development. I think Joe really needs no introduction to most of the members here but I would like to talk about some of the things that he's been working on in terms of ensuring that Hawaii does have a place in the new economy.

"Joe, since being appointed in September 1999 as the Special Advisor for Technology Development, has been working to create and forge strong partnerships between public and private sectors such as creating the statewide telemedicine network in collaboration with the Harry and Jeanette Weinberg Foundation. He's also been very active with the Hawaii Technology Trade Association and, most importantly, he has been focused on helping establish new and emerging companies in Hawaii. He was part of the Axean Pacific announcement. He had a part in the development of WorldPoint, and I'm certain that there will be many more to follow.

"I would just like to urge all of my colleagues to support his nomination. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Inouye, Iwase).

Stand. Com. Rep. No. 3031 (Gov. Msg. No. 170):

Senator D. Ige moved that Stand. Com. Rep. No. 3031 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator D. Ige then moved that the Senate advise and consent to the nominations to the Board of Regents, University of Hawaii, of the following:

WALTER NUNOKAWA, PH.D., terms to expire June 30, 2000, and June 30, 2004; and

CHARLES KAWAKAMI, term to expire June 30, 2004,

seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Inouye, Iwase).

Stand. Com. Rep. No. 3032 (Gov. Msg. No. 207):

Senator D. Ige moved that Stand. Com. Rep. No. 3032 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator D. Ige then moved that the Senate advise and consent to the nomination of CLYDE T. KODANI to the Western Interstate Commission for Higher Education (WICHE), term to expire June 30, 2004, seconded by Senator Sakamoto.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Inouye, Iwase).

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill

Referred to:

No. 2088, H.D. 1, S.D. 1 Committee on Government Operations and Housing, then to the Committee on Judiciary

No. 2434, H.D. 1 Committee on Ways and Means

No. 2564, H.D. 2 Committee on Ways and Means

#### RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following concurrent resolutions that were offered:

Senate  
Concurrent  
Resolution

Referred to:

No. 34 Jointly to the Committee on Judiciary and the Committee on Education and Technology

No. 123 Jointly to the Committee on Education and Technology and the Committee on Judiciary

#### RE-REFERRAL OF SENATE RESOLUTION

The Chair re-referred the following resolution that was offered:

Senate  
Resolution

Referred to:

No. 12 Jointly to the Committee on Judiciary and the Committee on Education and Technology

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver pursuant to Senate Rule 20 for S.R. Nos. 61, 77 and 80, and the Chair granted the waiver.

Senator Buen, for the Committee on Economic Development, requested a waiver pursuant to Senate Rule 20 for S.R. No. 64, and the Chair granted the waiver.

Senator D. Ige, for the Committee on Education and Technology, requested a waiver pursuant to Senate Rule 20 for S.C.R. Nos. 34 and 123, and the Chair granted the waiver.

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

#### ADJOURNMENT

At 12:11 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 30, 2000.

## FORTY-SECOND DAY

Thursday, March 30, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Ken Miller, First Assembly of God Church, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

The President announced that he had read and approved the Journal of the Forty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Inouye, on behalf of Senators Levin and Matsuura and herself, introduced Michael and Angel Eads in recognition of their outstanding academic achievements. Accompanying Michael and Angel was their father, Pastor Don Eads.

Senator Tam then introduced Daniel B.T. Lau and State Representative Bertha F.K. Leong and congratulated them on being named the 1999 Model Chinese Father of the Year and Model Chinese Mother of the Year by the United Chinese Society. Accompanying the honorees were the following representatives of the United Chinese Society: Danny Young, president; Keith Lim, first vice president; and Henry Lee, executive secretary.

Senator Taniguchi introduced two legislative colleagues from the Council of State Governments and CSG-WEST -- the Honorable Denise Moreno Ducheny, California Assembly Member and chair of the CSG-WEST Committee on the Southern Border; and the Honorable Lynn Hettrick, Minority Leader of the Nevada Assembly and vice chair of CSG-WEST. Accompanying them was Cheryl Lee Duvauchelle, deputy executive director of CSG-WEST.

Senator Matsunaga then introduced Dr. Patricia Chinn, the 2000 Hawaii Medical Association Alliance Physician of the Year. Accompanying Dr. Chinn was her father, Dr. Herbert Chinn; Dr. Arlene Jouxson Meyers; and Maureen Lau.

Senator Anderson then introduced his student "shadow" for the day, Gabriella Mireles from Noelani School.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 260 to 264) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 260, submitting for consideration and confirmation to the Board of Agriculture, the nomination of NEIL N. NAKAMURA, term to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 261, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nominations of STANLEY S. GIMA and IAN L. MATTOCH, terms to expire June 30, 2004, was referred to the Committee on Education and Technology.

Gov. Msg. No. 262, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nominations of RICHARD I.C. CALDITO SR., ABE

KAAHUI, HAROLD KOZUMA, DED., FREDERICK K. LEE, ROBERT Y. MASUDA, BETTY M. MATSUMURA and BRUCE W. MCCULLOUGH, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 263, submitting for consideration and confirmation to the Environmental Council, the nominations of: VERNON D. INOSHITA, term to expire June 30, 2002; and DONN T. FUKUDA, ARNOLD L. LUM, BARBARA M. ROBESON, RAYMOND S. TABATA and PATRICIA TUMMONS, terms to expire June 30, 2004, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 264, submitting for consideration and confirmation to the Stadium Authority, the nominations of MICHAEL JAY GREEN and EDWARD K. HAMADA, terms to expire June 30, 2004, was referred to the Committee on Economic Development.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 405 to 407) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 405, transmitting H.C.R. No. 94, H.D. 1, which was adopted by the House of Representatives on March 29, 2000, was placed on file.

By unanimous consent, H.C.R. No. 94, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII," was referred jointly to the Committee on Health and Human Services and the Committee on Economic Development.

Hse. Com. No. 406, returning S.B. No. 2024, which passed Third Reading in the House of Representatives on March 29, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2024, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH ON CANCER STUDIES," was deferred until Friday, March 31, 2000.

Hse. Com. No. 407, returning S.B. No. 2906, which passed Third Reading in the House of Representatives on March 29, 2000, was placed on file.

## ORDER OF THE DAY

MATTER DEFERRED FROM  
WEDNESDAY, MARCH 29, 2000

## AGREE/DISAGREE

S.B. No. 2769 (H.D. 1):

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2769, and requested a conference on the subject matter thereof.

## THIRD READING

H.B. No. 2185, H.D. 2, S.D. 1:

Senator Kawamoto moved that H.B. No. 2185, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hanabusa.

Senator Kawamoto rose to support the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, many of us have received communications both from the House and the public about the concerns of this bill.

"This bill originally started out in my committee and was passed out but did not pass Ways and Means, and the House bill came over. At that time, we had a hearing with TIA and Water, Land, and Hawaiian Affairs. We had a hearing on the bill but we had some concerns on this bill which were expressed by letters to many of us. But we, thanks to Water, Land, and Hawaiian Affairs, came up with an S.D. 1 requiring the Maui County Council to approve the development and that decision making be made in public forum hearings and be subject to HRS Chapter 343, which is the environmental impact statement.

"There was another concern whether leasing a portion of the landfill was consistent to the executive order, and it is, because the revenues of this project will reduce the county cost of maintaining the site.

"So these are some concerns that were addressed in the letters, and therefore I recommend that all of our colleagues vote 'aye' on this bill.

"Thank you."

Senator Inouye then requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2185, H.D. 2, 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, none. Excused, 1 (Bunda).

H.B. No. 2490, H.D. 1, S.D. 1:

Senator D. Ige moved that H.B. No. 2490, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator M. Ige rose to speak on the measure with reservations as follows:

"Mr. President, I just want to note my reservation on this measure.

"But Mr. President, before I do that, I do want to commend the Committee on Education and Technology. I believe by narrowing the types of exemptions and what the teachers need to go through to get that exemption I think is very commendable.

"Mr. President, I guess my concern is, if this is a problem and if our goal is to give our children the very best education, I think it's very important to have licensed instructors doing that. We can throw all the money we want in facilities or playground equipment but if we don't have the very best in the human element in communicating these thoughts to our kids, then all of that money is for naught.

"So Mr. President, I believe that I hope the committee can continue their work on this, but I believe it's very dangerous grounds in terms of precedent setting, in terms of licensed instructors.

"Thank you."

Senator Kanno then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2490, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

#### ADJOURNMENT

At 12:12 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 31, 2000.



## FORTY-THIRD DAY

Friday, March 31, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Norise Kaiser, OSF, Mission Educator, St. Francis Medical Center, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Iwase, Matsuura and Tanaka who were excused.

The President announced that he had read and approved the Journal of the Forty-Second Day.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson, on behalf of Senator Bunda, introduced Cheryl Chun in recognition of her being selected as Hawaii's Mother of the Year by American Mothers, Inc. Accompanying Ms. Chun was Lianna McMillan, president of the Hawaii Chapter of American Mothers, Inc.

Senator Nakata then introduced Susan Kunz and congratulated her on being selected as Hawaii's State Young Mother Representative 2000 by the State Association of the American Mothers, Inc.

Senator D. Ige then introduced and congratulated Aileen "Mahi" Hamamoto-Ai, the Hawaii State Honor Mother of 2000; and Amy Endo, the Hawaii State Merit Mother of 2000.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 265, advising the Senate of the withdrawal of the nomination of STEPHEN A. KULA, to the Honolulu Subarea Health Planning Council, under Gov. Msg. No. 230 dated March 24, 2000, was read by the Clerk and was placed on file.

In compliance with Gov. Msg. No. 265, the nomination listed under Gov. Msg. No. 230 was returned.

## HOUSE COMMUNICATION

Hse. Com. No. 408, transmitting H.C.R. No. 145, H.D. 1, which was adopted by the House of Representatives on March 30, 2000, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 145, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE WHETHER MOTOR VEHICLE REFORM UNDER ACT 251, SESSION LAWS OF HAWAII 1997, HAS IMPACTED CONSUMER ACCESS TO MEDICALLY REASONABLE, NECESSARY, AND APPROPRIATE REFERRAL TO MASSAGE THERAPY AND PHYSICAL THERAPY, AND IF THIS HAS CONTRIBUTED TO CONSUMER COST SAVINGS UNDER THE ACT," was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

## STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3033) recommending that the Senate advise and consent to the nomination of EARL I. ANZAI as Attorney General, in accordance with Gov. Msg. No. 3.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3033 and Gov. Msg. No. 3 was deferred until Monday, April 3, 2000.

Senators Kanno and Taniguchi, jointly with Senators Fukunaga and Levin, for the Committee on Commerce and Consumer Protection and the Committee on Ways and Means, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 3034) recommending that H.B. No. 1869, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1869, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 3, 2000.

## ORDER OF THE DAY

## MATTER DEFERRED FROM THURSDAY, MARCH 30, 2000

## AGREE/DISAGREE

S.B. No. 2024 (H.D. 1):

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 2024, seconded by Senator Chun.

Senator Chun Oakland rose and said:

"Mr. President, the purpose of this bill is to improve the collection of Hawaii's cancer statistics by requiring the reporting of cancer cases detected in physician's offices, laboratories, free-standing radiation oncology facilities, and other treatment and pathology facilities to the Hawaii Tumor Registry or participating hospital registries.

"The House amended this to amend the title 'Relating to Medical Research on Cancer Studies' to conform to proper drafting conventions. It also includes a purpose and findings section and clarifies the bill through technical and nonsubstantive amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2024, and S.B. No. 2024, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH ON CANCER STUDIES," was placed on the calendar for Final Reading on Monday, April 3, 2000.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

Senator Slom rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"You know, a couple of years ago, in our wisdom, the Legislature passed a law that required employers to submit information on new hires, not to the Department of Labor but to the Child Support Enforcement Agency. And the rationale behind that was to facilitate information on dead-beat parents and to take care of the children. There were fines and penalties that were imposed upon the employers, and for some time there were real problems because the agency moved its location and employers had a very difficult time getting information and complying with the law. But in fact, they did comply with the law.

"Several of us had concerns at that time about what was going to happen with the Unemployment Compensation Division and anyone who was filing for unemployment compensation after that time. There was a news report on television last night that underscored exactly what's happened during the past year and a half, and what has happened is this -- CSEA says that they are in the business of taking care of children and they're not in the area of unemployment compensation. Unemployment Compensation says, since the Legislature passed that on to CSEA, they have no responsibility anymore for new hires. And as a result, for the past year and a half there have been a lot of people that have filed for and been granted unemployment compensation benefits which comes out of the employers' pockets, solely. No employees ever contribute to unemployment compensation.

"And the attitude from both agencies was, well, it's not our responsibility; we're not accountable for that. And the best comment was from the Department of Labor -- maybe the Legislature should pass a law. This is the problem with the laws that we pass here. Oftentimes we pass laws; we don't listen to people who testify; we don't consider the unintended consequences; and if it's somebody else's money that's being paid or if it's a lack of accountability, well, we can always go back and pass yet another law.

"I think, Mr. President, particularly since the buzz word this year is accountability, that again I use this as an example that we should hold everybody accountable, not just the unionized school teachers, and that we should take more care when we're passing legislation and listen to those people that raise legitimate concerns and objections. And as for my part right now, I would like to see and make sure that any people or any individuals that have received benefits that they were not entitled to, are compelled to pay those benefits back.

"Thank you, Mr. President."

#### ADJOURNMENT

At 12:08 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 3, 2000.

## FORTY-FOURTH DAY

Monday, April 3, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Yodo Aso, Shingon Mission Church, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Levin who were excused.

The President announced that he had read and approved the Journal of the Forty-Third Day.

At this time, Senator Matsunaga commended the 100th Infantry Battalion and the 442nd Regimental Combat Team for their devotion to the cause of freedom and for proving that being an American is not -- and never will be -- a matter of race or ancestry and introduced the following World War II veterans: Sakae Takahashi; Don Matsuda, president of Club 100; Rikio Tsuda; Don Shimazu, president of the 442nd Veterans Club; and Shigeo Kawamoto.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:46 o'clock p.m.

At this time, Senator Slom rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I just want to note for the President's and members' edification that the Minority held its caucus -- completed in 3 minutes and 30 seconds -- and that we've been waiting 1 hour and 10 minutes for the Majority, and the only thing that the Majority seems to be able to agree on is to be able to use the rest room facilities of the Minority Caucus. (Laughter.)

"If you do need any assistance in reading bills prior to the time we're voting on them as Republicans do, please call on us at any time.

"And Mr. President, I didn't know whether maybe or not we should have another invocation to start this all over again.

"Thank you very much, Mr. President."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 409 to 415) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 409, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 1893, H.D. 1 (S.D. 1);  
H.B. No. 1902, H.D. 1 (S.D. 1);  
H.B. No. 2185, H.D. 2 (S.D. 1); and  
H.B. No. 2490, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 410, transmitting H.C.R. No. 27, which was adopted by the House of Representatives on March 31, 2000, was placed on file.

By unanimous consent, H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE

CENTENNIAL OF THE ORGANIC ACT," was referred to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 411, transmitting H.C.R. No. 41, which was adopted by the House of Representatives on March 31, 2000, was placed on file.

By unanimous consent, H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FEDERAL RECOGNITION OF A HAWAIIAN NATION," was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 412, transmitting H.C.R. No. 127, H.D. 1, which was adopted by the House of Representatives on March 31, 2000, was placed on file.

By unanimous consent, H.C.R. No. 127, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF THUA THIEN-HUE OF THE SOCIALIST REPUBLIC OF VIETNAM," was referred jointly to the Committee on Economic Development and the Committee on Education and Technology.

Hse. Com. No. 413, transmitting H.C.R. No. 135, H.D. 1, which was adopted by the House of Representatives on March 31, 2000, was placed on file.

By unanimous consent, H.C.R. No. 135, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A SISTER STATE-RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE PROVINCE OF YUNNAN OF THE PEOPLE'S REPUBLIC OF CHINA," was referred jointly to the Committee on Economic Development and the Committee on Education and Technology.

Hse. Com. No. 414, transmitting H.C.R. No. 159, H.D. 1, which was adopted by the House of Representatives on March 31, 2000, was placed on file.

By unanimous consent, H.C.R. No. 159, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ADOPT RULES TO REGULATE THE IMPORTATION OF CACAO BEANS INTO THE STATE," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 415, transmitting H.C.R. No. 204, H.D. 1, which was adopted by the House of Representatives on March 31, 2000, was placed on file.

By unanimous consent, H.C.R. No. 204, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HONOLULU JAPANESE CHAMBER OF COMMERCE IN ITS CENTENNIAL YEAR," was referred to the Committee on Education and Technology.

## STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3035) recommending that the Senate advise and consent to the nominations of LLOYD I. UNEBASAMI, LORRAINE H. AKIBA, KATHRYN S. MATAYOSHI, IRVING LAUBER, TARA LULANI MCKENZIE, RANDOLPH G. MOORE, JANIS A. REISCHMANN, FAITH SERENO REX and RUTHANN S. YAMANAKA to the

Hawaii Performance Partnerships Board, in accordance with Gov. Msg. No. 159.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3035 and Gov. Msg. No. 159 was deferred until Tuesday, April 4, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3036) recommending that the Senate advise and consent to the nomination of LLOYD Y. KIMURA to the Board of Trustees, Deferred Compensation Plan, in accordance with Gov. Msg. No. 156.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3036 and Gov. Msg. No. 156 was deferred until Tuesday, April 4, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3037) recommending that the Senate advise and consent to the nominations of WAYNE SALAS and ROBERT O. VALENTINE to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 205.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3037 and Gov. Msg. No. 205 was deferred until Tuesday, April 4, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3038) recommending that the Senate advise and consent to the nominations of STEPHEN C. GREEN and NORA R. MACARIOLA-SEE to the Board of Certification of Operating Personnel in Water Treatment Plants, in accordance with Gov. Msg. No. 206.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3038 and Gov. Msg. No. 206 was deferred until Tuesday, April 4, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3039) recommending that the Senate advise and consent to the nomination of NEAL H. MIYAHIRA as Director of Finance, in accordance with Gov. Msg. No. 4.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3039 and Gov. Msg. No. 4 was deferred until Tuesday, April 4, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3040) recommending that S.C.R. No. 2, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE KAWAEWAE HEIAU IN KANEOHE, OAHU," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3041) recommending that S.R. No. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE KAWAEWAE HEIAU IN KANEOHE, OAHU," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3042) recommending that S.C.R. No. 14, as amended in S.D. 1, be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 14, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PU'U O KAPOLEI BE PLACED ON THE STATE AND NATIONAL HISTORIC REGISTERS," was referred to the Committee on Education and Technology.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3043) recommending that S.C.R. No. 66, be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW CURRENT STATUTES TO DETERMINE WHETHER IT IS ILLEGAL AND WHETHER IT SHOULD BE ILLEGAL TO REMOVE AND SELL SAND FROM PUBLIC BEACHES," was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3044) recommending that S.C.R. No. 69, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 69, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON ESTABLISHING WATER RESOURCE MANAGEMENT DISTRICTS THAT UTILIZE COMMUNITY-BASED RECOMMENDATIONS TO DEVELOP WATER RESOURCE MANAGEMENT POLICIES," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3045) recommending that S.C.R. No. 70, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 70, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF INFRASTRUCTURE FOR THE RESIDENTS OF THE MAUNALAHA AREA OF MAKIKI HEIGHTS ON THE ISLAND OF OAHU," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3046) recommending that S.C.R. No. 77 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the

Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3047) recommending that S.R. No. 31 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 31, entitled: "SENATE RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3048) recommending that S.C.R. No. 93, be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPOINT THE TRUSTEES TO THE OFFICE OF HAWAIIAN AFFAIRS TO SERVE OUT THEIR TERMS OF OFFICE IF THE RICE V. CAYETANO DECISION REQUIRES THEIR REMOVAL AS ELECTED OFFICIALS," was referred to the Committee on Judiciary.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3049) recommending that S.C.R. No. 95 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO SHARE IN THE COST OF CONDUCTING A COMPREHENSIVE INVENTORY OF CEDED LANDS IN THE STATE OF HAWAII," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senators Chumbley and Matsunaga, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3050) recommending that S.C.R. No. 113 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE EXISTING REPRESENTATION FRAMEWORK OF THE OFFICE OF HAWAIIAN AFFAIRS AND THE EFFECTS OF THE RICE V. CAYETANO DECISION," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senators Chumbley and Matsunaga, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3051) recommending that S.R. No. 56 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 56, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE EXISTING REPRESENTATION FRAMEWORK OF THE OFFICE OF HAWAIIAN AFFAIRS AND THE EFFECTS OF THE RICE V. CAYETANO DECISION," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senators Chumbley and Matsunaga, for the Committee on Water, Land, and Hawaiian

Affairs and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3052) recommending that S.C.R. No. 207, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 207, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ATTORNEY GENERAL AND PLAINTIFFS TO AMICABLY AND INFORMALLY RESOLVE, THROUGH MEDIATION, NEGOTIATION, AND SETTLEMENT, KALIMA V. STATE OF HAWAII, CIVIL NO. 99-4771-12 VSM, PENDING BEFORE THE FIRST CIRCUIT COURT," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3053) recommending that S.C.R. No. 4, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 4, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING CONTINUED FUNDING OF HAWAII HEALTHY START WITH GENERAL FUND APPROPRIATIONS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3054) recommending that S.R. No. 3, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 3, entitled: "SENATE RESOLUTION SUPPORTING CONTINUED FUNDING OF HAWAII HEALTHY START WITH GENERAL FUND APPROPRIATIONS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3055) recommending that S.C.R. No. 40, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 40, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3056) recommending that S.R. No. 17, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 17, entitled: "SENATE RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3057) recommending that S.C.R. No. 76, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL

MUTILATION," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3058) recommending that S.R. No. 30, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 30, entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3059) recommending that S.C.R. No. 88, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 88, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPROVE STATEWIDE DIABETES AWARENESS AND EDUCATION AND TO CONVENE A TASK FORCE TO ADDRESS EARLY DETECTION AND SCREENING," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3060) recommending that S.C.R. No. 135, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 135, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3061) recommending that S.C.R. No. 194, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 194, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE THE LEGISLATURE WITH STATISTICAL DATA ON TERMINATION OF PREGNANCIES," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3062) recommending that S.C.R. No. 196, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 196, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, TO REPORT ON THE TRANSITION OF THE HAWAII STATE HOSPITAL TO A SECURED PSYCHOSOCIAL REHABILITATION FACILITY," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3063) recommending that S.C.R. No. 3 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 3, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A SYSTEM TO IDENTIFY AND PROVIDE SERVICES AND SUPPORT FOR CHILDREN OF INCARCERATED PARENTS," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3064) recommending that S.C.R. No. 6, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A DOMESTIC VIOLENCE COURT OR DIVISION," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3065) recommending that S.C.R. No. 26, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 26, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING DRUG COURTS ON THE ISLANDS OF HAWAII AND KAUAI," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Kawamoto, for the Committee on Judiciary and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3066) recommending that S.C.R. No. 54 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT STANDING COMMITTEE ON HAWAII RULES ON EVIDENCE TO STUDY THE APPROPRIATE USE OF COMPUTER ANALYSIS OF PHYSICAL EVIDENCE AT TRAFFIC ACCIDENT SCENES," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3067) recommending that S.C.R. No. 55 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 55, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF INFORMATION PRACTICES TO CONVENE A TASK FORCE ON HEALTH CARE INFORMATION PRIVACY," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3068) recommending that S.C.R. No. 114 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONTINUE THE DOMESTIC VIOLENCE WORKING GROUP ESTABLISHED IN 1999 BY THE HAWAII STATE LEGISLATURE AND EXPAND THE MEMBERSHIP OF THE GROUP," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3069) recommending that S.C.R. No. 116, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 116, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO PROMOTE EXCELLENCE IN THE JUDICIARY THROUGH RECOGNITION OF EXCELLENCE, REVIEW OF JUDICIAL PERFORMANCE, AND PUBLIC EDUCATION," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3070) recommending that S.C.R. No. 122, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 122, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3071) recommending that S.C.R. No. 153, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 153, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FEASIBILITY STUDY OF DIRECT FILING OF CRIMINAL CHARGES," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3072) recommending that S.C.R. No. 199, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 199, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS ON HOW TO IMPROVE THE LAWS CONCERNING THE SEXUAL EXPLOITATION OF WOMEN AND CHILDREN," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3073) recommending that the Senate advise and consent to the nomination of MILES T. NAKATSU to the Board of Pharmacy, in accordance with Gov. Msg. No. 195.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3073 and Gov. Msg. No. 195 was deferred until Tuesday, April 4, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3074) recommending that the Senate advise and consent to the nominations of STEVE GOODENOW and FREDERICK WM. HACKBARTH to the Board of Private Detectives and Guards, in accordance with Gov. Msg. No. 196.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3074 and Gov. Msg. No. 196 was deferred until Tuesday, April 4, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3075) recommending that the Senate advise and consent to the nominations of CASEY K. CHOI and PETER RICE to the Real Estate Commission, in accordance with Gov. Msg. No. 197.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3075 and Gov. Msg. No. 197 was deferred until Tuesday, April 4, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3076) recommending that the Senate advise and consent to the nominations of ROGELIO EVANGELISTA and DANIA S. KRAWEC to the Advisory Board on Veterans' Services, in accordance with Gov. Msg. No. 204.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3076 and Gov. Msg. No. 204 was deferred until Tuesday, April 4, 2000.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3077) recommending that H.B. No. 2123, H.D. 2 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 2123, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND TIPS OF EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 4, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3078) recommending that H.B. No. 1934, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1934, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 5, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3079) recommending that H.B. No. 2485, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2485, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 5, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3080) recommending that S.C.R. No. 98, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 98, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE IMPACT OF INCREASING THE DEPARTMENT OF TRANSPORTATION'S AUTHORITY AND JURISDICTION OVER HARBORS," was referred to the Committee on Ways and Means.

Senators Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3081) recommending that S.C.R. No. 102, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 102, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3082) recommending that S.C.R. No. 104, be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 104, entitled: "SENATE CONCURRENT RESOLUTION ASKING THE CONGRESS OF THE UNITED STATES TO ADDRESS THE ISSUE OF AVAILABILITY OF OBTAINING A FALSE IDENTIFICATION VIA THE INTERNET," was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3083) recommending that S.C.R. No. 156, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 156, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY FOR THE PURPOSE OF PROVIDING ADDITIONAL SAFE BIKEPATHS," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3084) recommending that S.R. No. 77, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 77, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY FOR THE PURPOSE OF PROVIDING ADDITIONAL SAFE BIKEPATHS," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3085) recommending that S.R. No. 35, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 35, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF MOTOR VEHICLES TO HELP EDUCATE THE ENGLISH AS SECOND LANGUAGE ETHNIC GROUPS AND PROMOTE COMPLIANCE WITH

DEPARTMENT RULES," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3086) recommending that S.C.R. No. 19 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 19, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING A MISSILE DEFENSE SYSTEM FOR HAWAII," was adopted.

Senators Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3087) recommending that S.R. No. 6 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 6, entitled: "SENATE RESOLUTION SUPPORTING A MISSILE DEFENSE SYSTEM FOR HAWAII," was adopted.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 3033 (Gov. Msg. No. 3):

By unanimous consent, action on Stand. Com. Rep. No. 3033 and Gov. Msg. No. 3 was deferred to the end of the calendar.

### FINAL READING

S.B. No. 2024, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2024, and S.B. No. 2024, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH ON CANCER STUDIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Levin).

### THIRD READING

H.B. No. 1869, H.D. 1, S.D. 1:

Senator Kanno moved that H.B. No. 1869, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kanno rose in support of the measure and said:

"Mr. President, I rise to speak in support of this measure.

"Mr. President, this measure implements major changes in the delivery of health benefits to public employees. There have been a number of concerns raised about the S.D. 1 before us today. I'd like to indicate that the bill is a work in progress. What was indicated at the public hearing and decision making was that there are a number of outstanding issues that need to be addressed in Conference and the chairs fully intend to do so.

"One of these items is located on page 38, line 13 -- the provision that states that when 'The employees' retirement system is fully funded' that those moneys that are designated as excess shall go to assist with the payment of retiree health benefits. The language of the bill should state, 'self-sustaining' instead of 'fully funded.' Self-sustaining means when the system no longer needs any contributions from the state or city, the employer. So that's one item that needs to be fixed in Conference.



"There's also concern about the possible tax consequences of linking retiree health benefits to the Employees' Retirement System. So that's another issue.

"There are a number of other issues and concerns that have come up. We request from the members, that as we go into this Conference period, we ask for whatever concerns and requests for changes to be submitted in writing. That would help us, because there have been a number of detailed items that have been pointed out and we want to make sure that we address each and every one.

"One of the key things we wanted to mention was that, symbolically, the chairs wanted to pass this measure today, although it is a work in progress with a number of items that need to be fixed. This would indicate the importance of the bill and the interest of the chairs in beginning Conference as soon as possible. This bill is going to have a major impact on the state, not only the employees but to all taxpayers. There are a considerable number of differences between the House and Senate drafts. We wanted to pass it as early as possible and indicate our willingness to begin Conference and to address a number of these concerns prior to presenting to you a C.D. 1.

"I urge the members to vote 'aye.' Thank you."

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak in opposition to the bill.

"This is a bad bill. And this is a bill that if we call it a work in progress, it's poor work and it's poor progress. There were numerous concerns that were raised in the committees, and the concerns were not addressed. Instead, we're left with a bill that we're told 'Let's take it to Conference Committee.' And everybody knows that in Conference Committee the public and even members of the Conference Committee have very little opportunity to influence the outcome, or actually to even know what's going on.

"This bill says from the outset that the purpose is to reduce the increasing costs of health benefits for state employees. It will not do that. It does not attempt to do that. This bill also seeks to raid retirement funds to pay for the growing burgeoning costs of health benefits. That is poor fiscal planning; it is poor tax planning; it is poor governmental planning. And the ERS testified about that.

"In addition to that, the bill has an appropriation amount which is blank. We've got to get over this idea of continuing to pass or to vote on bills that have blank measures. How can we in our right minds talk about being fiscally responsible or accountable when we can't even have a dollar amount ourselves?

"In addition to that, this bill mandates that trustees to this newly created fund have conflicting fiduciary duties. They're supposed to act in the best interest of the employer, to act in the best interest of the employee, to act in the best interest of the fiscal integrity of the plan. I don't know how they can do all three.

"In addition to that, though, this bill creates multiple employer/union health trust units which is neither cost effective nor efficient.

"And lastly, Mr. President, the retirees that came and testified at every hearing are being overlooked because this bill is not going to protect the rights and the promises that this state government has made to them. And as costly as this may be, as I've stood here before and told you, we must honor our commitments. And the idea that we're going to change things and we're going to leave one group of people out in the cold or worrying about what's going to happen when they're on fixed incomes is not fair, it's not just, it's not equitable, and I would urge my colleagues to vote against this bill.

"Thank you."

Senator M. Ige rose in opposition to the measure and said:

"Mr. President, I, too, rise in opposition to this measure.

"Mr. President, we talk about providing our children with the very best education possible. It's not just facilities; it's not just playground equipment. I think it goes beyond that. It's a total package. And our instructors, our educators are key to that. And as you can see by the committee report, the Hawaii State Teachers' Association did not support this measure because I believe they will be negatively impacted if this measure were to pass as is.

"So for those reasons, Mr. President, I believe we do need to have a vision for education and protect not just our students but our educators out there in the trenches doing the work for our people.

"Thank you."

Senator Kanno rose again and said:

"Mr. President, I'd like to address a number of the concerns raised by the two previous speakers.

"First, on the question of reducing costs -- the bill attempts to address the primary concerns raised by the State Auditor about the Public Employees Health Fund. The Public Employees Health Fund is restricted from taking action and reacting immediately to changes in the health care field. What this bill does is, it sets up an autonomous entity to be able to be more competitive and address the bureaucratic difficulties at the health fund. The attempt here is to reduce cost.

"Secondly, in regards to the concern about raiding the retirement funds, the bill specifically states that only at which time that the Employees' Retirement System is fully funded that moneys could be utilized to assist with retiree health fund costs. This will possibly not be implemented until the year 2010 or whenever the Employees' Retirement System is fully funded. To the extent that funds are used from the ERS, it will be only those monies that are deemed to be in excess of what's needed by the fund.

"In regard to the multiple union trust not being cost efficient, the multiple union trust offers a level of competition by having the different multiple union trusts competing against one another to create the best plans and at the best price. So, rather than creating one system where everyone is lumped into one large entity with no competition, the Senate proposal creates a situation where there's competition between a number of plans attempting to keep costs down and to create the best plans.

"On the point of honoring commitments to public employees, I think the Senate position cannot be faulted. We are maintaining our commitments to public employees and retirees. The bill does not include take-away provisions.

"I would like to respond to the concern that the HSTA was listed as being opposed to the bill in the committee report -- if the members are familiar with the formatting of the committee report, the HSTA testimony reflected in the committee report is opposed to the H.D. 1. So the HSTA is in opposition to the H.D. 1. That's the testimony that we received. That is what is indicated in that section of the committee report. I would encourage members to contact the HSTA for their opinion on the S.D. 1, which is before us today.

"I urge my colleagues to support the measure. Thank you."

Senator Anderson then rose to speak against the measure as follows:

"Mr. President, I, too, will be voting 'no.'"

"I go along with the Minority Floor Leader and the good Senator from Kaneohe who said regardless of whatever happens, everybody is really unsure.

"Let me bring your attention to the committee report on the last page where it says, 'Your Committees believe that, as a vehicle for keeping the discussion on the employer-union health benefit trust concept alive . . .' The only reason that it's going to be kept alive is for it to go to Conference. Once it passes out of Conference it will likely become law. It will not turn into a resolution, my friends. And it's not just going to die, because most people here are trying to make sure it stays alive. And the retirees will take a beating, regardless of whatever they say.

"Almost all bills are used as a vehicle. When you don't want something, you say 'Well, it's only a reso.' Why are we not passing a resolution to study it if you can't even make up your minds? It took us three minutes because we had to study it prior to the floor vote. We used staff to better understand what this bill actually does. Does it really benefit our employees? Our retirees? Just what does it do? And if there's some concern, it should die because it really doesn't explain itself. We should not use a vehicle such as this. We study everything else to death. I don't understand why we are pushing through the process.

"I'll be voting 'no.' Thank you very much, Mr. President."

Senator Slom rose in rebuttal and said:

"Mr. President, just a short rebuttal in addition to some of the comments made by the good Senator from Kapolei.

"Again, one of the key provisions in this bill is that it does mandate the Employees' Retirement System to reimburse health fund benefits. You heard that we don't have to worry about that until the year 2010. However, that's not true because it's going into Conference Committee and that date could be changed to 2000, or it could be changed to a later date.

"The real key issue here is whether or not retirement funds should be mandated and forced to be used for retirees' health benefits. Retirement and health benefits are two incredibly different issues. In addition to that, when the statement is made that it will only be taken out of the Retirement System when there are excess benefits, then the question should be if there are excess benefits then maybe the beneficiaries are being charged too much initially for what they believe is going to be their retirement, or perhaps they should be allowed to make choices in the private sector.

"In any event, it has bad negative tax consequences and bad moral consequences to mix the two.

"Thank you, Mr. President."

Senator Kanno rose and responded as follows:

"Mr. President, if I could address a number of the concerns raised.

"Earlier in this session, the Senate had passed three vehicle bills in the form of Senate bills over to the House as possible solutions to the Health Fund. I want to reiterate what those bills are so that members may recall that the union trust isn't our only position on improvements to the Health Fund. There are three Senate bills. One bill did have to do with union trust, which is very similar to the S.D. 1 before us today. The second bill looked at a captive insurance company as a possible means to addressing the delivery of health benefits. The third bill, symbolically, was to look at keeping the current health fund structure with improvements to the statute to provide the Health Fund Board with the powers and the autonomy to make the

necessary corrections that were pointed out in the Auditor's Report.

"I did want to reiterate that our position has not changed, that we are still reviewing those positions. Those bills are over at the House. The House had sent over one bill, and that is the bill before us today. Their bill has to do with the union trust. Basically, we have inserted our previous Senate position with a number of amendments to the bill.

"I urge my colleagues to support the measure. Thank you."

Senator Chun rose to add his remarks with reservations on the measure:

"Mr. President, I rise in support of the bill, with reservations.

"Mr. President, I agree with some of the comments made by my colleagues from the Minority. However, it's easy to talk about the negative points of this bill. I think what we need to focus on is the attempt of this bill and its authors to go forward and to try to revise our system and to make corrections where it needs to be corrected. This bill does go forward and look at the direction. It looks at the issue of negotiability and it gives some flexibility to both the employer and the union to go beyond just the statutory provisions regarding the Health Fund and to meet the needs and find the most cost effective method. I agree with the direction of putting things into negotiations and to give them the flexibility to do so.

"I also agree with the focus of the bill to look at the cost, rather than percentage, and to make those focuses, in terms of the dollar contributions by the employer. This would allow the employer in its budgeting process to know what things are going to cost, rather than just relying on a pure percentage contribution.

"Finally, Mr. President, there are things that we need to look at and I think everybody agrees with that. We need to make sure that there is enough of a connection between the ERS fund and the contribution that it proposes to do to the Health Fund. We want to make sure that the ERS is fully self-sufficient before there's any contributions made. We have to be sure that there are no other competing interests for those monies in the ERS if it is self-sufficient.

"We also need to make it clear that if we're going to be talking about allowing flexibility in negotiations that we do not intend to touch any existing benefits of retirees. And I think as this bill progresses that it will be clear that we do not intend at all to affect any retirees' existing benefits. But I believe, Mr. President, rather than focus on the negatives of this bill, we need to focus on the positive. We need to look at changes, and we need to take some risks in order to make sure these changes occur.

"Mr. President, for those reasons, I ask all my colleagues to support this bill."

Senator Sakamoto also rose with reservations and said:

"Mr. President, I rise to speak in support with reservations.

"It is my understanding that under current law, the state pays 60 percent and the employee pays 40 percent of the cost. However inefficient some provisions of our current system are -- where, in fact, some employees pay zero percent and the 60 percent fulfills the entire health obligation for particular employees -- this bill removes any such percent so that down the road, potentially, taxpayers could pay 100 percent for everybody. For the employees, certainly that would be a good thing. However, with our dire financial straits, our current situation with the economy struggling, not enough taxes to fund education as our colleague from the Windward side says, I believe we need financial constraint.

"Also, the board in this provision has no obligation to the taxpayers, and I believe we need to seriously look at the cost impacts.

"Thank you, Mr. President."

The motion was put by the Chair and carried, H.B. No. 1869, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Anderson, M. Ige, Slom). Excused, 2 (Bunda, Levin).

### **MATTER DEFERRED FROM EARLIER ON THE CALENDAR**

#### **ADVISE AND CONSENT**

Stand. Com. Rep. No. 3033 (Gov. Msg. No. 3):

Senator Chumbley moved that Stand. Com. Rep. No. 3033 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of EARL I. ANZAI as Attorney General, term to expire December 2, 2002, seconded by Senator Matsunaga.

At 1:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:08 o'clock p.m.

Senator Matsunaga rose in support of the nominee and said:

"Mr. President, I rise in support of the nominee.

"Mr. President, Earl Anzai has served as the Acting Attorney General since July of 1999. Prior to serving in the Attorney General's Office, Mr. Anzai served as the state's Director of Budget and Finance from 1995 to 1999, and had a private law practice from 1988 to 1993. Mr. Anzai has also served as the chief counsel for several state legislative committees and was the planning program coordinator for the Oahu Metropolitan Planning Organization from 1967 to 1977.

"Mr. President, during the Senate Judiciary Committee hearing, the Committee heard his views on his administrative qualifications in criminal issues. Mr. Anzai submitted his goals and objectives for the Department of the Attorney General which the Committee also reviewed extensively with Mr. Anzai during the hearing.

"The Committee heard from several state agency directors, several members of the legal community, as well as private citizens voice their overwhelming support for Mr. Anzai. Testimony given by the various state agency directors in attendance indicates that Mr. Anzai has made significant progress in addressing the concerns raised about the prior administration of the previous attorney general, that the agencies have been provided with excellent service from the Attorney General's Office since Mr. Anzai's tenure began.

"Further testimony indicated that Mr. Anzai possesses an impressive legal background and recognized dedication to public service. He is honest, exhibits the highest degree of ethical conduct and is a straight shooter.

"As you can see, Mr. President, this appointment comes with great community support and is well deserved. I am confident that Mr. Anzai's commitment to excellence will enhance and protect the quality of life for all of us in our community. I urge my colleagues to consent to this nomination.

"Thank you, Mr. President."

Senator Kawamoto also rose in support as follows:

"Mr. President, I rise to speak in favor of this nominee.

"Mr. President, last year I had some problems with the resources from the AG's office going to the special ed teachers and principals. I had problems with the things that went into the AG's office and not coming out and having an average of about ten months before coming out.

"When I talked to Mr. Anzai, I told him about my concerns and he said, 'You know, Senator, education is about one-third of our budget. There should be equal number of resources addressed to education.'

"Today, Mr. President, we had the opportunity to go through 14 cases, and as of today, we won 8 cases. With the previous administration, we would have won zero cases and maybe, if we were lucky, two. These are the results that we like to see and also the fact that he has said in public, nothing stays on his desk more than 24 hours. That is a great, great improvement for our different departments when things were considered going into the deep hole called the AG's Office.

"I had the opportunity a couple of times to play golf with Mr. Anzai. He's not a great golfer. (Laughter.) He's just as bad as I am, but he plays the ball where it lies and that shows to me the integrity of this gentleman. When we were kids we called it 'hopapu' -- Ms. Paula Akana, here's a new word for you -- but that's moving the ball to a better position to hit the ball. To me, this shows a great deal of integrity for those of us that try to play the game of golf and it means a lot to us.

"So Mr. President, I urge all my colleagues to vote 'aye' on this nominee."

Senator Tam added his support of the nominee as follows:

"Mr. President and fellow colleagues, I wish to speak in favor of the nominee.

"Mr. Anzai, I wish to personally thank you on behalf of the Nuuanu residents and myself for acting quickly on the issue of the selling contract of the Marks Estate through the bidding process, which was delayed in the Attorney General's Office for over two years. I appreciate that very much and the residents are very happy now.

"Thank you."

Senator Chun also rose in favor of the nomination and said:

"Mr. President, I rise in support of the nominee, with reservations.

"Mr. President, when I first talked with Mr. Anzai, the nominee, I basically gave him three questions that I would be asking him in the committee. Those three questions involved his relationship with the county governments; second, I questioned him about his close relationship with the governor; and third, I asked him about how he would handle situations involving the conflicting policies between the legislative branch and the administration. I asked him those three questions on his confirmation hearing in front of the Judiciary Committee. Thank you to the chairmen for allowing me to do that. And I found that those questions really weren't answered that fully, and to be totally honest, I wasn't that happy with the answers.

"For example, on the county government issues he indicated that he hasn't really looked at that too closely. In relationship to his friendship with the governor, he indicated that we just have to trust him. And thirdly, in regards to the conflicting advice regarding the policies of the legislative branch and the

administrative, he indicated that it basically is the governor's policies that he will be following.

"However, I will be supporting this nominee primarily because of the fact that he has worked so hard during the interim. He has shown, during this six-month period, that he is willing and able to work with the different departments. In fact, I was looking through a memo that was so graciously sent down by the Minority Office which indicated that there are numerous number of departments that have provided support for this nominee, where no support was given for his predecessor. Also, I was there in the confirmation hearings when department after department indicated how much improved the relationship was between the Department of the Attorney General and the respective departments. Those kinds of improvements I must recognize.

"I also recognized during the confirmation hearing that the responses from the Attorney General's Office have been much quicker, and that has really helped the departments in order for them to do their job.

"Finally, I note that the governor has looked hard and long for other people to replace the former attorney general, and a lot of people in the private sector, even though they are qualified, are not willing to give the kind of time as the attorney general nominee is willing to do. I think based upon all the factors involved, I feel that this nominee should survive; this nomination should be confirmed, and I stand behind this nominee right now.

"Thank you."

Senator Slom rose in support with reservations and stated:

"Mr. President, I rise to support the nominee with reservations.

"It's interesting to see what a difference a year makes. It's also interesting to hear comments from my colleagues about the tremendous improvement in service and the excellence in service which is delivered, which after all, Mr. President, was one of the major issues that was brought up on this Senate floor a year ago in April. That was the problem -- that there was no responsiveness; that things were not getting done.

"I think in deference to the nominee, I think he has made a conscious effort. He has worked hard. And the fact that there has been a tremendous lobbying effort to have the whole cabinet here sitting beside him (it's always nice to see them), I think it's attesting to the fact that he has accomplished things that were not accomplished and were ignored before. He has been open. He has been willing to discuss issues, and I think that's very positive.

"On the other hand, I still have concerns relating to the fact that the general public does not understand that the Office of the Attorney General is not the people's attorney in the State of Hawaii; it's the governor's attorney. This is another reason why we should more seriously consider an elected attorney general. And in addition to that, I was very disappointed in the attorney general's role recently in the scheme to grant or to issue a temporary restraining order on behalf of the Department of Health and Department of Education to block the Legislative Auditor in her constitutional efforts to try to uncover the problems that we've had with Felix/Cayetano.

"But with all of these things, Mr. President, I will still support the nominee because I think he has demonstrated in this period of time, under adverse circumstances, his willingness to take that extra step and also his ability to achieve. And even though I don't play golf, Mr. President, and will never amount to anything because of that, I lend my voice to his support.

"Thank you."

Senator D. Ige also supported the nominee and said:

"Mr. President, I rise to speak in support of the nominee, with reservations.

"I would like to, first of all, state that I do appreciate the increased effort and resources that the Attorney General's Office has given to supporting the Department of Education in regards to the Felix consent decree. I've received numerous, numerous phone calls talking about how more responsive the office is to supporting the Department of Education.

"My primary concern and reservation is with the fact that I am still not convinced that the State of Hawaii is structured correctly to provide services in regard to the Felix consent decree. I've shared my concerns with the nominee, and I really would like to encourage him to do all that is possible to ensure that we can provide quality services to children with special needs in a most cost effective and responsive manner.

"Thank you."

Senator Anderson added his remarks with reservations on the nominee as follows:

"Mr. President, I rise to speak with reservations, and I'm afraid it's grave reservations. I'm smart enough to know that you don't vote 'no' if you don't have the votes, and let me be very honest about this.

"I've kept a file on the nominee, the role of attorney general, the Office of the Attorney General because I'm concerned. I happen to like Earl Anzai. I commented that I wouldn't mind sitting down having a beer with him and I don't even know if he drinks beer. But right from the very beginning, Mr. President, when the governor named former budget chief Earl Anzai for attorney general, I was concerned. The nomination was a slap in the face, because as the budget chief, I had a lot of concerns. I was opposed to the attorney general at that time, as you well know, but we were told that the nomination had to go to the floor.

"When Mr. Anzai was appointed by the governor, Peter Carlisle and others like Randy Roth said, 'Let's give him a chance. Let's see what happens.' I wrote a letter and that one happened to get printed. It said, 'How can you have an attorney general who is going to ignore the laws?' And that's because he thought, as budget director it was all right to give the governor a budget that was inflated and the governor could go ahead and make a determination on what got cut and what didn't to balance our budget. And everybody said, 'Well, give him a chance; things will change.'

"We also sent out a press release -- 'Senate Republicans demanding a much needed special session.' Because at that time I thought that we needed a special session not only for the Department of Hawaiian Home Lands which could have sued us for the claims, but also we had to address Mr. Anzai's appointment as the attorney general. These issues were ignored completely by the press and by the governor. I wrote to the Ethics Commission, Mr. President, to find out if there was a conflict of interest regarding Mr. Anzai's appointment. I have the letter here, and that was October 27, 1999.

"A 12/31/99 article reads: 'The governor fills two more posts and awaits decision on Mr. Anzai.' One of the comments that the governor made, I took exception to it and not a one of you did, which is amazing because it shows the Majority party doesn't seem to care. The governor said, 'I don't intend to call on anybody. The Senators can go up or down.' But he wanted to know that no one can buy Earl Anzai. You can be had, my friends. According to the governor, we can be bought. That hurts. We are here to do a job and the media fuels the public with inferences that we can be bought.

"Mr. Dan Boylan said that the press exploded with indignation more over Bronster and Anzai and talk of Bronster for governor and the showing of these Senators the door, come the year 2000. Governor Cayetano in a dose of triple spirit then appointed Anzai. And it says here, did Mr. Anzai become nicer, more loveable, kinder, smarter, a better administrator? I doubt it. But what he does say, it's an election year, and most of us have no guts on an election year to vote anybody down. That's what it says. But I take exception to other things. Indignation -- I want to know what Webster thought of that: 'Anger aroused by something unjust, unworthy or mean.'

"How many doors opened for our former AG? How many of those bankers that are opposed to us gave her a job? How many of these so-called good people said these guys are crazy; they made a mistake; she's a wonderful lawyer . . . including Peter Carlisle from the Prosecuting Attorney's Office. Did he offer her a job? I don't know. But I take exception of Mr. Boylan, and not one of you seem to have cared.

"When we did the Anzai nomination, at that time there was a picture here of Mr. Clayton Hee. Mr. Hee attended every one of our hearings on the neighbor islands lead by Senator Hanabusa. He was opposed in any way of being kicked out, he or the rest of the trustees. He had a lot of names to call people. As this picture shows, in committee he borrowed Mr. Anzai's glasses. Yet, he didn't even have a reservation. When I voted on the others, it was because of Hawaiian Homes, OHA, Bishop Estate, many other problems. But not Mr. Hee, who happens to be another friend of mine.

"I sent you a list today of everybody who submitted a letter for Mr. Anzai from the departments, all the department heads. Not one of them sent a letter for Ms. Bronster -- not one. We checked them. So he is doing a good job, and I don't object to somebody doing a good job there. But I do object with the other things that came out.

"Now here's a whole bunch of concerns that we have from Mr. Rees. But let me go a little further. This is from the Honolulu Advertiser, Sunday, February 13, 2000. Mr. Roy Benham and them are all very happy but they are shocked at the cost of the Bishop Estate inquiry. Something that made me a little angrier is that Mr. Earl Anzai said that he could go ahead and go after \$200 million from the trustees, but in reality they are only insured for \$75 million. Nowhere did I read that if he won, the money that was utilized would be paid to the state, and the rest would go back to the estate for the children. Where does it go to, the general fund? That's not their money. Why should it go to the general fund? If in fact those people cheated for all these years, the money should go back to the education of the youth, and that doesn't say that here.

"There's also a comment that the attorney general alleges that polling was to benefit Representative Terrance Tom, Senator Whitney Anderson, Representative Robert Herkes, Senator Marshall Ige and Representative Joe Souki at a cost of \$65,000. No poll was ever done for Whitney Anderson, my friends. Maybe a poll was done for Senator Anderson's district, because I ran against Jackie Young, who ran at one time for lieutenant governor and who was the choice of the Democratic Party, but nowhere have they ever done a poll for me.

"I also have proof of all of these thousands and thousands of dollars that I was going to get, and they said that Henry Peters gave it to me. I have an uncashed check for \$100 given to me after the fact, after I had won.

"I think it's a shame that anybody can print whatever they want to. And let me tell you, when it comes to polling, in 1992 I got out of politics. I ran for mayor. I lost. And you know what the topic was that year -- same sex marriage. I was on one side of the issue while Jackie Young was on the other side of the issue. I didn't need a poll. In '94 there was no poll when I ran. They didn't need one.

"I think you folks should check the facts, ladies and gentlemen. And you folks, if you are going to get involved in politics and you're going to make stupid irresponsible laws, then think about what you're doing because you're here for a reason. You're not just here to take up a seat. You're not here for your party. If you have a bill that is going to take you enough time back there in closed doors, there's a problem. Look at what you're doing.

"But on top of everything else, Mr. President, I said I had some philosophical differences with Mr. Anzai. Nobody much cared about those, and I still have some very strong concerns. Number one, when I asked him, and I don't think his mind has changed and I respect him for that, he believes that a percentage of the interest that the retirement funds get should go into the general fund and it can be utilized. He also believes in making a percentage of the retirement fund so it could be used for high risk types of ventures or borrowing the money so that we could build a state of the art prison -- not a private prison, but with more government employees.

"And last but not least and I think the Minority Floor Leader said this, I believe that the AG should be the people's attorney general and not the governor's attorney general. And we did have a bill. I believe it is Senator Hanabusa's bill on an elected attorney general, but we didn't hear that bill. It just seems that nobody much cares to make the much needed changes.

"But Earl, on top of all of these things, as I said, it has nothing to do with the personal deal. In fact I would rather deal with a good liberal than a person who's so mixed up they don't know which side of the fence they belong on and who has a very hard time making decisions. So I wish you the best.

"Thank you very much, Mr. President."

Senator Chumbley rose to support the nominee and said:

"Mr. President, I rise to speak in support of the confirmation of Earl Anzai to the office of attorney general.

"Mr. President, I first want to clear up a statement just so that everyone is on the same page. There were two measures held this year in the Senate Judiciary Committee after a hearing on the elected attorney general, so there was a full hearing on that.

"Mr. President, I am very disappointed, though, that there was little public participation in that hearing. There were three testifiers, Mr. President -- one from the Prosecutor's Office, and it sounded like someone wanting to campaign for an elected office; the second was from the attorney general's office expressing some of the concerns over the logistics; and the third was from the UPW from Mr. Rodrigues. So we received three pieces of testimony on such an important issue and that is very disappointing, Mr. President.

"Mr. President, during the 1999 Regular Session, members of this body expressed various opinions on the characteristics that the state's highest-ranking law enforcement officer should possess. They strongly believed that the attorney general of this state should, among other things, be a good administrator who can lead the department in providing sound legal advice in a prompt and timely fashion to all state agencies as well as the legislature.

"During his tenure as acting attorney general, Mr. Anzai has reorganized the department so that the services provided by the AG's office have been noticeably more responsive and user-friendly. The responsiveness of the department to legal inquiries has greatly improved based upon his policy that all agency requests for legal opinions must be answered within 30 days. Mr. Anzai has also instructed his deputies that the agencies should be treated as clients, thus fostering a spirit of cooperation and collaboration between the attorney general's office and other state departments and their directors.

"During our hearing on March 8, 2000, many of his colleagues who are in the gallery with us today testified in support of his nomination. All were greatly impressed with his management style and the quality of services provided under his leadership. They offered many examples that highlight his successes as acting attorney general. For example:

Dr. Chandler from the Department of Human Services testified that Mr. Anzai has streamlined the purchase of service contracting system, which has resulted in contracts being reviewed and signed more promptly, and in providers getting paid on a more timely basis.

Dr. Anderson from the Department of Health testified that in his capacity as acting attorney general, Mr. Anzai increased resources from his office in order to assist the Department with compliance of the *Felix v. Cayetano* consent decree and the issues surrounding the Hawaii State Hospital.

Dr. LeMahieu from the Department of Education testified that the attorney general's service to the Department in support of special education issues has been more than adequate and certainly all that could be expected given the resources available.

"Earl Anzai is a dedicated public servant who is more than capable of overseeing the approximately 160 attorneys assigned to the Department of the Attorney General. Mr. Anzai has a reputation for being decisive and straightforward. He has been willing to listen and openly discuss issues of concern with his deputies as well as the directors of other state agencies. His broad based knowledge of state government and statewide issues will serve him well in his position as the administrator of the largest law firm of this state.

"Mr. President, as attested to by the good Senator from Waipahu, Mr. Anzai is not a fluffer nor a duffer on the golf course. Further, I can attest that he is not a slougher when it comes to his responsibilities in the AG's office.

"I ask all my colleagues to support Mr. Anzai for attorney general."

Senator Buen also supported the nominee and said:

"Mr. President, I, too, rise in support of Mr. Anzai.

"I called Mr. Anzai into my office because there were two things that I had concerns about. When I heard some people talking about Mr. Anzai running the Budget and Finance Department, I asked him the question, 'Are you in fact doing that?' And he said, 'If I was Mr. Miyahira, I don't think I'd like that.' I think I trusted Mr. Anzai when he gave me that kind of response. We had a real nice talk in my office.

"And the other thing was when I had voted against the former attorney general, it was of great concern to me about the special education teachers not having the legal representation that they deserved. I talked about that with Mr. Anzai, and I was really happy to know that he had increased the resources, because I believe those teachers deserve better representation.

"I ask my colleagues to support the nomination.

"Thank you, Mr. President."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, M. Ige, Levin).

At this time, Senator Matsunaga introduced Mr. Anzai to the members of the Senate. (Mr. Anzai, who was seated in the gallery, rose to be recognized.)

## RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill	Referred to:
No. 1764	Committee on Transportation and Intergovernmental Affairs

## RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following concurrent resolution that was offered:

Senate Concurrent Resolution	Referred to:
No. 51	Committee on Commerce and Consumer Protection

## RE-REFERRAL OF SENATE RESOLUTION

The Chair re-referred the following resolution that was offered:

Senate Resolution	Referred to:
No. 22	Committee on Commerce and Consumer Protection

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for H.B. No. 1900, and the Chair granted the waiver.

## STANDING COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that Senate concurrent resolutions and Senate resolutions be referred to committees of last referral. In consequence thereof, and subsequent to its recessing at 1:40 o'clock p.m., the Senate took the following actions:

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3088) recommending that S.C.R. No. 38, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONTINUED DISCUSSION FOR A COMPREHENSIVE REVIEW OF CURRENT CHILD PROTECTION LAWS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3089) recommending that S.R. No. 16, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING CONTINUED DISCUSSION FOR A COMPREHENSIVE REVIEW OF CURRENT CHILD PROTECTION LAWS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No.

3090) recommending that S.C.R. No. 133, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 133, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY THE IMPLICATIONS OF INCREASED ACCESS TO STERILE SYRINGES," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3091) recommending that S.C.R. No. 163, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 163, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTING POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3092) recommending that S.R. No. 81, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 81, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTING POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3093) recommending that S.C.R. No. 166, as amended in S.D. 1, be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 166, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION," was referred to the Committee on Education and Technology.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3094) recommending that S.R. No. 97, as amended in S.D. 1, be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 97, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION," was referred to the Committee on Education and Technology.

Senator Chun Oakland, jointly with Senator Nakata, for the Committee on Health and Human Services and the Committee on Labor and Environment, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 3095)

recommending that S.C.R. No. 208, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 208, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT," was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Nakata, for the Committee on Health and Human Services and the Committee on Labor and Environment, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 3096) recommending that S.R. No. 98, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.R. No. 98, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3097) recommending that S.C.R. No. 210, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 210, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATURE'S CONSULTANT ON THE PROVISION OF MENTAL HEALTH SERVICES AT THE HAWAII STATE HOSPITAL," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3098) recommending that S.R. No. 99, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 99, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATURE'S CONSULTANT ON THE PROVISION OF MENTAL HEALTH SERVICES AT THE HAWAII STATE HOSPITAL," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3099) recommending that S.C.R. No. 16 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 16, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS AND THE COSTS THEREOF," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3100) recommending that S.C.R. No. 89, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 89, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORK GROUP TO STUDY CONDITIONS AT PUNALU'U BEACH AND THE NEAR-BY KAMEHAME BEACH AND RECOMMEND APPROPRIATE ACTIONS TO PRESERVE AND PROTECT THE AREA'S ENDANGERED SPECIES AND THE ECOSYSTEM," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3101) recommending that S.C.R. No. 129, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 129, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3102) recommending that S.R. No. 62, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 62, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3103) recommending that S.C.R. No. 143 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 143, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO IDENTIFY POTENTIAL SOURCES OF PERMANENT DEDICATED FUNDING AND FUNDING NEEDS OF THE NATURAL AREA RESERVES SYSTEM," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3104) recommending that S.R. No. 70 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 70, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO IDENTIFY POTENTIAL SOURCES OF PERMANENT DEDICATED FUNDING AND FUNDING NEEDS OF THE NATURAL AREA RESERVES SYSTEM," was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Chun Oakland, for the Committee on Labor and Environment and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3105) recommending that S.C.R. No. 204 be referred to the Committee on Ways and Means.

On motion by Senator Chun, Seconded by Senator Slom and carried, the joint report of the Committees was adopted and

S.C.R. No. 204, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Chun Oakland, for the Committee on Labor and Environment and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3106) recommending that S.R. No. 95 be referred to the Committee on Ways and Means.

On motion by Senator Chun, Seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 95, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3107) recommending that S.C.R. No. 30, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE POTENTIAL NURSING SHORTAGE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3108) recommending that S.C.R. No. 85, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 85, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO TRAIN AND CONSULT WITH OPERATORS AND STAFF OF ADULT RESIDENTIAL CARE HOMES, AT THE TIME OF LICENSING AND PERIODICALLY THEREAFTER, REGARDING THEIR DUTIES AND RESPONSIBILITIES FOR THEIR RESIDENTS, AND REQUESTING THE DEPARTMENT OF HEALTH TO AMEND THE RULES ON ADULT RESIDENTIAL CARE HOMES TO ADDRESS CONCERNS BY THE OPERATORS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3109) recommending that S.R. No. 38, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 38, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO TRAIN AND CONSULT WITH OPERATORS AND STAFF OF ADULT RESIDENTIAL CARE HOMES, AT THE TIME OF LICENSING AND PERIODICALLY THEREAFTER, REGARDING THEIR DUTIES AND RESPONSIBILITIES FOR THEIR RESIDENTS, AND REQUESTING THE DEPARTMENT OF HEALTH TO AMEND THE RULES ON ADULT RESIDENTIAL CARE HOMES TO ADDRESS CONCERNS BY THE OPERATORS," was referred to the Committee on Ways and Means.



Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3110) recommending that S.C.R. No. 105, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE ON ALTERNATIVE MEDICINE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senators Kanno and Taniguchi, for the Committee on Health and Human Services and the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3111) recommending that S.R. No. 53, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 53, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE ON ALTERNATIVE MEDICINE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3112) recommending that S.C.R. No. 134, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 134, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3113) recommending that S.C.R. No. 92, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE NATIVE HAWAIIAN PEOPLE," was referred to the Committee on Judiciary.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3114) recommending that S.R. No. 45, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 45, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE NATIVE HAWAIIAN PEOPLE," was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3115) recommending that S.C.R. No. 117, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 117, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SOCIAL WORK LICENSING LAWS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3116) recommending that S.R. No. 58, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 58, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF SOCIAL WORK LICENSING LAWS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, jointly with Senator Kawamoto, for the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3117) recommending that S.C.R. No. 29, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO INCORPORATE INTO THE COUNTY BUILDING CODES PROVISIONS FOR DISABILITY ACCESSIBILITY," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3118) recommending that S.C.R. No. 73, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3119) recommending that S.R. No. 28, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 28, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3120) recommending that S.C.R. No. 130 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 130, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE EXISTING CONSTRUCTION LAWS AND PRACTICES RELATING TO NEW RESIDENTIAL OWNERS WHO REQUIRE REMEDIAL WORK," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3121) recommending that S.R. No. 63 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 63, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE EXISTING CONSTRUCTION LAWS AND PRACTICES RELATING TO NEW RESIDENTIAL OWNERS WHO REQUIRE REMEDIAL WORK," was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3122) recommending that S.C.R. No. 74, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL EXECUTIVE DEPARTMENTS AND AGENCIES TO SUBMIT REPORTS TO THE LEGISLATURE ON-LINE AND REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY OTHER MEANS OF REDUCING PAPER USAGE," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3123) recommending that S.C.R. No. 50, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT OF THE HONOLULU WATERFRONT MASTER PLAN," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3124) recommending that S.R. No. 21, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 21, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT OF THE HONOLULU WATERFRONT MASTER PLAN," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3125) recommending that S.C.R. No. 60, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF

MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, AND WAIMEA CANYON STATE PARK ON THE ISLAND OF KAUAI," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3126) recommending that S.R. No. 24, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 24, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, AND WAIMEA CANYON STATE PARK ON THE ISLAND OF KAUAI," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3127) recommending that S.C.R. No. 67 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 67, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXAMINE THE CAPITAL ACCESS PROGRAMS DEVELOPED IN OTHER STATES AND TO RECOMMEND TO THE LEGISLATURE WHETHER HAWAII SHOULD IMPLEMENT A SIMILAR PROGRAM," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3128) recommending that S.C.R. No. 82, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 82, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESUME FRY/SEED PRODUCTION AT THE ANUENUE FISHERIES RESEARCH CENTER," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3129) recommending that S.R. No. 34, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 34, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESUME FRY/SEED PRODUCTION AT THE ANUENUE FISHERIES RESEARCH CENTER," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3130) recommending that S.C.R. No. 97 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 97, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC

ASSOCIATION IN HAWAII," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3131) recommending that S.R. No. 47 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 47, entitled: "SENATE RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3132) recommending that S.C.R. No. 101, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 101, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3133) recommending that S.R. No. 50, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 50, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3134) recommending that S.C.R. No. 131 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3135) recommending that S.R. No. 64 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 64, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3136) recommending that S.C.R. No. 57 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R.

No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND ASSESS THE DEPARTMENT OF EDUCATION'S DEVELOPMENT OF EDUCATIONAL STANDARDS FOR PUBLIC SCHOOLS STATEWIDE," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3137) recommending that S.C.R. No. 58, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A SCHOOL CHOICE PROGRAM FOR HAWAII PUBLIC SCHOOLS," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3138) recommending that S.C.R. No. 59 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OMBUDSMAN TO INVESTIGATE AND OBTAIN INFORMATION REGARDING GEOGRAPHIC EXCEPTIONS GRANTED BY THE DEPARTMENT OF EDUCATION," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3139) recommending that S.C.R. No. 78, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 78, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN INTEGRATED PEST MANAGEMENT POLICY THAT FOCUSES ON PROTECTING CHILDREN, PERSONNEL AND PROPERTY FROM THE POTENTIAL RISKS ASSOCIATED WITH EXPOSURE TO PESTS AND PEST CONTROL PRACTICES AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF COST-EFFECTIVE SCIENCE-BASED, INTEGRATED PEST MANAGEMENT FOR COMMON AREAS FREQUENTED BY THE PUBLIC," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3140) recommending that S.R. No. 32, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 32, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN INTEGRATED PEST MANAGEMENT POLICY THAT FOCUSES ON PROTECTING CHILDREN, PERSONNEL AND PROPERTY FROM THE POTENTIAL RISKS ASSOCIATED WITH EXPOSURE TO PESTS AND PEST CONTROL PRACTICES AND REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF COST-EFFECTIVE SCIENCE-BASED, INTEGRATED PEST MANAGEMENT FOR COMMON AREAS FREQUENTED BY THE PUBLIC," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3141) recommending that S.C.R. No. 87, as amended in S.D. 1, be referred to the Committee on Health and Human Services.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 87, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF EDUCATION AND THE NATIONAL INSTITUTE OF MENTAL HEALTH TO ENGAGE IN A NATIONAL EXAMINATION OF THE APPROPRIATE USE OF PSYCHIATRIC DRUGS AS NECESSARY TO TREAT MENTAL ILLNESSES IN CHILDREN," was referred to the Committee on Health and Human Services.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3142) recommending that S.R. No. 40, as amended in S.D. 1, be referred to the Committee on Health and Human Services.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 40, S.D. 1, entitled: "SENATE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF EDUCATION AND THE NATIONAL INSTITUTE OF MENTAL HEALTH TO ENGAGE IN A NATIONAL EXAMINATION OF THE APPROPRIATE USE OF PSYCHIATRIC DRUGS AS NECESSARY TO TREAT MENTAL ILLNESSES IN CHILDREN," was referred to the Committee on Health and Human Services.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3143) recommending that S.C.R. No. 106, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 106, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO STUDY THE FEASIBILITY OF ESTABLISHING A PROGRAM OF STARTER LIBRARIES," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3144) recommending that S.C.R. No. 112 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 112, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE ATHLETIC DIRECTORS AND COACHES ASSOCIATION TO DEVELOP A PROPOSED COMPENSATION SCHEDULE FOR HIGH SCHOOL COACHES," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3145) recommending that S.C.R. No. 142, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 142, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION CONSIDER ESTABLISHING A WORK EXPERIENCE, COMMUNITY SERVICE, OR SERVICE LEARNING COMPONENT AS A REQUIREMENT FOR

GRADUATION FROM HIGH SCHOOL," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Nakata, for the Committee on Education and Technology and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3146) recommending that S.R. No. 69, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 69, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION CONSIDER ESTABLISHING A WORK EXPERIENCE, COMMUNITY SERVICE, OR SERVICE LEARNING COMPONENT AS A REQUIREMENT FOR GRADUATION FROM HIGH SCHOOL," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3147) recommending that S.C.R. No. 176, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 176, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DEVELOP A PROPOSAL FOR A CHIEF INFORMATION OFFICER FOR THE STATE OF HAWAII," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3148) recommending that S.R. No. 85, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 85, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DEVELOP A PROPOSAL FOR A CHIEF INFORMATION OFFICER FOR THE STATE OF HAWAII," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3149) recommending that S.C.R. No. 177, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 177, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF EDUCATION TO STUDY OTHER PROGRAMS NATIONWIDE THAT DEAL WITH PROFICIENCY-BASED UNIVERSITY ADMISSIONS AND STANDARDS-BASED EDUCATION REFORM," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3150) recommending that S.R. No. 86, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 86, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF EDUCATION TO STUDY OTHER PROGRAMS NATIONWIDE THAT DEAL WITH PROFICIENCY-BASED UNIVERSITY ADMISSIONS AND STANDARDS-BASED EDUCATION REFORM," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3151) recommending that S.C.R. No. 185 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 185, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT AN ANALYSIS OF CURRENT AND COMPARATIVE PATTERNS OF PUBLIC SCHOOL FINANCING FOR K-12 EDUCATION," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3152) recommending that S.C.R. No. 24 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 24, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF THE REGULATION OF GEOLOGISTS," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3153) recommending that S.C.R. No. 115, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 115, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S CAMPAIGN FINANCE LAWS," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3154) recommending that S.C.R. No. 125 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 125, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3155) recommending that S.C.R. No. 61 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 61, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3156) recommending that S.C.R. No. 159 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 159, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE ESTABLISHMENT OF ALTERNATIVE ACCESS ROUTES

FOR THE NORTH SHORE OF OAHU," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3157) recommending that S.R. No. 80 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 80, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE ESTABLISHMENT OF ALTERNATIVE ACCESS ROUTES FOR THE NORTH SHORE OF OAHU," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3158) recommending that S.C.R. No. 197, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 197, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE KEIKI INJURY PREVENTION COALITION TO CONVENE A WORKING GROUP TO EVALUATE AND RECOMMEND MEASURES TO ENCOURAGE THE USE OF SAFETY PROGRAMS SUCH AS THE EDDIE EAGLE PROGRAM FOR FIREARM SAFETY," was referred to the Committee on Judiciary.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3159) recommending that S.C.R. No. 68 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3160) recommending that S.C.R. No. 155 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 155, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3161) recommending that S.C.R. No. 172 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 172, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO ISSUE AN ADMINISTRATIVE DIRECTIVE IN ACCORDANCE TO THE PRESIDENT OF THE UNITED STATES EXECUTIVE ORDER 13123, GREENING THE GOVERNMENT THROUGH EFFICIENT ENERGY

MANAGEMENT," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3162) recommending that S.C.R. No. 183 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF THE USE OF HYDROGEN AS A FUEL FOR TRANSPORTATION AND POWER GENERATION," was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3163) recommending that S.R. No. 26 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.R. No. 26, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3164) recommending that S.C.R. No. 149, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 149, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A GENERIC DOCKET ON THE ISSUES OF OVERHEAD AND UNDERGROUND PLACEMENT OF UTILITY LINES," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3165) recommending that S.R. No. 73, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A GENERIC DOCKET ON THE ISSUES OF OVERHEAD AND UNDERGROUND PLACEMENT OF UTILITY LINES," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3166) recommending that S.C.R. No. 164 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF HAWAII'S MUTUAL BENEFIT SOCIETIES AND HEALTH MAINTENANCE ORGANIZATIONS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3167) recommending that S.R. No. 82 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.R. No. 82, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF HAWAII'S MUTUAL BENEFIT SOCIETIES AND HEALTH MAINTENANCE ORGANIZATIONS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3168) recommending that S.C.R. No. 165, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 165, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE HOW THE COST SAVINGS ATTRIBUTABLE TO MOTOR VEHICLE REFORM UNDER ACT 251, SESSION LAWS OF HAWAII 1997, HAS IMPACTED CONSUMER ACCESSIBILITY TO MEDICALLY REASONABLE, NECESSARY, AND APPROPRIATE REFERRAL TO MASSAGE THERAPY AND PHYSICAL THERAPY," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3169) recommending that S.R. No. 83, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 83, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE HOW THE COST SAVINGS ATTRIBUTABLE TO MOTOR VEHICLE REFORM UNDER ACT 251, SESSION LAWS OF HAWAII 1997, HAS IMPACTED CONSUMER ACCESSIBILITY TO MEDICALLY REASONABLE, NECESSARY, AND APPROPRIATE REFERRAL TO MASSAGE THERAPY AND PHYSICAL THERAPY," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3170) recommending that S.C.R. No. 168 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 168, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE PUBLIC UTILITIES COMMISSION," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3171) recommending that S.C.R. No. 169 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 169, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CONDUCT A STUDY ON METHODS TO FINANCE THE

UNDERGROUNDING OF OVERHEAD UTILITY LINES," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3172) recommending that S.C.R. No. 170, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 170, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO COLLABORATE WITH ELECTRICAL SERVICE PROVIDERS AND ASSESS NET ENERGY METERING," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3173) recommending that S.C.R. No. 171, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 171, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY ON THE FEASIBILITY OF IMPLEMENTING A ONE-CALL SYSTEM TO LOCATE UNDERGROUND FACILITIES," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3174) recommending that S.C.R. No. 173, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 173, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAIIAN ELECTRIC COMPANY TO MAINTAIN ITS DEMAND SIDE MANAGEMENT PROGRAMS BENEFITTING ELECTRICITY CUSTOMERS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3175) recommending that S.R. No. 84, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAIIAN ELECTRIC COMPANY TO MAINTAIN ITS DEMAND SIDE MANAGEMENT PROGRAMS BENEFITTING ELECTRICITY CUSTOMERS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3176) recommending that S.C.R. No. 180, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 180, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INITIATE A COLLABORATIVE PROCESS TO FACILITATE THE CREATION AND IMPLEMENTATION OF STANDARDIZED POWER

PURCHASE AGREEMENTS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3177) recommending that S.C.R. No. 181, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 181, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CREATE AND IMPLEMENT A STANDARDIZED INTERCONNECTION AGREEMENT FOR SMALLER INDEPENDENT PRODUCERS OF ENERGY," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3178) recommending that S.R. No. 89, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 89, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CREATE AND IMPLEMENT A STANDARDIZED INTERCONNECTION AGREEMENT FOR SMALL INDEPENDENT PRODUCERS OF ENERGY," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3179) recommending that S.C.R. No. 32 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 32, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR DIABETES SELF-MANAGEMENT EDUCATION AND TRAINING," was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator Tam, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3180) recommending that S.C.R. No. 18, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 18, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING MILITARY AND FEDERAL AGENCIES TO HONOR THE DEFINITION OF STATE RESIDENT FOR CONTRACTS," was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator D. Ige, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3181) recommending that S.C.R. No. 103 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM 'AN UNTOLD TRIUMPH' AND

FOR THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS," was referred to the Committee on Ways and Means.

Senator Kawamoto, jointly with Senator D. Ige, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3182) recommending that S.R. No. 52 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 52, entitled: "SENATE RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM 'AN UNTOLD TRIUMPH' AND FOR THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3183) recommending that S.C.R. No. 141 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 141, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3184) recommending that S.R. No. 68 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 68, entitled: "SENATE RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3185) recommending that S.C.R. No. 206, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 206, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT ASSESSING THE IMPACT OF THE INCREASED WORKLOADS OF SCHOOL PRINCIPALS AND OTHER ADMINISTRATORS ON THEIR ABILITY TO BE EFFECTIVE INSTRUCTIONAL LEADERS," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3186) recommending that S.C.R. No. 179, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R.

No. 179, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES," was referred to the Committee on Ways and Means.

#### ADJOURNMENT

At 6:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 4, 2000.



## FORTY-FIFTH DAY

Tuesday, April 4, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Deacon Wallace Mitsui, St. John Apostles and Evangelist Church, Mililani, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

The President announced that he had read and approved the Journal of the Forty-Fourth Day.

Senator Kawamoto introduced Lieutenant General Frank Libutti, Commander of the United States Marine Corps Forces Pacific, and extended a warm aloha to the General, his wife Jeanie, and daughter Mikela. Accompanying General Libutti were Sergeant Major Holub and Major Terrell.

At this time, the President appointed Senators Kawamoto, Sakamoto and Slom to escort Lieutenant General Frank Libutti to the rostrum to address the members of the Senate.

General Libutti addressed the members of the Senate as follows:

"Ladies and gentlemen of the Hawaii State Senate, I am deeply honored to be with you this morning and thank you for your most gracious welcome. My wife Jeanie and my daughter Mikela and I are delighted to be here in this beautiful state and we look forward to experiencing the 'Aloha' that is truly what characterizes this wonderful series of islands.

"It is an exciting time for me to be leading the Marine Forces in the Pacific and here in Hawaii as we embark upon our journey into the new century. It is a time for great challenge, and I know our marines are up to the task, but we can't do it alone. I am heartened and encouraged by the great relationship we enjoy with our neighbors outside the gates of our base at Kaneohe Bay and at my headquarters at Camp Smith. I pledge to you, each and every one of you, that we will continue to be the very best neighbors that we can be. Your support as we train and carry out our mission here and abroad is vital to our success, and we thank you again for your great support.

"Thank you very, very much from the bottom of my heart for this very gracious and warm welcome. God bless you all and thank you."

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 266 and 267) were read by the Clerk and were placed on file:

Gov. Msg. No. 266, dated March 23, 2000, transmitting the report, "An Inquiry into Youth Crime and Violence in Hawaii," prepared by the University of Hawaii Youth Gang Project.

Gov. Msg. No. 267, dated March 29, 2000, transmitting the 1999 Report on the Juvenile Justice State Advisory Council, prepared by the Office of Youth Services pursuant to Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 416 to 421) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 416, transmitting H.C.R. No. 37, H.D. 1, which was adopted by the House of Representatives on April 3, 2000, was placed on file.

By unanimous consent, H.C.R. No. 37, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SUPPORT OF THE TWENTIETH LEGISLATURE OF THE STATE OF HAWAII FOR THE RESPONSIBLE USE OF AGRICULTURAL BIOTECHNOLOGY FOR THE BENEFIT OF HAWAII'S PEOPLE," was referred to the Committee on Economic Development.

Hse. Com. No. 417, transmitting H.C.R. No. 55, which was adopted by the House of Representatives on April 3, 2000, was placed on file.

By unanimous consent, H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO PROVIDE A STATUS REPORT ON THE RELOCATION OF THE CITY AND COUNTY OF HONOLULU'S BASEYARD FACILITIES FROM THE KAKAOKO MAKAI AREA," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 418, transmitting H.C.R. No. 75, H.D. 1, which was adopted by the House of Representatives on April 3, 2000, was placed on file.

By unanimous consent, H.C.R. No. 75, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO INCORPORATE INTO THE COUNTY BUILDING CODES PROVISIONS FOR DISABILITY ACCESSIBILITY," was referred to the Committee on Health and Human Services, then to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 419, transmitting H.C.R. No. 87, which was adopted by the House of Representatives on April 3, 2000, was placed on file.

By unanimous consent, H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION URGING LIBERTY NEWSPAPERS TO CONTINUE PUBLICATION OF THE HONOLULU STAR-BULLETIN AND TO ACTIVELY SEEK A BUYER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 420, transmitting H.C.R. No. 102, which was adopted by the House of Representatives on April 3, 2000, was placed on file.

By unanimous consent, H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NATIONAL MARINE FISHERIES SERVICE TO CLOSE THE NORTHWESTERN HAWAIIAN ISLANDS LOBSTER FISHERY TO PROTECT THE ENDANGERED HAWAIIAN MONK SEAL," was referred to the Committee on Labor and Environment, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 421, transmitting H.C.R. No. 132, which was adopted by the House of Representatives on April 3, 2000, was placed on file.

By unanimous consent, H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

### STANDING COMMITTEE REPORTS

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3187) recommending that the Senate advise and consent to the nominations of RICARDO MEDINA and TOM SUGITA to the Civil Service Commission, in accordance with Gov. Msg. No. 153.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3187 and Gov. Msg. No. 153 was deferred until Wednesday, April 5, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3188) recommending that the Senate advise and consent to the nominations of GARY MCKEAGUE and CLAYTON E. WINGER to the Hoisting Machine Operators Advisory Board, in accordance with Gov. Msg. No. 162.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3188 and Gov. Msg. No. 162 was deferred until Wednesday, April 5, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3189) recommending that the Senate advise and consent to the nominations of THEODORE E. GARDUQUE, LESTER H. INOUE, ARNALDO E. PREPOSE and OSCAR PORTUGAL to the State Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, in accordance with Gov. Msg. No. 191.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3189 and Gov. Msg. No. 191 was deferred until Wednesday, April 5, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3190) recommending that the Senate consent to the nomination of GERONIMO VALDRIZ to the office of Judge, District Court of the Second Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 4.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3190 and Jud. Com. No. 4 was deferred until Wednesday, April 5, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3191) recommending that the Senate consent to the nomination of KAREN S.S. AHN to the office of Judge, 11th Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 222.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3191 and Gov. Msg. No. 222 was deferred until Wednesday, April 5, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3192) recommending that S.C.R. No. 51 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION URGING LIBERTY NEWSPAPERS TO CONTINUE PUBLICATION OF THE HONOLULU STAR-BULLETIN AND TO ACTIVELY SEEK A BUYER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3193) recommending that S.R. No. 22 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 22, entitled: "SENATE RESOLUTION URGING LIBERTY NEWSPAPERS TO CONTINUE PUBLICATION OF THE HONOLULU STAR-BULLETIN AND TO ACTIVELY SEEK A BUYER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was adopted.

### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3035 (Gov. Msg. No. 159):

Senator Fukunaga moved that Stand. Com. Rep. No. 3035 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Hawaii Performance Partnerships Board of the following:

LLOYD I. UNEBASAMI, term to expire June 30, 2002;

LORRAINE H. AKIBA and KATHRYN S. MATAYOSHI, terms to expire December 2, 2002; and

IRVING LAUBER, TARA LULANI MCKENZIE, RANDOLPH G. MOORE, JANIS A. REISCHMANN, FAITH SERENO REX and RUTHANN S. YAMANAKA, terms to expire June 30, 2004,

seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3036 (Gov. Msg. No. 156):

Senator Inouye moved that Stand. Com. Rep. No. 3036 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of LLOYD Y. KIMURA to the Board of Trustees, Deferred Compensation Plan, term to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3037 (Gov. Msg. No. 205):

Senator Inouye moved that Stand. Com. Rep. No. 3037 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations of WAYNE SALAS and ROBERT O. VALENTINE to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, terms to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3038 (Gov. Msg. No. 206):

Senator Inouye moved that Stand. Com. Rep. No. 3038 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations of STEPHEN C. GREEN and NORA R. MACARIOLA-SEE to the Board of Certification of Operating Personnel in Water Treatment Plants, terms to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3039 (Gov. Msg. No. 4):

By unanimous consent, action on Stand. Com. Rep. No. 3039 and Gov. Msg. No. 4 was deferred to the end of the calendar.

Stand. Com. Rep. No. 3073 (Gov. Msg. No. 195):

Senator Kanno moved that Stand. Com. Rep. No. 3073 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of MILES T. NAKATSU to the Board of Pharmacy, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3074 (Gov. Msg. No. 196):

Senator Kanno moved that Stand. Com. Rep. No. 3074 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of STEVE GOODENOW and FREDERICK WM. HACKBARTH to the Board of Private Detectives and Guards, terms to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3075 (Gov. Msg. No. 197):

Senator Kanno moved that Stand. Com. Rep. No. 3075 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of CASEY K. CHOI and PETER RICE to the Real Estate Commission, terms to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 3076 (Gov. Msg. No. 204):

Senator Kawamoto moved that Stand. Com. Rep. No. 3076 be received and placed on file, seconded by Senator Buen and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations of ROGELIO EVANGELISTA and DANIA S. KRAWEC to the Advisory Board on Veterans' Services, terms to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

### THIRD READING

H.B. No. 2123, H.D. 2:

Senator Kanno moved that H.B. No. 2123, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak in opposition to the bill.

"Despite what the committee report says, I don't think that there is any misrepresentation, deception, or any problem with understanding what service charges are all about. They are decisions by management in hotels and restaurants. They are part of their administrative expenses and organizations. And normally this is a collective bargaining item. It is not something that should be frozen in legislation and applied to all businesses.

"In addition to that, this bill is inconsistent. There's ambiguity here. Line 16, for example, in the bill states that the employer, quote 'shall distribute the service charge . . . as tip income . . .' But line 17 implies that the payment to the employee is optional. So for these and other reasons, Mr. President, I will be voting 'no.'

"Thank you."

The motion was put by the Chair and carried, H.B. No. 2123, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND TIPS OF EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Bunda).

### MATTER DEFERRED FROM EARLIER ON THE CALENDER

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3039 (Gov. Msg. No. 4):

Senator Fukunaga moved that Stand. Com. Rep. No. 3039 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of NEAL H. MIYAHIRA as Director of Finance, term to expire December 2, 2002, seconded by Senator Levin.

Senator Levin rose in support of the nominee and stated:

"Mr. President, I rise to speak in favor of the nominee.

"Mr. Miyahara has been acting director for a number of months. In the testimony that we received we had comments such as, 'Neal is the consummate professional. He is diligent, capable and hard working.' Testimony from Chuck Freedman, who is known to many of us -- 'This is the first time I have ever supported in writing, the nomination of a cabinet member by the governor.' Those are the kinds of comments we received, but I think the most meaningful comment was one that Neal himself gave to us, and that was that 'I am committed to public service. I've made public service my career with over 21 years of service in various capacities.'

"I think in a day when public servants are not always as well respected as they should be, for someone to dedicate his life to public service is admirable in itself. What we have a need for in this Legislature is someone who is dedicated, someone who is knowledgeable, someone who is a straight shooter, who is responsive to our requests for information. We believe we have such a person in the nominee, and we urge the members to vote in support.

"Thank you."

Senator Fukunaga rose and stated:

"Mr. President, I would also like to advise the members that in our confirmation hearings on Mr. Miyahira, he received many, many comments and letters of support from his former colleagues, the deputy directors of the governor's cabinet; and all of them spoke to the way in which he had worked very collaboratively with them to promote harmony and understanding in addressing many of the various departmental problems. He has served with distinction over his 21-plus years in public service and we would certainly encourage our members to vote in support of his nomination."

Senator Tam rose in support of the nominee and said:

"Mr. President, I wish to speak in favor of the nominee.

"I've known Neal since 1978, when he and I worked as budget analysts under former Senator Dickie Wong. Neal's characteristics can best be described in three words -- sincere, diligent, and intelligent -- especially in the area of budgeting.

"Thank you."

Senator Chun added his remarks as follows:

"I stand in favor of the nominee even though the current attorney general has said that he didn't agree with the way the budget director handled his budget. I still support the nominee anyway."

Senator Slom then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

At this time, Senator Levin introduced Mr. Miyahira to the members of the Senate. (Mr. Miyahira, who was seated in the gallery, rose to be recognized.)

## RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill	Referred to:
No. 2507	Jointly to the Committee on Health and Human Services and the Committee on Judiciary
No. 3018	Jointly to the Committee on Health and Human Services, the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary

## RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following concurrent resolutions that were offered:

Senate Concurrent Resolution	Referred to:
No. 21	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development
No. 157	Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs

## RE-REFERRAL OF SENATE RESOLUTIONS

The Chair re-referred the following resolutions that were offered:

Senate Resolution	Referred to:
No. 8	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development
No. 78	Jointly to the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs

Senator Taniguchi, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for H.B. Nos. 2158 and 2213, and the Chair granted the waiver.

Senator Slom rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I would like to ask my colleagues if we could all get together and send a card of sympathy to Mr. Al Masini, who without additional taxpayer money and subsidy has closed down his business now and like the executive producer of Baywatch (two months before him) who threatened that if we don't get more taxpayer money here, we're taking our show and we're leaving. Mr. Masini's remarks, I think, are directly attributable to some of the actions that have occurred, some of the things that I've talked about on the Senate floor before, and some of the actions that we've taken in the Senate to try to help the film and television industry. But I don't think Mr. Masini and people like him get it.

"He is disappointed because he said that for the last several months, or a year, he's been spending mostly his own money for his own for-profit production. I would remind Mr. Masini that that's what every business woman and every business man does in this state -- they spend their own money! They have the

high cost of taxation, the high cost of rental, the high cost of labor, the high cost of mandated benefits. But unlike Mr. Masini, they can't come to this State Legislature and get a subsidy. This state subsidized Mr. Masini and his wife in their operations and their offices last year, subsidized the production, the talent search, which apparently doesn't have enough talent to get any ratings because that's what determines what's popular and what's paid for.

"Mr. Masini was quoted last night as saying that he is very, very, very disappointed that the bill that he helped write to steer funds to Hawaii's television industry has been so watered down as to have little effect, and he's talking about S.B. No. 2959, which we amended the other day -- rightfully so -- to provide as a loan guarantee.

"I would remind my colleagues and Mr. Masini and others that we have had a long list of successful television and movie productions in this state. People come to this state because Hawaii is magic. But the successful people have come because they've already had financing, they've already had a good production, and they don't come with their hand out. And they don't come threatening us that if we don't continue to subsidize them and pay for their problems, that they'll go away.

"The production of Moon Glow which was done entirely locally and cost over a million dollars was extremely successful. There was no state money asked for, nor none given. Pearl Harbor, the movie with mega-stars and a mega-budget just started shooting on Oahu on Saturday. They didn't ask for taxpayer money. They didn't say give us subsidies or we'll not film here.

"We have a lot to offer, but it's time that we got it straight that the purpose of the Legislature is not to subsidize individuals who happen to be favorites of the governor or other political leaders in this state. And it's not our job to take the hard earned money from our men and women in this community and give it to glamorous activities or to failing enterprises. Our job is to create a saleable business and investment climate so that people will want to come here, stay here, create the jobs, and provide Hawaii with economic balance and economic diversity.

"So right after this session, if you'd all like to sign the sympathy card with me, I'll be very happy to forward that to Mr. Masini.

"Thank you, Mr. President."

Senator Anderson then rose on a point of personal privilege and stated:

"Mr. President, I would like to request that we adjourn today in honor of those members of the 442nd that passed away recently. One of them was a very close friend, Mr. Thomas Sakamoto. Could we have a moment of silence in memory of Mr. Eiro Yamada and Mr. Thomas Sakamoto."

#### ADJOURNMENT

At 12:10 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 5, 2000, on a rising vote, observing a moment of silence in memory of the late Eiro Yamada and Thomas Sakamoto, two fallen veterans of the 442nd Regimental Combat Team from World War II.

## FORTY-SIXTH DAY

Wednesday, April 5, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Mark Hsi, Hope Chapel, Manoa, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Matsunaga and Nakata who were excused.

The President announced that he had read and approved the Journal of the Forty-Fifth Day.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 268, informing the Senate that on April 3, 2000, he signed into law House Bill No. 2526 as Act 3, entitled: "RELATING TO USED OIL," was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 422 to 430) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 422, transmitting H.C.R. No. 32, H.D. 1, which was adopted by the House of Representatives on April 4, 2000, was placed on file.

By unanimous consent, H.C.R. No. 32, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE SELECTION OF AN OFFICIAL TROPICAL FRUIT OF THE STATE OF HAWAII," was referred jointly to the Committee on Economic Development and the Committee on Education and Technology.

Hse. Com. No. 423, transmitting H.C.R. No. 33, H.D. 1, which was adopted by the House of Representatives on April 4, 2000, was placed on file.

By unanimous consent, H.C.R. No. 33, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE SELECTION OF AN OFFICIAL TROPICAL FRUIT JUICE OF THE STATE OF HAWAII," was referred jointly to the Committee on Economic Development and the Committee on Education and Technology.

Hse. Com. No. 424, transmitting H.C.R. No. 40, H.D. 1, which was adopted by the House of Representatives on April 4, 2000, was placed on file.

By unanimous consent, H.C.R. No. 40, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF VETERANS AFFAIRS AND CONGRESSIONAL LEADERS TO WORK TOWARD ALLOWING FILIPINO-AMERICAN VETERANS TO BE INTERRED IN NATIONAL OR STATE VETERANS CEMETERIES," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 425, transmitting H.C.R. No. 44, H.D. 1, which was adopted by the House of Representatives on April 4, 2000, was placed on file.

By unanimous consent, H.C.R. No. 44, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE

POTENTIAL NURSING SHORTAGE," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 426, transmitting H.C.R. No. 52, H.D. 1, which was adopted by the House of Representatives on April 4, 2000, was placed on file.

By unanimous consent, H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE AND ASSIST EFFORTS TO STRENGTHEN AND EVALUATE EXISTING STUDENT LEADERSHIP PROGRAMS," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 427, transmitting H.C.R. No. 54, which was adopted by the House of Representatives on April 4, 2000, was placed on file.

By unanimous consent, H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE COUNTIES OF THE STATE OF HAWAII TO ADOPT THE STANDARDS FOR RESIDENTIAL BUILDINGS IN THE MODEL ENERGY CODE TO APPLY TO ALL NEW RESIDENTIAL REAL PROPERTY," was referred jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 428, transmitting H.C.R. No. 146, H.D. 1, which was adopted by the House of Representatives on April 4, 2000, was placed on file.

By unanimous consent, H.C.R. No. 146, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A LEGAL REVIEW OF CONCERNS REGARDING AUTOMATIC PERMIT APPROVAL," was referred jointly to the Committee on Judiciary and the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 429, transmitting H.C.R. No. 147, H.D. 1, which was adopted by the House of Representatives on April 4, 2000, was placed on file.

By unanimous consent, H.C.R. No. 147, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING AND ENCOURAGING BICYCLING AND WALKING AS VIABLE CHOICES FOR TRANSPORTATION, RECREATION, AND HEALTH MAINTENANCE," was referred jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 430, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1869, H.D. 1, was placed on file.

## STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3194) recommending that H.B. No. 303, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 303, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION," passed Second Reading

and was placed on the calendar for Third Reading on Friday, April 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3195) recommending that H.B. No. 1955, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1955, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 7, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3196) recommending that H.B. No. 2020 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2020, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3197) recommending that H.B. No. 2021 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2021, entitled: "A BILL FOR AN ACT RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 6, 2000.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 3187 (Gov. Msg. No. 153):

Senator Chumbley moved that Stand. Com. Rep. No. 3187 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Chumbley then moved that the Senate advise and consent to the nominations of RICARDO MEDINA and TOM SUGITA to the Civil Service Commission, terms to expire June 30, 2004, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Anderson, Bunda, D. Ige, M. Ige, Matsunaga, Nakata).

Stand. Com. Rep. No. 3188 (Gov. Msg. No. 162):

Senator Chumbley moved that Stand. Com. Rep. No. 3188 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Chumbley then moved that the Senate advise and consent to the nominations of GARY MCKEAGUE and CLAYTON E. WINGER to the Hoisting Machine Operators Advisory Board, terms to expire June 30, 2004, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Anderson, Bunda, D. Ige, M. Ige, Matsunaga, Nakata).

Stand. Com. Rep. No. 3189 (Gov. Msg. No. 191):

Senator Kanno moved that Stand. Com. Rep. No. 3189 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of THEODORE E. GARDUQUE, LESTER H. INOUE, ARNALDO E. PREPOSE and OSCAR PORTUGAL to the State Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, terms to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Anderson, Bunda, D. Ige, M. Ige, Matsunaga, Nakata).

Stand. Com. Rep. No. 3190 (Jud. Com. No. 4):

Senator Chumbley moved that Stand. Com. Rep. No. 3190 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Chumbley then moved that the Senate consent to the nomination of GERONIMO VALDRIZ as Judge of the District Court of the Second Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Chun Oakland.

Senator Chumbley rose in support of the nominee and said:

"Mr. President, I rise to speak in support of this nomination.

"Mr. President and members, Geronimo Valdriz holds a B.A. degree from the University of Hawaii at Manoa and a J.D. degree from the University of Hawaii's Richardson School of Law. Mr. Valdriz worked in the Office of the State Public Defender from 1982 to 1987 and has been in private practice since 1987. His professional and community activities include the Kids First Program, the Judiciary Guardian Ad Litem Program, the Maui Children's Advocacy Center, the Friends of the Children's Advocacy Center, and the Public Defender Council.

"During the Senate Judiciary Committee hearing, the Committee heard Mr. Valdriz's thoughts on the Guardian Ad Litem problems on Maui, his views on domestic violence, and how open juvenile records proceedings should be. The Committee also heard several members of the Office of the Public Defender, the legal community, private citizens and organizations come forward to voice their overwhelming support for his nomination.

"Testimony unanimously supported Mr. Valdriz by indicating that he is caring, intelligent, fair, and hard working. Further, testifiers acknowledged that he has good judgment, common sense and excellent judicial temperament, and will be an asset to the position of District Court Judge in the Second Circuit.

"Mr. President and colleagues, I urge all of you to support this nomination. Thank you."

Senator Buen also rose in support of the nominee and said:

"Mr. President, I, too, rise in support of Geronimo Valdriz, to the District Court.

"I have known Jerry for over ten years. He has practiced in the area of juvenile and adult criminal proceedings and was involved in several jury trials. Recently, his practice has been in the area of family law, representing children and families in child protective services proceedings. Jerry is a practical and hard working lawyer and does have common sense. He will be an excellent jurist.

"Jerry Valdriz is an honorable individual. He's known for his truthfulness and loyalty and is of outstanding moral character and honor. There is no question. I ask the Senators to please confirm him to the District Court.

"Thank you, Mr. President."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, D. Ige, Matsunaga, Nakata).

At this time, Senator Chumbley introduced newly confirmed Judge Geronimo Valdriz and his family to the members of the Senate. (Judge Valdriz and his family, who were seated in the gallery, then rose to be recognized.)

Stand. Com. Rep. No. 3191 (Gov. Msg. No. 222):

Senator Chumbley moved that Stand. Com. Rep. No. 3191 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Chumbley then moved that the Senate consent to the nomination of KAREN S.S. AHN as Judge of the 11th Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Chun Oakland.

Senator Chumbley rose to speak in support of the nomination and said:

"Mr. President, I rise to speak in support of the nomination.

"Karen Ahn holds her B.S. degree from Boston University and her J.D. degree from the University of Hawaii's Richardson School of Law. Ms. Ahn served in the Department of the Prosecuting Attorney for the City and County of Honolulu from 1984 to 1989 and was in private practice from 1989 to 1994. She also served as a Special Deputy Attorney General from 1993 to 1994. Currently, Ms. Ahn has served as a District Court Judge in the First Circuit since 1994 for the past six years. In addition to her professional career, Ms. Ahn has made time for several professional and community organizations including the Land Use Commission, the American Bar Association, the Hawaii Korean Chamber of Commerce, the League of Women Voters, and the Metropolitan Rotary Club.

"During the Senate Judiciary Committee hearings the Committee heard her thoughts on substance abuse, domestic violence, civil liability, and gender balance within the Judiciary. She believes we should have more women on the bench.

"The Committee also heard from the federal and state offices of the Public Defender, a District Court Judge of the First Circuit, and several members of the legal community and private organizations, all voicing their support for Ms. Ahn. To quote some of the testimony: 'Ms. Ahn is professional, intelligent and analytical in seeking a fair and just outcome. Further, Ms. Ahn is courteous, compassionate, even-tempered while being firm, and eminently qualified to serve as a Circuit Court Judge in the First Circuit.'

"I am confident that Ms. Ahn will be an asset to the Judiciary and I urge all my colleagues to support and consent to this nomination. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Matsunaga, Nakata).

At this time, Senator Chumbley introduced to the members of the Senate, Judge Karen Ahn and the members of her family who were seated with her in the gallery. (Judge Ahn and her family then rose to be recognized.)

### THIRD READING

H.B. No. 1934, H.D. 2, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1934, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Matsunaga, Nakata).

H.B. No. 2485, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2485, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Matsunaga, Nakata).

Senator Levin, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for the following House bills:

H.B. No. 1632;  
H.B. No. 2024;  
H.B. No. 2151;  
H.B. No. 2171;  
H.B. No. 2194;  
H.B. No. 2434;  
H.B. No. 2760; and  
H.B. No. 2835,

and the Chair granted the waiver.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

### ADJOURNMENT

At 12:04 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 6, 2000.



## FORTY-SEVENTH DAY

Thursday, April 6, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by The Reverend Dr. Tom Fujita, Nuuanu Congregational Church, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Iwase and Matsuura who were excused.

The President announced that he had read and approved the Journal of the Forty-Sixth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland commended The Queen's Medical Center on the opening of its Same Day Surgery Center and introduced the following individuals: Connie Black, chairperson of The Queen's Medical Center's Board; Arthur Ushijima, president and CEO of The Queen's Medical Center; Trudy Hutto, R.N., manager, Same Day Surgery; Arlene Okumo, R.N., staff nurse, Surgical Services; and Gina Young, R.N., manager, Surgical Services.

Senator Sakamoto then introduced Glenn H. Higuchi and congratulated him on being the recipient of the prestigious Moreell Medal Award for 1999, a national award given annually by the Society of American Military Engineers to one member of the Civil Engineer Corps of the United States Navy for superior performance and the highest degree of professional engineering leadership, enthusiasm, technical expertise, and judgment. Accompanying Mr. Higuchi was his wife, Leatrice, and son, Colin.

Senator Sakamoto, on behalf of Senator D. Ige and himself, then introduced Rear Admiral Charles R. Kubic, Commander, Pacific Division, Naval Facilities Engineering Command at Pearl Harbor and Commander of the Third Naval Construction Brigade at Pearl Harbor. Accompanying Admiral Kubic were Captain Khalid C. Khan, Assistant Commander for Field Operations, Pacific Division, Naval Facilities Engineering Command; and Lieutenant Commander Ian C. Lange, Resident Officer in Charge of Construction at the Marine Corps Base Hawaii.

At this time, the President appointed Senators Sakamoto, D. Ige and Anderson to escort Rear Admiral Charles Kubic to the rostrum to address the members of the Senate.

Admiral Kubic addressed the members of the Senate and their guests as follows:

"Thank you, Mr. President, especially for inviting me as a representative of the United States Navy to address Hawaii's Senate Chambers today. It is my pleasure to address the members of the Senate of the Twentieth Legislature as you recognize one of our own, Mr. Glenn Higuchi, the Navy's 1999 Moreell Medal recipient.

"In the Navy, we're all very proud of Mr. Higuchi's personal achievements, and they are truly representative of the overall outstanding contributions of the Naval Facilities Engineering Command, Pacific Division, known as PACDIV, and the Seabees of the Third Naval Construction Brigade.

"In a typical year, PACDIV plans and constructs \$600 million to \$800 million of new facilities throughout Hawaii and the Pacific. We maintain, as you heard earlier, a very large shore infrastructure valued at over \$17 billion.

"Every year we stop and try to recognize at least one individual who represents the very best of a large number of people serving the Navy in our nation ashore in maintaining these type of facilities. The Admiral Ben Moreell Medal is given annually by the Society of American Military Engineers to an officer of the Navy Civil Engineering Corps or a civilian for outstanding contributions to military engineering. We've been giving this award for decades and we really only have had four civilians -- two from Hawaii -- so it's a very distinguished honor that Mr. Higuchi is receiving.

"Admiral Moreell was a very important Civil Engineer Corps officer in the history of our Navy. He was the Chief of the Bureau of Yards and Docks during World War II. Additionally, he was the officer in the United States Navy who created the Navy Seabees and empowered the Navy Civil Engineer Corps to command this combat construction force.

"One of the many reasons Mr. Higuchi is being honored today is for his leadership and coordination of the closing of the Naval Air Station, Barbers Point, and the completion of the construction program at the Marine Corps Base, Kaneohe. As you heard earlier, this was a huge multi-million dollar construction program. He did this, really, in the finest tradition of Admiral Ben Moreell and the standards that he was judged against -- not against one or two, but dozens of very highly competitive candidates from around the world -- really speaks highly of his accomplishments.

"The Navy Civil Engineer Corps is honored that State Senator Norman Sakamoto from the 16th District will present the Senate certificate as he himself is also a licensed professional engineer. Glenn Higuchi has been and continues to be an inspirational leader on my Pacific Division team. I personally and very sincerely congratulate him for receiving the Admiral Ben Moreell Medal, a distinction he richly deserves.

"On behalf of the United States Navy, the Civil Engineer Corps and our nation's Fighting Seabees, I also want to thank the people of Hawaii as represented by their Legislature for recognizing Mr. Higuchi's tremendous achievements.

"Thank you and Mahalo."

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 o'clock p.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 269, informing the Senate that on April 4, 2000, he signed the following bills into law:

House Bill No. 2762 as Act 4, entitled: "RELATING TO ISLAND BURIAL COUNCILS";

House Bill No. 2551 as Act 5, entitled: "RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999"; and

House Bill No. 2022 as Act 6, entitled: "RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS,"

was read by the Clerk and was placed on file.

## STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3198) recommending that H.B. No. 286, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3198 and H.B. No. 286, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPEEDING," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3199) recommending that H.B. No. 1759, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3199 and H.B. No. 1759, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3200) recommending that H.B. No. 1873, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3200 and H.B. No. 1873, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Friday, April 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3201) recommending that H.B. No. 2492, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3201 and H.B. No. 2492, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Friday, April 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3202) recommending that H.B. No. 2062, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3202 and H.B. No. 2062, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Friday, April 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3203) recommending that H.B. No. 2066, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3203 and H.B. No. 2066, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND," was deferred until Friday, April 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3204) recommending that H.B. No. 2432, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3204 and H.B. No. 2432, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDIT," was deferred until Friday, April 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3205) recommending that H.B. No. 1691, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3205 and H.B. No. 1691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Friday, April 7, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3206) recommending that H.B. No. 2457 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3206 and H.B. No. 2457, entitled: "A BILL FOR AN ACT RELATING TO VETERANS LOANS," was deferred until Friday, April 7, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3207) recommending that H.B. No. 2495, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2495, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 7, 2000.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3208) recommending that S.R. No. 60, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REVIEW CURRENT TELEPHONE USAGE AND TO DETERMINE WHETHER DEPARTMENTAL GUIDELINES NEED TO BE ESTABLISHED," was referred to the Committee on Ways and Means.

Senator D. Ige, jointly with Senators Chumbley and Matsunaga, for the Committee on Education and Technology and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3209) recommending that S.C.R. No. 123 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 123, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO COMPLY WITH EXISTING LAW AND REGULATIONS TO PREVENT THE EMPLOYMENT OF PERSONS WITH CRIMINAL CONVICTIONS IN POSITIONS WHICH PLACE THEM IN CLOSE PROXIMITY TO CHILDREN," was adopted.

## ORDER OF THE DAY

## THIRD READING

H.B. No. 2020:

On motion by Senator Chumbley seconded by Senator Matsunaga and carried, H.B. No. 2020, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Iwase, Matsuura).

H.B. No. 2021:

On motion by Senator Chumbley seconded by Senator Matsunaga and carried, H.B. No. 2021, entitled: "A BILL FOR AN ACT RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Bunda, Iwase, Matsuura).

#### **RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The Chair re-referred the following House concurrent resolution that was received:

House  
Concurrent  
Resolution

Referred to:

No. 94, H.D. 1      Committee on Economic Development

Senator D. Ige, for the Committee on Education and Technology, requested a waiver of the 48-hour Notice of a Public Hearing for S.C.R. Nos. 14 and 166, and the Chair granted the waiver.

Senator Chumbley, for the Committee on Judiciary, requested a waiver of the 48-hour Notice of a Public Hearing for H.B. No. 2618, and the Chair granted the waiver.

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for the following House bills:

H.B. No. 2354;  
H.B. No. 2404;  
H.B. No. 2438;  
H.B. No. 2554;  
H.B. No. 2572;  
H.B. No. 2624; and  
H.B. No. 2878,

and the Chair granted the waiver.

At 12:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 o'clock p.m.

#### **ADJOURNMENT**

At 12:22 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 7, 2000.

## FORTY-EIGHTH DAY

Friday, April 7, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Hilaria Marie Dawal, SHF, St. John the Baptist Parish, after which the Roll was called showing all Senators present with the exception of Senators Buen and Bunda who were excused.

The President announced that he had read and approved the Journal of the Forty-Seventh Day.

At this time, Senator Sakamoto, with the assistance of Senators Tam and Nakata, introduced and congratulated the following 2000 Prudential Spirit of Community Award recipients: Keila Ching, Leanne Nakamura, Todd Nishida, and Aubrie Weedling. Accompanying the honorees were Todd Thacker, vice president of government relations for the Prudential Insurance Company of America; and Fred Borenstein, managing director for the Prudential Company in Hawaii.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 270 to 289) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 270, advising the Senate of the withdrawal of the nomination of BARBARA M. ROBESON to the Environmental Council, under Gov. Msg. No. 263, dated March 29, 2000, was placed on file.

In compliance with Gov. Msg. No. 270, the nomination listed under Gov. Msg. No. 263 was returned.

Gov. Msg. No. 271, informing the Senate that the information provided in Gov. Msg. No. 269, dated April 5, 2000, on Act 4 and Act 6 was incorrect and should read that on April 4, 2000, he signed the following bills into law:

House Bill No. 2022 as Act 4, entitled: "RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS"; and

House Bill No. 2762 as Act 6, entitled: "RELATING TO ISLAND BURIAL COUNCILS,"

was placed on file.

Gov. Msg. No. 272, submitting for consideration and confirmation to the Board of Directors, Aloha Tower Development Corporation, the nomination of FRANK JAMES "JIM" LYON, term to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 273, submitting for consideration and confirmation to the Barbers Point Naval Air Station Redevelopment Commission, the nominations of: HOWARD C.O. LUM, term to expire June 30, 2001; and RICK EGGED,

term to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 274, submitting for consideration and confirmation to the Defender Council, the nomination of KEITH E. TANAKA, term to expire June 30, 2003, was referred to the Committee on Judiciary.

Gov. Msg. No. 275, submitting for consideration and confirmation to the Board of Dental Examiners, the nominations of: CLINTON CHO, D.D.S., DEBORAH E. LICHOTA, RDH, JILL TSUCHITORI and RONALD L. YOUNG, D.M.D., terms to expire June 30, 2001; and WALLACE F. CHONG, JR., D.D.S., and ROGER H. YOKOYAMA, D.D.S., terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 276, submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nominations of: MAUREEN SATURNIO, terms to expire June 30, 2000 and June 30, 2004; ANGIE CONNOR, M.D., and CANDICE CULLIN-PAYNE, terms to expire June 30, 2003; and WILLIAM AUSTIN BURWELL, ELLEN M. CHING, MARTHA GUINAN, GARY A. OKAMOTO, M.D., HEATHER PROUD, LAURA ROBERTSON, BETSY WHITNEY and ANITA YUSKAUSKAS, PH.D., terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 277, submitting for consideration and confirmation to the Disability and Communication Access Board, the nominations of: KENNETH C.C. CHANG, JAN LORI FRIED, AARON S. FUJII, GRETCHEN S. LAWSON and MARK B. MACANAS, terms to expire June 30, 2001; RONALD K. AWA, HAROLD R. DECOSTA, DEAN M. GEORGIEV, STEPHEN G. LARACUENTE, DONALD A. MEDEIROS and CHRISTINA M. PILKINGTON, terms to expire June 30, 2002; and ANTHONY S. AKAMINE, RICHARD R. CHAVES, FRANCINE M.L. AONA KENYON, LUCY MILLER, PH.D., PATRICIA M. NIELSEN and OSCAR C. PAEZ, JR., terms to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 278, submitting for consideration and confirmation to the Drug Product Selection Board, the nominations of JAMES P. EPURE, M.D., and STEPHEN K. MIYASATO, M.D., terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 279, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nominations of: DAVID WILLIAM MAY, term to expire June 30, 2002; TEOFILO PHIL TACBIAN, term to expire June 30, 2003; and DOUG CONNORS, ED.D., PATRICIA S. JONES, MILTON C. MARTIN, CATHY STEVENS, ANGELA M. TEXEIRA and JOSEPH W. TURBAN, M.D., terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 280, submitting for consideration and confirmation to the Hawaii Historic Places Review Board, the nominations of: WILLIAM K. MILLS, term to expire June 30, 2002; LINDA NISHIGAYA, PH.D., term to expire June 30, 2003; and AGNES E. GRIFFIN, MICHIO KODAMA-NISHIMOTO and GAYLORD C. KUBOTA, terms to expire June 30, 2004, was referred to the Committee on Education and Technology.

Gov. Msg. No. 281, submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nomination of GREGORY M.

SATO, term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 282, submitting for consideration and confirmation to the Island Burial Council, Island of Hawaii, the nominations of: PERRY H. KEALOHA, K. KEALOHA PISCIOTTA, terms to expire June 30, 2003; and PEARL ULUNUI GARMON, J. KEOLALANI HANOA, E. NALEI PATE-KAHAKALAU and JOHN B. RAY, terms to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 283, submitting for consideration and confirmation to the Island Burial Council, Islands of Kauai and Niihau, the nominations of: R. KALANI FRONDA, MICHAEL H. FURUKAWA, BRUCE B. ROBINSON, DONNA KALIKO SANTOS, PRESLEY V. WANN and A. JAMES WRISTON III, terms to expire June 30, 2003; and LA FRANCE KAPAKA-ARBOLEDA and JOHN A.P. KRUSE, terms to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 284, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nominations of: GLENN RICHARDSON, term to expire June 30, 2003; and MERCER K. VICENS, term to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 285, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nominations of: ROBERT ALCAIN, term to expire June 30, 2003; and WAYDE H. LEE, term to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 286, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nominations of: A. VAN HORN DIAMOND and LURLINE NAONE SALVADOR, terms to expire June 30, 2002; KALEI S. KINI, term to expire June 30, 2003; and PETER K. APO, PHYLLIS COOCHIE CAYAN, CLARENCE DE LUDE and THOMAS T. SHIRAI, JR., terms to expire June 30, 2004, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 287, submitting for consideration and confirmation to the Board of Physical Therapy, the nomination of HERBERT K.M. YEE, P.T., term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 288, submitting for consideration and confirmation to the Procurement Policy Board, the nominations of: DAVID LEONG and WINIFRED M. ODO, terms to expire June 30, 2001; and GREG KING and PHYLLIS M. KOIKE, terms to expire June 30, 2004, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 289, submitting for consideration and confirmation to the Commission on Transportation, the nominations of: JANE N. YAMASHIROYA, term to expire June 30, 2001; and LESTER T. FUSHIKOSHI and DAVID W. RAE, terms to expire June 30, 2004, was referred to the Committee on Transportation and Intergovernmental Affairs.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 431 to 448) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 431, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 1934, H.D. 2 (S.D. 1); and  
H.B. No. 2485, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 432, returning S.B. No. 2333, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2000, was placed on file.

Hse. Com. No. 433, returning S.B. No. 2465, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2000, was placed on file.

Hse. Com. No. 434, returning S.B. No. 2527, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2000, was placed on file.

Hse. Com. No. 435, returning S.B. No. 2635, which passed Third Reading in the House of Representatives on April 6, 2000, was placed on file.

Hse. Com. No. 436, returning S.B. No. 2814, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2000, was placed on file.

Hse. Com. No. 437, returning S.B. No. 2877, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2000, was placed on file.

Hse. Com. No. 438, returning S.B. No. 2283, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2283, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, April 11, 2000.

Hse. Com. No. 439, returning S.B. No. 2711, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2711, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," was deferred until Tuesday, April 11, 2000.

Hse. Com. No. 440, returning S.B. No. 2791, which passed Third Reading in the House of Representatives on April 6, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2791, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT," was deferred until Tuesday, April 11, 2000.

Hse. Com. No. 441, returning S.B. No. 2766, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2766, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING CONDOMINIUM PROPERTY REGIMES," was deferred until Tuesday, April 11, 2000.

Hse. Com. No. 442, returning S.B. No. 2924, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2924, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," was deferred until Tuesday, April 11, 2000.

Hse. Com. No. 443, returning S.B. No. 3038, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 3038, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 11, 2000.

Hse. Com. No. 444, returning S.B. No. 3073, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 3073, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING," was deferred until Tuesday, April 11, 2000.

Hse. Com. No. 445, returning S.B. No. 3129, which passed Third Reading in the House of Representatives on April 6, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 3129, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HEALING PRACTICES," was deferred until Tuesday, April 11, 2000.

Hse. Com. No. 446, transmitting H.C.R. No. 63, H.D. 1, which was adopted by the House of Representatives on April 6, 2000, was placed on file.

By unanimous consent, H.C.R. No. 63, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE APPROPRIATE MEASURES IN THE UNITED STATES CONGRESS CALLING FOR AN APOLOGY TO THE PEOPLE OF THE REPUBLIC OF THE MARSHALL ISLANDS FOR INJURIES SUSTAINED BY MARSHALL ISLANDERS AS A RESULT OF UNITED STATES NUCLEAR TESTING, AND INCREASED FUNDING IN THE RENEGOTIATED COMPACT OF FREE ASSOCIATION AS JUST COMPENSATION FOR NUCLEAR-RELATED INJURIES AND DEATHS AND EXPANDED MEDICAL CARE FOR AFFECTED MARSHALL ISLANDERS," was referred to the Committee on Transportation and Intergovernmental affairs.

Hse. Com. No. 447, transmitting H.C.R. No. 74, H.D. 1, which was adopted by the House of Representatives on April 6, 2000, was placed on file.

By unanimous consent, H.C.R. No. 74, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF THE ATTORNEY GENERAL AND THE DEPARTMENT OF JUSTICE TO CONDUCT AN INVESTIGATION INTO THE 'PETER BOY' KEMA CASE," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 448, transmitting H.C.R. No. 149, H.D. 1, which was adopted by the House of Representatives on April 6, 2000, was placed on file.

By unanimous consent, H.C.R. No. 149, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO WORK WITH AREA RESIDENTS TO DEVELOP USE OPTIONS FOR THE STADIUM BOWL-O-DROME PROPERTY," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

#### STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3210) recommending that the Senate advise and consent to the

nomination of AUDREY HIDANO to the Hawaii Community Development Authority, in accordance with Gov. Msg. No. 192.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3210 and Gov. Msg. No. 192 was deferred until Tuesday, April 11, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3211) recommending that the Senate advise and consent to the nominations of JEFFREY L. CHANG, ISABELLA A. ABBOTT, PH.D., and ROBERT J. LUUWAI to the Kahoolawe Island Reserve Commission, in accordance with Gov. Msg. No. 238.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3211 and Gov. Msg. No. 238 was deferred until Tuesday, April 11, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3212) recommending that the Senate advise and consent to the nominations of REGINALD E. DAVID, NEAL EVENHUIS, PH.D., and LLOYD L. LOOPE, PH.D., to the Natural Area Reserves System Commission, in accordance with Gov. Msg. No. 242.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3212 and Gov. Msg. No. 242 was deferred until Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3213) recommending that H.B. No. 2983, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2983, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3214) recommending that H.B. No. 1947, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3214 and H.B. No. 1947, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," was deferred until Tuesday, April 11, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3215) recommending that H.B. No. 750, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 750, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND SYMBOLS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3216) recommending that H.B. No. 1912, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

1912, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3217) recommending that H.B. No. 2473, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2473, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3218) recommending that H.B. No. 2482, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2482, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL SHARE ACQUISITIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

## ORDER OF THE DAY

### THIRD READING

H.B. No. 303, H.D. 2, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 303, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, M. Ige, Levin).

H.B. No. 1955, H.D. 2, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1955, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Buen, Bunda, M. Ige, Levin).

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

Stand. Com. Rep. No. 3200 (H.B. No. 1873, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Chun and carried, Stand. Com. Rep. No. 3200 was adopted and H.B. No. 1873, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, Buen, Bunda, Levin).

Stand. Com. Rep. No. 3201 (H.B. No. 2492, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3201 was adopted and H.B. No. 2492, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Buen, Bunda).

Stand. Com. Rep. No. 3202 (H.B. No. 2062, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3202 was adopted and H.B. No. 2062, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Buen, Bunda).

Stand. Com. Rep. No. 3203 (H.B. No. 2066, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3203 was adopted and H.B. No. 2066, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Buen, Bunda).

Stand. Com. Rep. No. 3204 (H.B. No. 2432, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3204 was adopted and H.B. No. 2432, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3205 (H.B. No. 1691, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3205 be adopted and H.B. No. 1691, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to the bill.

"This bill purports to extend various tax exemptions to foreign diplomats, consular officials, and certain staff members of foreign organizations. The original bill said that we need this legislation to fulfill our treaty obligations and that we are the only state in the union that does not exempt foreign officials from various taxes.

"Two questions here, Mr. President -- one is, I thought we liked to be the only state in the union that does things differently. We're the only state in the union that does not have a thriving economy, for example; the only state in the union that has a general excise gross income tax; we're the only state in the union that has a single statewide school district; the only state in the union that has prepaid mandates on employers. So, I think we have a long history of being the only state in the union doing things while everybody else does it another way.

"In addition to that, it's interesting to me that if we need this bill to fulfill U.S. government treaty obligations, then that

would indicate to me that maybe some of our treaty obligations are invalid that we've enacted to date, or conversely, how have we gotten along this long without doing this?

"I have a real problem with this bill, Mr. President, because we already exempt consular officials from traffic and parking and liability and other laws. We give them special treatment and in some cases we've seen that they have not been held accountable or responsible for their actions. Instead, they have cited diplomatic immunity.

"As I said in the Transportation Committee, we welcome all of our guests and visitors to Hawaii, including our foreign diplomats, and want them to experience the full essence of the Hawaii experience, which means the full tax burden that the rest of us have to pay.

"And you know, Mr. President, every time when people are suggesting taxes they always say, well, it doesn't apply to local residents; the tourists are going to pay it, or somebody else is going to pay it. Here we have a situation where we find out that they're not going to pay it. We're trying to exempt them. And what are we exempting them from? We're going to exempt them from the general excise tax, the transient accommodations tax, the use tax. There has not been a cost estimate as to what the impact will be on our local taxpayers. But I think that this kind of treatment is not warranted. And if the taxes are found to be burdensome for a group of people such as the foreign consulate officials, then we should be looking at reducing the tax burden for all of our residents as well, Mr. President.

"Thank you very much."

Senator Kawamoto rose to support the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, we are the 'Aloha State.' We are the neighboring state for many of our foreign diplomats from China, Japan, Korea, and the Philippines. It behooves us as a neighboring state to provide as the host state the opportunity to say Aloha and welcome to the State of Hawaii for the time they have here in Hawaii.

"Thank you."

Senator M. Ige rose to speak against the measure and said:

"Mr. President, may I just express the same concerns that the Senator from Hawaii Kai expressed, and 'no' for me.

"Thank you."

Senator Chun rose to speak in support of the bill and said:

"Mr. President, I stand in favor of the bill.

"Mr. President, the comments, though validly made, still do not address the main point of the bill. The point of bill is that there is an outstanding treaty obligation -- and I use the word obligation -- on the part of the United States of America to exempt consular and embassy officials from these kinds of taxes. And it is my position, and I think it's the position of the rest of the members here in this Legislature, that we are still part of the United States and as such we need to fulfill all of our obligations despite the tax burden on other people. We need to fulfill those duties.

"Thank you, Mr. President."

Senator Fukunaga rose and said:

"Mr. President, one response to the Senator from Hawaii Kai.

"The Department of Taxation did not oppose this measure, and we understand that the potential revenue loss will be minimal.

"Thank you."

Senator Slom rose to inquire:

"Two questions, one for the co-chair of Ways and Means, if she could please define minimal and what the tax loss would be? And again, my question to the Majority Floor Leader, and that is, if this has been an ongoing treaty obligation and we have been the only state that has not met that obligation, what have been the ramifications and any negative actions that have occurred because of our policy of taxing everyone?

"Thank you."

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

Senator Slom then rose and said:

"Thank you, Mr. President. I just want to thank my colleagues. It's always a pleasure to gather with them in groups of fours and fives. Unfortunately, I did not get the answer to my questions.

"The definition of what a minimal tax revenue loss would be was not defined by the tax director, apparently. And silly me, I forgot this was an administration bill, and he never testifies against anything that the governor wants since the governor is his boss. I'm sorry about that.

"Secondarily, I have been informed by the Majority Floor Leader that we might be in danger at any moment that the U.S. government might levy on us because of our past misdeeds. And that would be terrible because then they might look at some of the other things that we have done or not done. Unfortunately, I was unable to convince my colleagues to vote 'no' and they were unable to convince me to vote 'yes.'

"So, thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3205 was adopted and H.B. No. 1691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (M. Ige, Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3206 (H.B. No. 2457):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3206 was adopted and H.B. No. 2457, entitled: "A BILL FOR AN ACT RELATING TO VETERANS LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2495, H.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, H.B. No. 2495, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).



Senator Chun Oakland, for the Committee on Health and Human Services, requested a waiver pursuant to Senate Rule 20 for H.B. No. 2537, and the Chair granted the waiver.

### ADOPTION OF RESOLUTIONS

S.C.R. No. 87, S.D. 1:

Senator Chun Oakland, for the Committee on Health and Human Services, requested that the referral of S.C.R. No. 87, S.D. 1, to the Committee on Health and Human Services be waived, and the Chair granted the waiver.

Senator Chun Oakland moved that the Senate reconsider its action taken on April 3, 2000, in adopting Stand. Com. Rep. No. 3141, seconded by Senator Iwase and carried.

Senator Chun Oakland moved that Stand. Com. Rep. No. 3141 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland moved that S.C.R. No. 87, S.D. 1, be adopted, seconded by Senator Iwase.

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

Senator Chun Oakland noted:

"The resolutions strongly urge the United States Department of Education and the National Institute of Mental Health to engage in a national examination of the appropriate use of psychiatric drugs as necessary to treat mental illness in children."

The motion was put by the Chair and carried, S.C.R. No. 87, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF EDUCATION AND THE NATIONAL INSTITUTE OF MENTAL HEALTH TO ENGAGE IN A NATIONAL EXAMINATION OF THE APPROPRIATE USE OF PSYCHIATRIC DRUGS AS NECESSARY TO TREAT MENTAL ILLNESSES IN CHILDREN," was adopted.

S.R. No. 40, S.D. 1:

Senator Chun Oakland, for the Committee on Health and Human Services, requested that the referral of S.R. No. 40, S.D. 1, to the Committee on Health and Human Services be waived, and the Chair granted the waiver.

Senator Chun Oakland moved that the Senate reconsider its action taken on April 3, 2000, in adopting Stand. Com. Rep. No. 3142, seconded by Senator Iwase and carried.

Senator Chun Oakland moved that Stand. Com. Rep. No. 3142 be received and placed on file, seconded by Senator Iwase and carried.

On motion by Senator Chun Oakland, seconded by Senator Iwase and carried, S.R. No. 40, S.D. 1, entitled: "SENATE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF EDUCATION AND THE NATIONAL INSTITUTE OF MENTAL HEALTH TO ENGAGE IN A NATIONAL EXAMINATION OF THE APPROPRIATE USE OF PSYCHIATRIC DRUGS AS NECESSARY TO TREAT MENTAL ILLNESSES IN CHILDREN," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver pursuant to Senate Rule 20 for H.B. No. 2906, and the Chair granted the waiver.

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for H.B. No. 2534, and the Chair granted the waiver.

At 12:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 o'clock p.m.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"First off, Senator Slom wanted me to waiver on the tax bill and I won't do it. I'm going to stay the way I am. (Laughter.)

"But in all seriousness, I wanted to cover some of the things that I read very briefly this morning. And one is in the Advertiser this morning. It says, 'Bill allows federal aid for Hawaiian housing.' I find this very interesting that Congresswoman Mink said there should be no problem. Yet, the other day I told you folks I had to write a letter because they needed a Minority, and they wanted a Minority Leader so that they could help get this bill through. And I did write the letter. But what concerns me is that most of our bills here in Hawaii are dying. Any Hawaiian bill dies, and they're sure as hell trying to get things through Congress.

"But another thing that caught my eye, Mr. President, is in 'Letters to the Editor.' This one says 'Island Voices.' It's by a Mr. Bob McGregor. I knew Bob's father very well. Some of you might remember Judge McGregor. But it says here, 'Democrats continue to spread half-truths' and most of it is because the real Hawaiians or Hawaiians at that time were Republicans. It was Kuhio, a Republican who set up Hawaiian Home Lands which gave back to Hawaiians their first real sense of dignity. It was also Senator Hiram Fong who was a Republican who had a great deal of respect from the people in Congress and he helped in many ways and he worked very hard with Dan Inouye. But it also says it is a Republican belief that throwing money at a problem doesn't always solve the problem. But I wanted you to remember that Hawaiians weren't really bad and a lot of them at that time were Republicans.

"But another thing that caught my eye, because I keep fighting this and no one seems to ever listen, but it was written by a person who said, 'Living here doesn't make one Hawaiian. I am Chinese. If I moved to Sweden, married a Chinese lady and had children, would that make them Swedish? Can you imagine a black-haired, brown-almond-eyed Scandinavian? Who are these people who moved to Hawaii and expect to be called Hawaiian or, worse, Native Hawaiian? Hawaiians are a race, an ethnicity, not to be confused with Californians.' And he's very proud to be Chinese. What they need to do is change their belief that being born here in Hawaii makes them Hawaiians.

"If you will remember, we were a sovereign nation and that's why we have Hawaiians. People who have moved here can't just be called Hawaiians because they moved here, any more than they could be Portuguese if they moved to Portugal. So I'm glad that somebody, because nobody listens to what I say, I'm glad somebody wrote something that I think would take away the confusion about this misconception that because you're born and raised in Hawaii you are Hawaiian. You can say that you're from Hawaii, but that's it.

"And I also felt very good about reading Mr. McGregor's article, and I wanted you to understand that the two-party system is alive and well in Congress. That's why we continue to go there. Every now and then they need a Republican because they can have a Democrat president but they are the minority in Congress. When they were the majority in Congress they had a Republican president, President Bush, and

they still needed people to go up to talk to the department heads.

"So my good friends, there's always a need for any of us, and maybe if Senator Slom and I ho'oponopono a little bit on that bill we went and split on, we, too, could come to an agreement on a few bills that we may not agree with once in a while.

"Thank you very much, Mr. President."

Senator Sakamoto also rose on a point of personal privilege and said:

"Mr. President, a short follow-up . . . I guess coming from Hawaii or going to Hawaii or being wherever.

"In the newspaper article referred to by the Senator from Waimanalo, there was an article saying they're going to name a nuclear submarine the USS Hawaii. So I fear that some of our Naval people in the future need to be clear about place names and listen to words carefully, because someone might be saying, 'You're being assigned to Hawaii,' and they won't know if it's this beautiful state or if it's six months under the polar ice cap.

"Thank you." (Laughter.)

Senator Matsunaga then rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I just want to thank the Minority Leader. Oftentimes many of us get too busy to read the newspaper and I appreciate being kept informed. Not only does the Minority Leader tell us what's in the newspaper, but sometimes he's kind enough to tell us what should be in the newspaper and isn't in the newspaper. So I want to thank him for his consideration.

"I want to reassure him that there are some people who do indeed listen to him. I think Ikaika, maybe his wife, and a couple of other people do listen to him. (Laughter.)

"Thank you, Mr. President."

Senator Anderson rose and said:

"A short rebuttal, Mr. President.

"I'd like you to know that once you get a little older, and if your newspaperman gets around to your house at 4:30 in the morning, you too could read the paper. (Laughter.) Or someone could read it to you, one of the two.

"Thank you very much, Mr. President."

### STANDING COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that House bills pass Second Reading and be placed on the calendar for Third Reading. The Clerk was further authorized to receive standing committee reports recommending that House bills be placed on the calendar for Third Reading. In consequence thereof, and subsequent to its recessing at 12:29 o'clock p.m., the Senate took the following actions on the following House bills and standing committee reports:

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3219) recommending that H.B. No. 1946, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3219 and H.B. No. 1946, H.D. 2, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO ENERGY CONSERVATION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3220) recommending that H.B. No. 1956, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3220 and H.B. No. 1956, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3221) recommending that H.B. No. 1969, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3221 and H.B. No. 1969, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3222) recommending that H.B. No. 1994, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3222 and H.B. No. 1994, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3223) recommending that H.B. No. 2793, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3223 and H.B. No. 2793, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3224) recommending that H.B. No. 2801, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3224 and H.B. No. 2801, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3225) recommending that H.B. No. 2955, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3225 and H.B. No. 2955, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW ECONOMY SKILLS TRAINING," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3226) recommending that H.B. No. 3014, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3226 and H.B. No. 3014, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3227) recommending that H.B. No. 1874, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3227 and H.B. No. 1874, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3228) recommending that H.B. No. 1905, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3228 and H.B. No. 1905, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FEES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3229) recommending that H.B. No. 2060, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3229 and H.B. No. 2060, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3230) recommending that H.B. No. 2280, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3230 and H.B. No. 2280, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3231) recommending that H.B. No. 2701, H.D. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3231 and H.B. No. 2701, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3232) recommending that H.B. No. 2505 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3232 and H.B. No. 2505, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3233) recommending that H.B. No. 2588, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3233 and H.B. No. 2588, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3234) recommending that H.B. No. 1940, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3234 and H.B. No. 1940, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL LEGAL FEES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3235) recommending that H.B. No. 2160, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3235 and H.B. No. 2160, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3236) recommending that H.B. No. 2418, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3236 and H.B. No. 2418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3237) recommending that H.B. No. 2423, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3237 and H.B. No. 2423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3238) recommending that H.B. No. 2646, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3238 and H.B. No. 2646, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3239) recommending that H.B. No. 2653, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3239 and H.B. No. 2653, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3240) recommending that H.B. No. 1909, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3240 and H.B. No. 1909, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3241) recommending that H.B. No. 1939, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3241 and H.B. No. 1939, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHOO LAWE ISLAND RESERVE COMMISSION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3242) recommending that H.B. No. 2309, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3242 and H.B. No. 2309, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE IN NORTH KONA, HAWAII," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3243) recommending that H.B. No. 2573, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3243 and H.B. No. 2573, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3244) recommending that H.B. No. 2574, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3244 and H.B. No. 2574, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3245) recommending that H.B. No. 101, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3245 and H.B. No. 101, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3246) recommending that H.B. No. 1883, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3246 and H.B. No. 1883, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3247) recommending that H.B. No. 1884, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3247 and H.B. No. 1884, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3248) recommending that H.B. No. 2468, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3248 and H.B. No. 2468, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3249) recommending that H.B. No. 2314, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3249 and H.B. No. 2314, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3250) recommending that H.B. No. 2218, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3250 and H.B. No. 2218, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3251) recommending that H.B. No. 2188, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3251 and H.B. No. 2188, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," was deferred until Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3252) recommending that H.B. No. 1387, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3252 and H.B. No. 1387, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," was deferred until Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3253) recommending that H.B. No. 2005, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2005, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3254) recommending that H.B. No. 2278, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2278, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3255) recommending that H.B. No. 1761 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3255 and H.B. No. 1761, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was deferred until Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3256) recommending that H.B. No. 2216 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2216, entitled: "A BILL FOR AN ACT RELATING TO

UNINSURED MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3257) recommending that H.B. No. 2479, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2479, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW)," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3258) recommending that H.B. No. 2525, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3258 and H.B. No. 2525, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3259) recommending that H.B. No. 2425, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3259 and H.B. No. 2425, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was deferred until Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3260) recommending that H.B. No. 2846, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3260 and H.B. No. 2846, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was deferred until Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3261) recommending that H.B. No. 2480, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2480, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3262) recommending that H.B. No. 2481, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2481, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand.

Com. Rep. No. 3263) recommending that H.B. No. 2483, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2483, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3264) recommending that H.B. No. 2017, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2017, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, jointly with Senator D. Ige, for the Committee on Commerce and Consumer Protection and the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3265) recommending that H.B. No. 2585, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2585, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3266) recommending that H.B. No. 2528, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3266 and H.B. No. 2528, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3267) recommending that H.B. No. 1982 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3267 and H.B. No. 1982, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3268) recommending that H.B. No. 2148 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3268 and H.B. No. 2148, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3269) recommending that H.B. No. 2474, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3269 and H.B. No. 2474, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3270) recommending that H.B. No. 2349, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3270 and H.B. No. 2349, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3271) recommending that H.B. No. 1757, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3271 and H.B. No. 1757, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3272) recommending that H.B. No. 2469, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3272 and H.B. No. 2469, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3273) recommending that H.B. No. 2129, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3273 and H.B. No. 2129, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWN BROKERS AND SECONDHAND DEALERS," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3274) recommending that H.B. No. 2586, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3275) recommending that H.B. No. 2820, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3275 and H.B. No. 2820, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3276) recommending that H.B. No. 2506, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3276 and H.B. No. 2506, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," was deferred until Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand.

Com. Rep. No. 3277) recommending that H.B. No. 1938, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1938, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3278) recommending that H.B. No. 1773, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1773, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3279) recommending that H.B. No. 2797, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2797, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3280) recommending that H.B. No. 2213, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BINDING ARBITRATION AWARDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3281) recommending that H.B. No. 2219, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2219, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3282) recommending that H.B. No. 2220 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2220, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3283) recommending that H.B. No. 2475, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2475, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3284) recommending that H.B. No. 2484, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3285) recommending that H.B. No. 2727, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3285 and H.B. No. 2727, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND VEHICLE TRANSFERS," was deferred until Tuesday, April 11, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3286) recommending that H.B. No. 2092, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2092, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3287) recommending that H.B. No. 2095, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2095, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senator Chun Oakland, jointly with Senators Chumbley and Matsunaga, for the Committee on Health and Human Services and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3288) recommending that H.B. No. 2507 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2507, entitled: "A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senator Chun Oakland, jointly with Senator Kawamoto and Senators Chumbley and Matsunaga, for the Committee on Health and Human Services, the Committee on Transportation

and Intergovernmental Affairs and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3289) recommending that H.B. No. 3018, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 3018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3290) recommending that H.B. No. 536, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3290 and H.B. No. 536, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3291) recommending that H.B. No. 2510 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3291 and H.B. No. 2510, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3292) recommending that H.B. No. 2511, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3292 and H.B. No. 2511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3293) recommending that H.B. No. 2512 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3293 and H.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE PAYMENTS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3294) recommending that H.B. No. 2542, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3294 and H.B. No. 2542, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3295) recommending that H.B. No. 2524 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3295 and H.B. No. 2524, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLACTICS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3296) recommending that H.B. No. 2405, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3296 and H.B. No. 2405, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3297) recommending that H.B. No. 2530, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3297 and H.B. No. 2530, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3298) recommending that H.B. No. 2895, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3298 and H.B. No. 2895, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3299) recommending that H.B. No. 3021, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3299 and H.B. No. 3021, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3300) recommending that H.B. No. 2289 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3300 and H.B. No. 2289, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3301) recommending that H.B. No. 2519, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3301 and H.B. No. 2519, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3302) recommending that H.B. No. 2559, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3302 and H.B. No. 2559, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3303) recommending that H.B. No. 2984, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3303 and H.B. No. 2984, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3304)

recommending that H.B. No. 2584 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2584, entitled: "A BILL FOR AN ACT RELATING TO THE FUEL TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3305) recommending that H.B. No. 284, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3305 and H.B. No. 284, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3306) recommending that H.B. No. 2262, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3306 and H.B. No. 2262, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3307) recommending that H.B. No. 2409, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3307 and H.B. No. 2409, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, jointly with Senator Chun Oakland, for the Committee on Ways and Means and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3308) recommending that H.B. No. 2537, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2537, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3309) recommending that H.B. No. 755, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3309 and H.B. No. 755, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3310) recommending that H.B. No. 2501, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3310 and H.B. No. 2501, H.D. 2, S.D. 1, entitled: "A BILL FOR AN



ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3311) recommending that H.B. No. 2504 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3311 and H.B. No. 2504, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3312) recommending that H.B. No. 2576, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3312 and H.B. No. 2576, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," was deferred until Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3313) recommending that H.B. No. 2158, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2158, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3314) recommending that H.B. No. 2471, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2471, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3315) recommending that H.B. No. 2476, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3315 and H.B. No. 2476, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3316) recommending that H.B. No. 1457, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3316 and H.B. No. 1457, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3317) recommending that H.B. No. 1762 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3317 and H.B. No. 1762, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3318) recommending that H.B. No. 1491, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1491, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3319) recommending that H.B. No. 2649, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2649, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3320) recommending that H.B. No. 2582, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3320 and H.B. No. 2582, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," was deferred until Tuesday, April 11, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3321) recommending that H.B. No. 1764, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3322) recommending that H.B. No. 2615 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3322 and H.B. No. 2615, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3323) recommending that H.B. No. 2297, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2297, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY OR HOUSEHOLD MEMBER ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3324) recommending that H.B. No. 2774, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3324 and H.B. No. 2774, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3325) recommending that H.B. No. 1933, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3325 and H.B. No. 1933, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3326) recommending that H.B. No. 1925, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1925, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3327) recommending that H.B. No. 1836 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3327 and H.B. No. 1836, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3328) recommending that H.B. No. 1983, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3328 and H.B. No. 1983, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," was deferred until Tuesday, April 11, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3329) recommending that H.B. No. 2906, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2906, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3330) recommending that H.B. No. 2491, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3330 and H.B. No. 2491, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3331) recommending that H.B. No. 2521, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3331 and H.B. No. 2521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3332) recommending that H.B. No. 2624, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3332 and H.B. No. 2624, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3333) recommending that H.B. No. 2760, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3333 and H.B. No. 2760, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3334) recommending that H.B. No. 2901, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3334 and H.B. No. 2901, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3335) recommending that H.B. No. 2311, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3335 and H.B. No. 2311, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE FOR DESIGN PROFESSIONAL SERVICES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3336) recommending that H.B. No. 2878, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3336 and H.B. No. 2878, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3337) recommending that H.B. No. 2429, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3337 and H.B. No. 2429, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3338) recommending that H.B. No. 2354, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3338 and H.B. No. 2354, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3339) recommending that H.B. No. 2643, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3339 and H.B. No. 2643, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3340) recommending that H.B. No. 2835, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3340 and H.B. No. 2835, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3341) recommending that H.B. No. 3001, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3341 and H.B. No. 3001, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3342) recommending that H.B. No. 2151, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2151, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3343) recommending that H.B. No. 2434, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2434, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3344) recommending that H.B. No. 1763, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3344 and H.B. No. 1763, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3345)

recommending that H.B. No. 2098, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3345 and H.B. No. 2098, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3346) recommending that H.B. No. 2087, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3346 and H.B. No. 2087, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," was deferred until Tuesday, April 11, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3347) recommending that H.B. No. 1881, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3347 and H.B. No. 1881, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3348) recommending that H.B. No. 1632, H.D. 3, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3348 and H.B. No. 1632, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3349) recommending that H.B. No. 1846, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3349 and H.B. No. 1846, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3350) recommending that H.B. No. 2273, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3350 and H.B. No. 2273, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3351) recommending that H.B. No. 2277, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3351 and H.B. No. 2277, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3352) recommending that H.B. No. 2392, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3352 and H.B. No. 2392, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3353) recommending that H.B. No. 2513, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3353 and H.B. No. 2513, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3354) recommending that H.B. No. 2514, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3354 and H.B. No. 2514, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3355) recommending that H.B. No. 2534, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3355 and H.B. No. 2534, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3356) recommending that H.B. No. 2536, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3356 and H.B. No. 2536, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3357) recommending that H.B. No. 3016, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3357 and H.B. No. 3016, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3358) recommending that H.B. No. 2154, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3358 and H.B. No. 2154, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3359) recommending that H.B. No. 2171, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3359 and H.B. No. 2171, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3360) recommending that H.B. No. 2554, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3360 and H.B. No. 2554, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3361) recommending that H.B. No. 2556, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3361 and H.B. No. 2556, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3362) recommending that H.B. No. 2539, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3362 and H.B. No. 2539, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3363) recommending that H.B. No. 540, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3363 and H.B. No. 540, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3364) recommending that H.B. No. 1944, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3364 and H.B. No. 1944, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3365) recommending that H.B. No. 2222, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3365 and H.B. No. 2222, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3366) recommending that H.B. No. 2445, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3366 and H.B. No. 2445, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3367) recommending that H.B. No. 564, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3367 and H.B. No. 564, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3368) recommending that H.B. No. 2446, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3368 and H.B. No. 2446, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3369) recommending that H.B. No. 2447, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3369 and H.B. No. 2447, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3370) recommending that H.B. No. 2458, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3370 and H.B. No. 2458, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3371) recommending that H.B. No. 2472, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3371 and H.B. No. 2472, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3372) recommending that H.B. No. 2487, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3372 and H.B. No. 2487, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3373) recommending that H.B. No. 1984, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3373 and H.B. No. 1984, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3374) recommending that H.B. No. 2410, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3374 and H.B. No. 2410, 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," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3375)

recommending that H.B. No. 2648, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3375 and H.B. No. 2648, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3376) recommending that H.B. No. 2650, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3376 and H.B. No. 2650, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3377) recommending that H.B. No. 1889, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3377 and H.B. No. 1889, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3378) recommending that H.B. No. 1949, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3378 and H.B. No. 1949, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALIEN AQUATIC ORGANISMS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3379) recommending that H.B. No. 2023, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3379 and H.B. No. 2023, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3380) recommending that H.B. No. 2183, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3380 and H.B. No. 2183, 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," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3381) recommending that H.B. No. 2403 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3381 and H.B. No. 2403, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3382) recommending that H.B. No. 2407, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3382 and H.B. No. 2407, H.D. 1, S.D. 2, entitled: "A BILL FOR AN

ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3383) recommending that H.B. No. 2570, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3383 and H.B. No. 2570, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3384) recommending that H.B. No. 2572, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3384 and H.B. No. 2572, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3385) recommending that H.B. No. 2802, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3385 and H.B. No. 2802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3386) recommending that H.B. No. 2996, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3386 and H.B. No. 2996, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3387) recommending that H.B. No. 2024, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2024, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3388) recommending that H.B. No. 2194, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2194, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3389) recommending that H.B. No. 1900, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1900, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 11, 2000.

#### ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Tuesday, April 11, 2000.

## FORTY-NINTH DAY

Tuesday, April 11, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 10:11 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Daniel Senger, OFM, Co-Cathedral of Saint Theresa, after which the Roll was called showing all Senators present with the exception of Senators Buen and Bunda who were excused.

The President announced that he had read and approved the Journal of the Forty-Eighth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 290 and 291) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 290, informing the Senate that on April 6, 2000, he signed the following bills into law:

House Bill No. 1906 as Act 7, entitled: "RELATING TO LICENSING OF PSYCHOLOGISTS";

House Bill No. 2463 as Act 8, entitled: "RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION";

House Bill No. 2464 as Act 9, entitled: "RELATING TO THE DUTIES OF THE BOARD OF NURSING";

House Bill No. 2486 as Act 10, entitled: "RELATING TO CHIROPRACTIC LICENSURE REQUIREMENTS";

House Bill No. 2488 as Act 11, entitled: "RELATING TO RETURN OF PRESCRIPTION DRUGS";

House Bill No. 2563 as Act 12, entitled: "RELATING TO THE STATE FIRE COUNCIL";

House Bill No. 2761 as Act 13, entitled: "RELATING TO MOTOR VEHICLES";

Senate Bill No. 2885 as Act 14, entitled: "RELATING TO SANITATION"; and

Senate Bill No. 2906 as Act 15, entitled: "RELATING TO GARMENT INDUSTRY HOMEWORK,"

was placed on file.

Gov. Msg. No. 291, advising the Senate of the withdrawal of the nomination of MAUREEN SATURNIO to the State Planning Council on Developmental Disabilities, under Gov. Msg. No. 276, dated April 7, 2000, was placed on file.

In compliance with Gov. Msg. No. 291, the nomination listed under Gov. Msg. No. 276 was returned.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 449 to 455) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 449, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 303, H.D. 2 (S.D. 1);  
H.B. No. 1873, H.D. 2 (S.D. 1);

H.B. No. 1955, H.D. 2 (S.D. 1);  
H.B. No. 2062, H.D. 2 (S.D. 1);  
H.B. No. 2066, H.D. 1 (S.D. 1);  
H.B. No. 2432, H.D. 1 (S.D. 1); and  
H.B. No. 2492, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 450, transmitting H.C.R. No. 16, which was adopted by the House of Representatives on April 7, 2000, was placed on file.

By unanimous consent, H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FEDERAL EFFORTS TO COMBAT TRAFFICKING IN WOMEN AND CHILDREN," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 451, transmitting H.C.R. No. 46, which was adopted by the House of Representatives on April 7, 2000, was placed on file.

By unanimous consent, H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE UNITED STATES GOVERNMENT TO FREE THE WOMEN OF AFGHANISTAN FROM THE OPPRESSION OF THE TALIBAN REGIME," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 452, transmitting H.C.R. No. 47, which was adopted by the House of Representatives on April 7, 2000, was placed on file.

By unanimous consent, H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," was referred to the Committee on Health and Human Services, then to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 453, transmitting H.C.R. No. 64, H.D. 1, which was adopted by the House of Representatives on April 7, 2000, was placed on file.

By unanimous consent, H.C.R. No. 64, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO RELOCATE FROM THE ISLAND OF VIEQUES, PUERTO RICO AND RETURN THE LAND TO THE MUNICIPALITY OF VIEQUES FOR CIVILIAN USES," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 454, transmitting H.C.R. No. 156, H.D. 1, which was adopted by the House of Representatives on April 7, 2000, was placed on file.

By unanimous consent, H.C.R. No. 156, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO COMMISSION A STUDY TO DETERMINE THE SECURITY OF THE 5(F) TRUST ASSETS IN LIGHT OF THE RICE V. CAYETANO U.S. SUPREME COURT RULING," was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 455, transmitting H.C.R. No. 202, which was adopted by the House of Representatives on April 7, 2000, was placed on file.

By unanimous consent, H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OFFICE OF THE GOVERNOR TO DEVELOP AND AWARD CERTIFICATES OF RECOGNITION TO FAMILIES OF DECEASED ORGAN DONORS," was referred to the Committee on Health and Human Services.

### STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3390) recommending that H.B. No. 2443, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3390 and H.B. No. 2443, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," was deferred until Thursday, April 13, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3391) recommending that H.B. No. 2555, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3391 and H.B. No. 2555, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES," was deferred until Thursday, April 13, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3392) recommending that H.B. No. 2568, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3392 and H.B. No. 2568, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," was deferred until Thursday, April 13, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3393) recommending that H.B. No. 2569, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3393 and H.B. No. 2569, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," was deferred until Thursday, April 13, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3394) recommending that H.B. No. 2997 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 3394 and H.B. No. 2997, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," was deferred until Thursday, April 13, 2000.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3395) recommending that S.C.R. No. 21 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES MILITARY TO USE HAWAII-GROWN COFFEE ON ALL MILITARY VESSELS," was adopted.

Senator Kawamoto, jointly with Senator Inouye, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3396) recommending that S.R. No. 8 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 8, entitled: "SENATE RESOLUTION URGING THE UNITED STATES MILITARY TO USE HAWAII-GROWN COFFEE ON ALL MILITARY VESSELS," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3397) recommending that S.C.R. No. 25, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 25, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION FOR THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANCY," was adopted.

### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3210 (Gov. Msg. No. 192):

Senator Hanabusa moved that Stand. Com. Rep. No. 3210 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of AUDREY HIDANO to the Hawaii Community Development Authority, term to expire June 30, 2003, seconded by Senator Tanaka.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3211 (Gov. Msg. No. 238):

Senator Hanabusa moved that Stand. Com. Rep. No. 3211 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Kahoolawe Island Reserve Commission of the following:

JEFFREY L. CHANG, term to expire June 30, 2003; and

ISABELLA A. ABBOTT, PH.D., and ROBERT J. LUUWAI, terms to expire June 30, 2004,

seconded by Senator Tanaka.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3212 (Gov. Msg. No. 242):

Senator Hanabusa moved that Stand. Com. Rep. No. 3212 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations of REGINALD E. DAVID, NEAL EVENHUIS, PH.D., and LLOYD L. LOOPE, PH.D., to the Natural Area Reserves System Commission, terms to expire June 30, 2004, seconded by Senator Tanaka.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).



# **MATTERS DEFERRED FROM FRIDAY, APRIL 7, 2000**

## **AGREE/DISAGREE**

S.B. No. 2283, S.D. 1 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2283, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2711, S.D. 1 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2711, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2791 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2791 and requested a conference on the subject matter thereof.

S.B. No. 2766, S.D. 1 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2766, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 2924, S.D. 1 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2924, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 3038, S.D. 1 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3038, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 3073, S.D. 2 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3073, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 3129 (H.D. 2):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3129 and requested a conference on the subject matter thereof.

## **RECOMMITTAL OF A BILL**

Stand. Com. Rep. No. 3356 (H.B. No. 2536, H.D. 1, S.D. 1):

By unanimous consent, Stand Com. Rep. No. 3356 and H.B. No. 2536, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," were recommitted to the Committee on Ways and Means.

At 10:16 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:18 o'clock a.m.

## **THIRD READING**

Stand. Com. Rep. No. 3198 (H.B. No. 286, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3198 was adopted and H.B. No. 286, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPEEDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2983, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2983, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 1912, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1912, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2473, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2473, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2482, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2482, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL SHARE ACQUISITIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3221 (H.B. No. 1969, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3221 was adopted and H.B. No. 1969, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3222 (H.B. No. 1994, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3222 was adopted and H.B. No. 1994, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3223 (H.B. No. 2793, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3223 was adopted and H.B. No. 2793, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3224 (H.B. No. 2801, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3224 was adopted and H.B. No. 2801, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3226 (H.B. No. 3014, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3226 was adopted and H.B. No. 3014, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3227 (H.B. No. 1874, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3227 was adopted and H.B. No. 1874, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3228 (H.B. No. 1905, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3228 was adopted and H.B. No. 1905, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3229 (H.B. No. 2060, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3229 was adopted and H.B. No. 2060, H.D. 2, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3230 (H.B. No. 2280, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3230 was adopted and H.B. No. 2280, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3231 (H.B. No. 2701, H.D. 3, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3231 was adopted and H.B. No. 2701, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3232 (H.B. No. 2505):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3232 was adopted and H.B. No. 2505, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3233 (H.B. No. 2588, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3233 was adopted and H.B. No. 2588, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3234 (H.B. No. 1940, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3234 was adopted and H.B. No. 1940, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL LEGAL FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3236 (H.B. No. 2418, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3236 was adopted and H.B. No. 2418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3237 (H.B. No. 2423, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3237 was adopted and H.B. No. 2423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3238 (H.B. No. 2646, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3238 was adopted and H.B. No. 2646, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO TRUSTS AND ESTATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3239 (H.B. No. 2653, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3239 was adopted and H.B. No. 2653, H.D. 2, S.D. 1, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3240 (H.B. No. 1909, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3240 was adopted and H.B. No. 1909, H.D. 1, S.D. 2, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3242 (H.B. No. 2309, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3242 was adopted and H.B. No. 2309, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE IN NORTH KONA, HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3243 (H.B. No. 2573, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3243 was adopted and H.B. No. 2573, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3244 (H.B. No. 2574, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3244 was adopted and H.B. No. 2574, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3248 (H.B. No. 2468, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3248 was adopted and H.B. No. 2468, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3251 (H.B. No. 2188, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3251 was adopted and H.B. No. 2188, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3252 (H.B. No. 1387, H.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 3252 was adopted and H.B. No. 1387, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2005, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2005, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2278, H.D. 2, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2278, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3255 (H.B. No. 1761):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 3255 was adopted and H.B. No. 1761, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2216:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2216, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2479, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2479, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3258 (H.B. No. 2525, H.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 3258 was adopted

and H.B. No. 2525, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3260 (H.B. No. 2846, H.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 3260 was adopted and H.B. No. 2846, H.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, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2480, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2480, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2481, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2481, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2483, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2483, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2017, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2017, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2585, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator D. Ige and carried, H.B. No. 2585, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3266 (H.B. No. 2528, H.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3266 was adopted and H.B. No. 2528, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER,"

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3267 (H.B. No. 1982):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3267 was adopted and H.B. No. 1982, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3268 (H.B. No. 2148):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3268 was adopted and H.B. No. 2148, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3269 (H.B. No. 2474, H.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3269 was adopted and H.B. No. 2474, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3270 (H.B. No. 2349, H.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3270 was adopted and H.B. No. 2349, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3271 (H.B. No. 1757, H.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3271 was adopted and H.B. No. 1757, H.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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3272 (H.B. No. 2469, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3272 was adopted and H.B. No. 2469, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3273 (H.B. No. 2129, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3273 was

adopted and H.B. No. 2129, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWN BROKERS AND SECONDHAND DEALERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2586, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 2586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3275 (H.B. No. 2820, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3275 was adopted and H.B. No. 2820, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3276 (H.B. No. 2506, H.D. 1, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3276 was adopted and H.B. No. 2506, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 1938, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1938, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 1773, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1773, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2797, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2797, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2213, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2213, S.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO BINDING ARBITRATION AWARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2219, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2219, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2220:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2220, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2475, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2475, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3285 (H.B. No. 2727, H.D. 1, S.D. 2):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Stand. Com. Rep. No. 3285 was adopted and H.B. No. 2727, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND VEHICLE TRANSFERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2092, S.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, H.B. No. 2092, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2095, S.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, H.B. No. 2095, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2507:

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, H.B. No. 2507, entitled: "A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 3018, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Kawamoto and carried, H.B. No. 3018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3290 (H.B. No. 536, H.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3290 was adopted and H.B. No. 536, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3291 (H.B. No. 2510):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3291 was adopted and H.B. No. 2510, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3292 (H.B. No. 2511, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3292 was adopted and H.B. No. 2511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3294 (H.B. No. 2542, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3294 was adopted and H.B. No. 2542, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3295 (H.B. No. 2524):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3295 was adopted and H.B. No. 2524, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLACTICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3296 (H.B. No. 2405, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3296 was adopted and H.B. No. 2405, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," having been read throughout,

passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3297 (H.B. No. 2530, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3297 was adopted and H.B. No. 2530, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3298 (H.B. No. 2895, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3298 was adopted and H.B. No. 2895, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3299 (H.B. No. 3021, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3299 was adopted and H.B. No. 3021, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3300 (H.B. No. 2289):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3300 was adopted and H.B. No. 2289, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3301 (H.B. No. 2519, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3301 was adopted and H.B. No. 2519, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3302 (H.B. No. 2559, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3302 was adopted and H.B. No. 2559, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2584:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 2584, entitled: "A BILL FOR AN ACT

RELATING TO THE FUEL TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3305 (H.B. No. 284, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3305 was adopted and H.B. No. 284, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3306 (H.B. No. 2262, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3306 was adopted and H.B. No. 2262, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2537, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Chun Oakland and carried, H.B. No. 2537, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3309 (H.B. No. 755, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3309 was adopted and H.B. No. 755, H.D. 2, S.D. 2, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3310 (H.B. No. 2501, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3310 was adopted and H.B. No. 2501, H.D. 2, S.D. 1, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3311 (H.B. No. 2504):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3311 was adopted and H.B. No. 2504, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2158, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2158, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2471, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2471, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3316 (H.B. No. 1457, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3316 was adopted and H.B. No. 1457, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3317 (H.B. No. 1762):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3317 was adopted and H.B. No. 1762, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 1491, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1491, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 1764, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator D. Ige and carried, H.B. No. 1764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3322 (H.B. No. 2615):

On motion by Senator Kawamoto, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 3322 was adopted and H.B. No. 2615, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2297, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 2297, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY OR HOUSEHOLD MEMBER ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3328 (H.B. No. 1983, H.D. 1, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3328 was adopted and H.B. No. 1983, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2906, H.D. 1, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator D. Ige and carried, H.B. No. 2906, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3331 (H.B. No. 2521, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3331 was adopted and H.B. No. 2521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3332 (H.B. No. 2624, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3332 was adopted and H.B. No. 2624, H.D. 1, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3333 (H.B. No. 2760, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3333 was adopted and H.B. No. 2760, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3338 (H.B. No. 2354, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3338 was adopted and H.B. No. 2354, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2151, H.D. 1, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 2151, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3346 (H.B. No. 2087, H.D. 2, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3346 was adopted and H.B. No. 2087, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3349 (H.B. No. 1846, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3349 was adopted and H.B. No. 1846, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3350 (H.B. No. 2273, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3350 was adopted and H.B. No. 2273, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3354 (H.B. No. 2514, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3354 was adopted and H.B. No. 2514, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3355 (H.B. No. 2534, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3355 was adopted and H.B. No. 2534, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3357 (H.B. No. 3016, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3357 was adopted and H.B. No. 3016, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).



Stand. Com. Rep. No. 3364 (H.B. No. 1944, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3364 was adopted and H.B. No. 1944, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3372 (H.B. No. 2487, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3372 was adopted and H.B. No. 2487, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3373 (H.B. No. 1984, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3373 was adopted and H.B. No. 1984, H.D. 1, S.D. 2, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3374 (H.B. No. 2410, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3374 was adopted and H.B. No. 2410, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3376 (H.B. No. 2650, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3376 was adopted and H.B. No. 2650, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3378 (H.B. No. 1949, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3378 was adopted and H.B. No. 1949, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALIEN AQUATIC ORGANISMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3379 (H.B. No. 2023, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3379 was adopted and H.B. No. 2023, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3381 (H.B. No. 2403):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3381 was adopted and H.B. No. 2403, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3382 (H.B. No. 2407, H.D. 1, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3382 was adopted and H.B. No. 2407, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3383 (H.B. No. 2570, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3383 was adopted and H.B. No. 2570, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3385 (H.B. No. 2802, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3385 was adopted and H.B. No. 2802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3386 (H.B. No. 2996, H.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3386 was adopted and H.B. No. 2996, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

At 10:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:20 o'clock a.m.

### THIRD READING

There being no objections, consideration of the following House bills was advanced for the purpose of considering floor amendments being offered:

Stand. Com. Rep. No. 3246 (H.B. No. 1883, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3246 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga moved that H.B. No. 1883, H.D. 2, S.D.2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 1) to H.B. No. 1883, H.D. 2, S.D.2:

SECTION 1. House Bill No. 1883, H.D. 2, S.D. 2, is amended by amending the definition of "qualified electric utility company" in section 2 to read as follows:

""Qualified electric utility company" means a distributor of electricity to customers in the State regulated by the public utilities commission that has sales of more than five hundred million kilowatt-hours of electricity per year."

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga noted:

"Mr. President, the amendment incorporates language that was previously voted upon in the Ways and Means Committee and was inadvertently dropped from the final committee report."

The motion to adopt Floor Amendment No. 1 was put by the Chair and carried.

By unanimous consent, H.B. No. 1883, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," was placed on the calendar for Third Reading on Thursday, April 13, 2000.

H.B. No. 2649, H.D. 1:

Senator Chumbley moved that H.B. No. 2649, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chumbley then offered the following amendment (Floor Amendment No. 2) to H.B. No. 2649, H.D. 1:

SECTION 1. H.B. No. 2649, H.D. 1, is amended by amending Section 2, page 3, lines 6 to 9, to read as follows:

"(c) Any person who knowingly submits for filing an invalid court order in support of a nonconsensual common law lien against a federal, state, or county officer or employee, shall be guilty of tampering with a government record under section 710-1017."

Senator Chumbley moved that the amendment be adopted, seconded by Senator Matsunaga.

Senator Chumbley explained:

"Mr. President and members, these are technical and nonsubstantive in nature and these amendments are basically for statutory construction purposes that was a drop out when we moved this measure."

The motion to adopt Floor Amendment No. 2 was put by the Chair and carried.

By unanimous consent, H.B. No. 2649, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," was placed on the calendar for Third Reading on Thursday, April 13, 2000.

H.B. No. 2024, H.D. 1, S.D. 1:

Senator Fukunaga moved that H.B. No. 2024, H.D. 1, S.D.1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga then offered the following amendment (Floor Amendment No. 3) to H.B. No. 2024, H.D. 1, S.D.1:

SECTION 1. House Bill No. 2024, H.D. 1, S.D. 1, is amended by adding Parts II to V, consisting of sections 9 to 19 to read as follows:

#### "Part II

SECTION 9. Section 21F-1, Hawaii Revised Statutes, is amended to read as follows:

"[**§21F-1**] **Purpose.** The legislature finds that most states have a separate fiscal policy office in the legislative branch that works effectively to provide the legislature with necessary revenue and expenditure data and analyses from which economic and fiscal policies are developed. In Hawaii, the legislature relies on the economic and fiscal analyses of the executive branch and private sector. The legislature believes that this dependency creates an inherent conflict of interest that precludes the legislature from operating independently.

Modern legislatures have become sophisticated data gatherers and analysts, on par with the executive and judiciary branches. Over the last five years, this shift has been accelerated through the development of professional, highly specialized legislative staff.

Since Hawaii's legislature meets for only four months of the year, it has come to rely heavily on the use of session-only legislative staff or employees on loan from the executive branch. In 1988, the state house and senate together employed 621 session staff members as compared to 151 permanent employees. Only New York, the state with the most legislative staff in the country, had more session staff than Hawaii.

The purpose of this chapter is to establish a [permanent legislative committee] legislative analyst's office under the office of the auditor for administrative purposes, to provide the legislature with information, facts, and analyses concerning fiscal, budgetary, and tax matters of the State. It is the legislature's intent that [the committee, with the assistance of] the office of the legislative analyst[,] shall perform independent, in-depth [analysis] analyses of the State's [budget,] agency budgets, revenues and expenditures, economic conditions, and tax policies."

SECTION 10. Section 21F-6, Hawaii Revised Statutes, is amended to read as follows:

"[**§21F-6**] **Office of the legislative analyst established.**

(a) There is established the office of the legislative analyst [to be administered by the committee. The committee shall appoint a legislative analyst who shall serve for a period of four years. The committee, by a three-fourths vote of its members, may remove the legislative analyst from office, but only for cause. The committee shall fix the salary of the legislative analyst.] under the office of the auditor for administrative purposes. The legislature, by a majority vote of each house in joint session, shall appoint the legislative analyst who shall serve for a period of six years and thereafter until a successor shall have been appointed. The legislature, by two-thirds vote of the members in joint session, may remove or suspend the legislative analyst from office, but only for neglect of duty, misconduct, or disability.

If the legislative analyst dies, resigns, becomes ineligible to serve, or is removed or suspended from office, the first assistant to the legislative analyst shall become the acting legislative analyst until a new one is appointed.

The salary of the legislative analyst shall be \$85,302 a year. The salary of the legislative analyst shall not be diminished during the legislative analyst's term of office, unless by general law applying to all salaried officers of the State.

(b) The legislative analyst may employ other clerical and technical employees, including a first assistant, as may be necessary to carry out the functions of the office. The legislative analyst and other [clerical and technical] employees shall be entitled to participate in any employee benefit program plan or privilege generally available to state employees."

SECTION 11. Section 21F-7, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The purpose of the office of the legislative analyst shall be[.] to:

(1) [To provide] Provide the legislature with research and analysis of current and projected state revenues and expenditures;

(2) [To provide] Provide the legislature with a report analyzing the governor's proposed levels of revenue and expenditures for biennial budgets submitted under chapter 37 as well as other supplemental budget submittals to the legislature by the governor;

(3) [To provide] Provide an analysis of the impact of the governor's proposed revenue and expenditure plans for the next biennium;

(4) [To conduct] Conduct research on matters of economic and fiscal policy and to report to the legislature on the result of the research;

(5) [To provide] Provide economic reports and studies on the state of the State's economy, including trends and forecasts for consideration by the legislature;

(6) [To conduct] Conduct budget and tax studies and provide general fiscal and budgetary information;

(7) [To review] Review and make recommendations on the operation of state programs in order to appraise the implementation of state laws regarding the expenditure of funds and to recommend means of improving their efficiency; and

(8) [To recommend] Recommend to the legislature changes in the mix of revenue sources for programs, in the percentage of state expenditures devoted to major programs, and in the role of the legislature in overseeing state government expenditures and revenue projections[.]; and

(9) Prepare and distribute fiscal impact statements in accordance with section 21F-...

SECTION 12. Section 21F-2, Hawaii Revised Statutes, is amended by repealing the definition of "committee".

["Committee" means the joint legislative budget committee.]

SECTION 13. Section 21F-3, Hawaii Revised Statutes, is repealed.

["§21F-3] **Joint legislative budget committee established; purpose.** The joint legislative budget committee is hereby established. The committee shall ascertain facts and make recommendations to the legislature and to the houses thereof concerning: the state budget; the revenues and expenditures of the State; the organization and functions of the State, its departments, subdivisions, and agencies; and other matters as may be provided for in the rules of the senate and the rules of the house. The committee shall have a continuing existence and may meet, act, and conduct its business at any place within this State, during the sessions of the legislature or any recess, and in the interim period between sessions."

SECTION 14. Section 21F-4, Hawaii Revised Statutes, is repealed.

["§21F-4] **Selection of members; co-chairpersons; filling vacancies.** The committee shall consist of five members of the senate and five members of the house who shall be selected in the manner provided for in the rules of the senate and the rules of the house. The president of the senate and the speaker of the house shall select the members of the committee, including members of the majority leadership, members of the minority leadership, the chairperson of the senate ways and means committee, and the chairperson of the house finance committee. The chairperson of the senate ways and means committee and the chairperson of the house finance committee shall serve as co-chairpersons of the committee. Vacancies occurring in the membership of the committee shall be filled in the manner provided for in the rules of the senate and the rules of the house. A vacancy shall be deemed to exist as to any member of the committee whose term is expiring whenever the member is not reelected at the general election."

SECTION 15. Section 21F-5, Hawaii Revised Statutes, is repealed.

["§21F-5] **Rules.** The committee is authorized to adopt rules governing its own proceedings and to create subcommittees from its membership and assign to the subcommittees any study, inquiry, investigation, or hearing that the committee itself has authority to undertake or hold."]

Part III

SECTION 16. Chapter 21F, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**"§21F- Requirements for a fiscal impact statement. (a)** Every legislative measure that would affect the receipt, expenditure, or allocation of state or local funds, either directly or indirectly, shall have attached to it prior to its consideration by any committee of either house of the legislature, a fiscal impact statement that includes a reliable estimate of the fiscal impact of the measure.

(b) The authors of a measure requiring a fiscal impact statement shall be responsible for obtaining the statement from the legislative analyst. The legislative analyst shall be responsible for obtaining, directly or through the agency best suited to furnish the information, such information as may be necessary to complete the fiscal impact statement. The agency furnishing the information to the legislative analyst shall do so within twenty-four hours. Thereafter, the legislative analyst shall prepare the fiscal impact statement and transmit it to the authors of the measure. The legislative analyst, for good and appropriate cause, may approve an extension of the time in which the information must be furnished; provided that if the agency fails to furnish the information to the legislative analyst within the original or extended time period, the legislative analyst shall nevertheless proceed with the preparation of the fiscal impact statement, noting on the statement itself that the agency failed to furnish the requested information within the statutory time period.

(c) The following provisions shall govern the preparation and distribution of fiscal impact statements, unless otherwise provided by law:

(1) Fiscal impact statement forms shall consist of two parts, a work sheet and a fiscal effect form, and shall be prepared and distributed by the legislative analyst;

(2) The fiscal effect form shall be factual, brief, and concise, and shall provide an estimate in dollars of the immediate and long-range fiscal effect of the measure. If no dollar estimate is possible, the fiscal impact statement shall set forth the reasons therefor. The fiscal impact statement shall not contain any references to the merits of the measure;

(3) The work sheet shall include a breakdown of:

(A) The costs that the measure is expected to cause, such as personnel, materials, supplies, and capital outlay;

(B) The effect of the expenditure, allocation, or receipt of funds;

(C) Such other information as may be required by rules adopted by the legislative analyst; and

(D) Such other pertinent information as the legislative analyst may deem appropriate;

(4) The fiscal impact statement shall be prepared in quintuplicate;

(5) The name of the agency furnishing the information required shall appear at the end of the fiscal impact statement, and the original of the work sheet and the fiscal effect form shall be signed by the head of the agency or by the head's designee; and

(6) Taking into consideration the fiscal impact statement prepared by the agency and all other appropriate information, the legislative analyst shall prepare a fiscal impact statement in the same manner provided in this subsection and shall transmit it in quintuplicate to the authors as provided in subsection (b). The fiscal impact statement prepared by the agency shall be preserved by the legislative analyst and a copy thereof shall be transmitted to the authors or any other person upon request.

(d) Whenever any committee of either house reports any measure with any amendment that alters the fiscal effect of the measure, there shall be attached to the amendment a fiscal impact statement delineating the fiscal effect of the change proposed by the amendment. This subsection shall apply equally to floor amendments that alter the fiscal effect of the measure.

(e) The legislative analyst may adopt rules in accordance with chapter 91 to carry out the purposes of this section.

(f) Agencies involved in the preparation of the required information for a fiscal impact statement shall keep in strict confidence the subject matter of the proposed measure and the information contained in the fiscal note prior to the filing or pre-filing of the measure with the clerk's office of each respective house, except that the authors of the measure shall be furnished a copy of the fiscal impact statement.

(g) A fiscal impact statement shall not be required for the general appropriations bill, any bill that appropriates a specific amount, or any measure affecting state funds for retirement purposes.

(h) Notwithstanding subsection (g), a fiscal impact statement shall be required for any measure concerning any program that is wholly or partially funded by federal moneys, and that involves an expenditure of state funds or any legislative appropriation of funds. The fiscal impact statement shall reflect the immediate and long-range fiscal effect of the program on the State, and shall include the following information:

- (1) The length of time federal funds are to be provided; and
- (2) The probable amount of state funds required to continue the program.

The fiscal impact statement shall comply with all rules applicable to, and contain the same kind of information contained in, other fiscal impact statements."

#### Part IV

SECTION 17. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ , or so much thereof as may be necessary for fiscal year 2000-2001, to fund the office of the legislative analyst.

SECTION 18. The sum appropriated shall be expended by the legislature for the purposes of this Act.

#### Part V

SECTION 19. Statutory material to be repealed is bracketed. New statutory material is underscored."

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Levin.

Senator Fukunaga then said:

"Mr. President, the contents of S.B. No. 2544, which are being proposed for Floor Amendment No. 3, were inadvertently dropped out. We learned only yesterday that the House had heard, but did not report out, this bill."

The motion to adopt Floor Amendment No. 3 was put by the Chair and carried.

By unanimous consent, H.B. No. 2024, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," was placed on the calendar for Third Reading on Thursday, April 13, 2000.

### THIRD READING

Stand. Com. Rep. No. 3199 (H.B. No. 1759, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3199 be adopted and H.B. No. 1759, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise to speak in favor of the bill with reservations.

"This is the bill that has to do with the photo red light imaging and removes the requirement that a police officer actually issue a citation. I had spoken against this bill several years ago. We enacted a law in 1998, and in the 1998 law we

had a provision that the officer shall make reasonable efforts to be seen.

"In this current version in H.B. No. 1759, S.D. 2, Section 2 deletes entirely the language that the officer shall make reasonable efforts to be seen. I think that because the money raised goes to the traffic enforcement as well as the administration and a new fund is being created, I have concerns about that, so I will support it with reservations.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3199 was adopted and H.B. No. 1759, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3214 (H.B. No. 1947, H.D. 2, S.D. 2):

Senator Hanabusa moved that Stand. Com. Rep. No. 3214 be adopted and H.B. No. 1947, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tanaka.

Senator Anderson rose in favor of the measure with reservations as follows:

"Mr. President, I want to speak on behalf of the bill with reservations.

"My reservations are that I'm still not sure, and there are many people, as to how this is going to impact on our local fisheries. We originally thought that from zero to three miles was perfect and any shark finning outside of the territorial waters would not impact on our own fisheries. There are people from DLNR who stated it would impact on our fisheries. So I do have some reservations and I'm continually calling people to find out why DLNR is looking at it one way and others in another.

"Thank you."

Senators Slom, Tanaka and Iwase requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3214 was adopted and H.B. No. 1947, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 750, H.D. 1, S.D. 1:

Senator Hanabusa moved that H.B. No. 750, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tanaka.

Senator Slom rose in favor of the measure with reservations as follows:

"Mr. President, I rise to speak in favor of the bill with reservations.

"The bill calls for selecting a color and a flower for each county in this state. And the Senate Minority Research Office has done extensive research in the area here which has become very important to us. As you know, last year we adopted hula as the official dance and surfing as the official individual sport. And I note from the research office, that we have an official

language, an official popular name, an official tree, official motto, official song, official marine animal -- but somehow, Mr. President, there must have been a mistake because there is no land animal; perhaps the mongoose did not lobby stringently enough -- team sport, individual sport, gem, flower, bird, dance. We also don't have an insect or a state lobbyist mentioned in any of our laws.

"I also note that there are two separate resolutions, one that would establish a state tropical fruit, and another resolution that would establish a state tropical fruit juice. Aside from the issue that this possibly should be a matter of individual taste or a matter of county home rule, I think that we may be spending an inordinate amount of time putting these things into statute rather than resolution. So I'll vote with reservations.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 750, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND SYMBOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3219 (H.B. No. 1946, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3219 be adopted and H.B. No. 1946, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Tam rose to speak with reservations on the measure and said:

"Mr. President, I have reservations on the question of being cost effective. Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3219 was adopted and H.B. No. 1946, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3220 (H.B. No. 1956, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3220 be adopted and H.B. No. 1956, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak with reservations on the measure and stated:

"Mr. President, I rise to speak in favor of the bill with reservations.

"As you know, we have supported this measure for a number of years now to provide the implementation of the small business regulatory flexibility reform act and to make sure that all parts of the act were in fact implemented. We have not had the appointment of a small business defender. We've argued back and forth as to where that small business defender should be placed, and we're still arguing about who should appoint the defender.

"This was a legislative prerogative to establish this position in the first place, and this bill now would give yet another power of appointment to the governor. I like everything about

the bill except that the Legislature has given its power over once again to the governor. So I'll speak with reservations.

"Thank you."

Senator Anderson then rose and said:

"With all of those concerns, I'll go W/R also, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3220 was adopted and H.B. No. 1956, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3225 (H.B. No. 2955, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3225 be adopted and H.B. No. 2955, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to speak with reservations on the measure and stated:

"Mr. President, I have some reservations.

"We did have or we do have a bill that incorporates, I thought, everything on new economy skills, including training and the whole bit. I didn't know why we still needed to have the individual bills, but I'm not sure if eventually we're going to incorporate all of them into the one bill or just how we're going to work it. For that reason, I did have some reservations.

"Thank you."

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3225 was adopted and H.B. No. 2955, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW ECONOMY SKILLS TRAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3235 (H.B. No. 2160, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3235 be adopted and H.B. No. 2160, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Chun rose to support the measure with reservations and said:

"Mr. President, I stand in support of the bill with reservations.

"Mr. President, I understand and appreciate the concerns raised by the authors of this bill regarding the need to educate the people of Hawaii about brain injury and its proper treatment. I think those are laudable goals. However, Mr. President, I am concerned about a provision in the bill which specifically authorizes the disbursement of available funds from the trust fund for the purpose of providing care and rehabilitative services to the residents of the state who have survived a traumatic brain or spinal cord injury.

"Payments from the fund for those kind of treatments should be handled by the appropriate doctors, hospitals, or medical plans, and not by the state. And I feel by authorizing this trust fund and authorizing the payments for these services brings us

onto the dangerous road of being the ultimate insurer for every citizen of this state.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3235 was adopted and H.B. No. 2160, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3241 (H.B. No. 1939, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3241 be adopted and H.B. No. 1939, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in favor of the measure with reservations as follows:

"Mr. President, I rise to speak in favor of the bill with reservations.

"The bill would allow the Kahoolawe Island Reserve Commission to hire outside attorneys, outside of the Attorney General's Office, and this has been a disturbing trend. I've spoken about this for a number of years now, the fact that we continue to hire additional attorneys.

"The rationale given is that the specialization, technical nature and legal expertise required in the matters for the cleanup and transfer of Kahoolawe are not within the realm of the Attorney General's Office. With more than 160 deputy attorney generals and a burgeoning budget, I would suggest that either we have the people now or we should get the people that have that expertise, because we see in other bills that more and more departments are coming in and asking for outside legal expertise and legal cost. It is a greater cost and burden to the taxpayers.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3241 was adopted and H.B. No. 1939, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHOO LAWE ISLAND RESERVE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3245 (H.B. No. 101, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3245 be adopted and H.B. No. 101, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Chun rose to speak against the measure and said:

"Mr. President, I stand in opposition to the bill.

"Mr. President, even though I agree with the laudable goal of this bill to help a person out, I must stand by my initial oath of office of upholding the Constitution. In the State Constitution, Article I, Section 21, specifically states: 'The power of the state to act in the general welfare shall never be impaired by the making of any irrevocable grant of special privileges or immunities.'

"Mr. President, other states which have this provision have specifically held that the granting of laws, the making of laws to help one person or a limited number of persons is a violation of this constitutional provision. In other words, we cannot do

laws to help just one person; we do laws to help the general welfare of all the people.

"Mr. President, even though I agree with the need to help these people -- people such as Miss Kim who has fallen through the cracks of the system -- we are not going about it in the right way. If we want to help people, we should include all people who have fallen through the cracks who have not been informed of their rights to buy back their credits.

"As I stated in the Ways and Means Committee, I know of two people on my island who have fallen through the cracks because they were not adequately informed of their right to buy back retirement credits. Now, what are you going to do with them? I've heard it said, well, it's fair for her to do that. Yes, that's true, it's fair for her, but what about the other people who are in similar situations who are not given this kind of special privilege or right. Is it fair to them?

"Mr. President, I believe we should act for the good of all people. And if we really want to help all people who have fallen through the cracks, we would do a law to say that all people who have not been fully informed of their right to buy back retirement credits should be given a period to do so right now, rather than just identify one person.

"So Mr. President, as a matter of principle, I must stand in opposition to this bill."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3245 was adopted and H.B. No. 101, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Chun). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3247 (H.B. No. 1884, H.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3247 be adopted and H.B. No. 1884, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

At 10:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:39 o'clock a.m.

Senator Slom rose and said:

"Mr. President, I speak for the bill with reservations. That's all, just reservations."

Senators Anderson and Iwase then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3247 was adopted and H.B. No. 1884, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Buen, Bunda, D. Ige).

Stand. Com. Rep. No. 3249 (H.B. No. 2314, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3249 be adopted and H.B. No. 2314, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose for a conflict ruling as follows:

"Mr. President, I request a ruling on a potential conflict of interest.

"My company, Mr. President, furnishes and installs hurricane and security shutters and wind resistive devices."

The Chair ruled that Senator Sakamoto was not in conflict.

Senator Chun rose to speak in support of the measure as follows:

"Mr. President, I stand in support of this bill.

"Originally in the Ways and Means Committee, I voted against this bill. However, after discussing this matter with the chair and the entire idea and plan of the committee, I believe it's a good step in alleviating some of the concerns of the cost of hurricane damage in the event a major disaster strikes the islands. I believe this is a good method and a good beginning to address those costs.

"I support this measure wholeheartedly, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3249 was adopted and H.B. No. 2314, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3250 (H.B. No. 2218, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3250 be adopted and H.B. No. 2218, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure and stated:

"Mr. President, I rise to speak in opposition to the bill.

"We've done a great deal for the captive insurance industry in the last couple of years and I certainly support it. I think we've got a lot of opportunities here. But in so doing, we're also doing a great deal for the insurance commissioner's office. We're providing more staff, more money, more functions, rather than insurance regulations. And this bill provides that the insurance commissioner shall be responsible for promoting the captive insurance industry -- a job which I think the industry is fully capable of doing themselves. It takes up to 10 percent of the fund, the revenues that are deposited by the insurance companies for that purpose.

"I don't know about any future insurance commissioners but I don't know about the marketing and promotional abilities of the current insurance commissioner and I don't want him or her to be overburdened. So I don't think this is a good precedent, and I don't think it's necessary, so I'll vote 'No.'

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3250 was adopted and H.B. No. 2218, 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, 22. Noes, 1 (Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3259 (H.B. No. 2425, H.D. 1, S.D. 1):

Senator Kanno moved that Stand. Com. Rep. No. 3259 be adopted and H.B. No. 2425, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Chun rose in support of the measure as follows:

"Mr. President, I stand in support of the bill.

"Mr. President, I support the intent of this bill, which is basically to require that all condominium property regimes comply with underlying county zoning. Mr. President, it's also my understanding that the bill requires that CPRs comply with all applicable development codes and requirements of the counties. It is my understanding, Mr. President, that none of the counties, including the City and County of Honolulu, have currently adopted any such development standards for CPRs, and that if they wish to avail themselves of this authority, they would have to adopt new or additional development standards for CPRs specifically.

"Mr. President, my view, after reading this bill and also in discussing it with the chairmen, is that until the counties decide to avail themselves of this authority and to develop new developmental standards or rules and regulations, the existing rules and regulations and ordinances of the counties will continue to be in place and that CPRs will not be stopped to allow time for the counties to develop these new standards and ordinances. In other words, business will continue to go on unless the counties decide to adopt new rules and regulations.

"So I support this bill and I believe this is a good step forward. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3259 was adopted and H.B. No. 2425, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

H.B. No. 2484, S.D. 1:

Senator Kanno moved that H.B. No. 2484, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise to speak in favor of the bill with reservations.

"The bill seeks to update the Hawaii Business Corporation Act with amendments from a national model act. And while I generally support the efforts of the DCCA and particularly the Business Registration Division, in terms of streamlining and making it easier to do business here, a number of questions arose during the Commerce and Consumer Protection hearing about this particular bill.

"This particular bill is 221 pages. I don't know how many of my colleagues have read it all the way through. The only testimony we had was from lawyers, and of course that's not necessarily a bad thing -- well it could be, but not necessarily. But there were a number of questions and issues that were raised and I think we need a little more time to look into this because some of the questions have to do with if we are adopting this model legislation to make it easier to do business in Hawaii, in fact will a number of the laws that are registering and licensing Hawaii businesses actually be in effect? So for these reasons I'll go with reservations.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 2484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3293 (H.B. No. 2512):

Senator Fukunaga moved that Stand. Com. Rep. No. 3293 be adopted and H.B. No. 2512, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition as follows:

"Mr. President, I'm going to speak in opposition to this bill.

"The present law allows reduction in benefits and encourages the reform of welfare. What this bill seeks to do is to again continue Hawaii as being the only state that's dragging its feet on federal and state welfare reform by allowing Human Services to increase financial assistance payments. Every time we increase financial assistance payments, we do two things -- we put a greater burden on the taxpayers, and we make it more unlikely that people are willing or able to get off financial assistance because it becomes so much more attractive. So I'll vote in the negative.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3293 was adopted and H.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE PAYMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3303 (H.B. No. 2984, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3303 be adopted and H.B. No. 2984, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure and stated:

"Mr. President, I rise in opposition to this bill.

"We've had a great deal of debate in the last couple of years on this bill and a number of changes. We are now on Senate Draft 2 of this measure to increase the minimum wage.

"Businesses have testified that the minimum wage in fact would be a burden to them. We have not seen any signs that the economy, generally speaking, for those that are not getting special subsidies or tax exemptions, has really turned around. And particularly those in the restaurant and entertainment business would suffer the most.

"The bill itself seeks to increase both the minimum wage and the tip credit given to restaurant employees from a massive 20 cents to 22 cents. The restaurant industry has said that they would support an increase in minimum wage if the tip credit went up to 50 percent of the minimum wage rate. I understand it's going into Conference and so forth, but no less an authority than Mr. Alan Greenspan has testified nationally that any increase in the minimum wage is inflationary.

"We also, of course, are waiting to see what the Congress is going to do, and I think for these and other reasons our action here is premature.

"Thank you, Mr. President."

Senator Sakamoto rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"Mr. President over the past few years our communities, businesses, and government have cut back, streamlined, done without, and done more with less, in order to jump-start this economy.

"The budget committee report speaks of having made the hard decisions to help turn the economy around and how we have 'provided the impetus to support moving the State's economy in an upward trajectory.' It identifies economic indicators, that while not stellar, show positive growth. However, your Committee states, that they remain 'cautiously optimistic.'

"The businesses, which are the engine of our economy, were near dead. We may have jump-started our economic engine, but Mr. President, consider the small businesses as cars with batteries that are dead or faltering. I remember, and some of you may remember (maybe not you young ones), but some of us remember having to get out of the car, be it our friend's or family car, and push. And if there was only one of you, Mr. President, you'd open the door, put your hand on the wheel and attempt to push. And that's not an easy challenge. Many times you'd have friends. Maybe you, Mr. President, three or four friends -- okay, everybody push. Sometimes, my friend jumps in the car a little early and the others are still pushing.

"So, Mr. President, although we have some positive indicators, many of our small businesses are still pushing. So it's premature, premature, Mr. President. It's premature, as the car moves uphill, to stop pushing too soon, to overload it with additional costs or regulations like minimum wages and renewable resource requirements. The engine, even if started, may falter, and the car may start rolling back down the hill.

"This is not the time to start loading baggage into the trunk; its not time for everyone to jump into the car; its not even time to stop pushing the car. We need to make sure our economic engine is working. We need to make sure we have the momentum to climb the hill. This is not just any engine. This engine is central to the operation of our state, our communities, and will have every family in it, Mr. President, if we can keep it running.

"Thank you."

Senator Inouye then rose and said:

"Mr. President, register a 'no' vote for me please."

The Chair so ordered.

Senator M. Ige rose to speak against the measure as follows:

"Mr. President, I, too, rise in opposition to this measure.

"Mr. President, my concern is the tip credit. In our subject matter committee hearings, we included the cents. I believe it was 22. And now, I think in Ways and Means we changed it to a percentage. The concern I have is, Mr. President, by changing it to a percentage, you don't have a floor anymore. And it's possible that when you do change it to a percentage, our hard working people may be able to get below minimum wage, and I have a deep concern about that.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3303 was adopted and H.B. No. 2984, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 7 (Anderson, D. Ige, M. Ige, Inouye, Sakamoto, Slom, Tanaka). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3307 (H.B. No. 2409, H.D. 1, S.D. 1):



Senator Fukunaga moved that Stand. Com. Rep. No. 3307 be adopted and H.B. No. 2409, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to the bill.

"I have several problems with this bill. One, of course, again we continue to call it an emergency appropriation. It's not an emergency. It was something that was created by the non-accountability of DAGS. DAGS went out and hired a consultant. The consultant did, apparently, shoddy or erroneous work which resulted in overpayment to the federal government and a subsequent charge of \$800,000 to the department.

"At the hearing I brought up the issue of requiring DAGS to go after the consultant. Nobody even thought about that. They hadn't discussed that before. They are so used to, as other agencies, coming to the Legislature and asking for the taxpayers to pay for any mistake. We're talking about accountability this session. We want to hold the teachers accountable and I'm saying that we've got to hold everybody accountable. I would like to see, instead of us appropriating money at this time, that we allow the Department of Accounting and General Services to pursue the consultant, to get the money back from them, since in fact it was their contract that resulted in that shortfall and not be a burden to the taxpayers.

"In addition to that, I noticed that there are two things: there's nothing in the bill that says that there should be repayment to the general fund if the consultant makes amends; secondly, there is no appropriation directly. And I don't think that it should be necessary to have legislation to require departments to pursue contractors or anyone else if work is not completed the way it's supposed to have been completed. That's accountability, Mr. President.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3307 was adopted and H.B. No. 2409, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Buen, Bunda).

At 10:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:00 o'clock a.m.

Stand. Com. Rep. No. 3312 (H.B. No. 2576, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3312 be adopted and H.B. No. 2576, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I speak in opposition to the bill.

"Being consistent, this creates a water resource management special fund within DLNR and I oppose all special funds. It's interesting that the committee report says that 'the purpose of the legislation is to create a fund that will assure continued

funding not jeopardized by budgetary cutback,' and yet as we've seen before, we see that we are constantly raiding and skimming special funds as we will see in a bill later on today. So I'm voting 'no' on this bill.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3312 was adopted and H.B. No. 2576, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3315 (H.B. No. 2476, H.D. 1, S.D. 2):

Senator Kanno moved that Stand. Com. Rep. No. 3315 be adopted and H.B. No. 2476, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Sakamoto rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to this measure.

"Currently, the law allows the insured employers to select a physician to do an independent medical examination when there are disagreements about the current diagnosis and treatment.

"This measure mandates that if the parties do not agree on the selection of this physician, then they must select from a list maintained by the Department of Labor and they can only be paid a maximum of \$400.

"Mr. President, there was overwhelming testimony in opposition to both of these recommendations -- the list and the \$400. In discussions with the Director of Worker's Compensation, it became clear that essentially the state would be picking the insurer's, the employer's, or possibly your, Mr. President, witness. And that is what this physician would be when the case is contested.

"Additionally, the entire list of physicians is limited by the monetary cap. Currently, the worker's comp law allows up to \$200 dollars an hour for an Independent Medical Examination. The examination includes review of existing records -- and sometimes very extensive records -- all previous treatment, which could be volumes, and an examination of the patient. It is foolhardy to mandate that this review should be done in 2 hours. It may save a little money, but the purpose of the examination is to determine the appropriate diagnosis and treatment for the patient.

"This mandate is not fair to either party. This law may apply to auto insurance, but the worker's comp law and auto insurance, in this regard, are parallel laws. This mandate would remove the basic rights of the insurer and the party covered, be it an employer or individual, to select their own expert. It makes unreasonable demands on physicians and ultimately may jeopardize the health and care of the patient.

"So, Mr. President, if we were in court and you were accused of something and you had to have your defense council, he would like to choose his own witnesses in your defense. This law would allow that if the the plaintiff doesn't agree with your defense attorney on who the witness could be, this law would mandate that the witness would be selected from a pool and be paid \$400 maximum. I don't think, Mr. President, anybody's defense should be allowed to be shackled by a cap and by

selecting out of a pool that your own attorney couldn't select the best defense for you, Mr. President.

"So I ask others to vote in opposition to this measure. It's not going to help the injured party. It's not going to help anybody."

Senator Slom rose to oppose the measure and stated:

"Mr. President, the good Senator from Moanalua was so convincing, that after we pushed his car, he's convinced me to vote 'no' on this bill as well.

"A couple of other things. Certainly, the bill is supported by attorneys who would never want their fees capped or limited in any way, and as the Senator from Moanalua said, this really is an issue of choice -- of being able to choose the best possible defense or the best possible information.

"We learned a couple of years ago that it was possible to reduce rates for workers' compensation insurance by forcibly reducing the amounts in the medical fee schedule. And while we did save money in doing that, at the same time we did two things additionally. One was to make it much more difficult for people that have workers' comp injuries to actually go to some of the practitioners, because with the medical fee schedule reduced, it did not pay them. They couldn't even pay their office expenses to do that. The second thing is that we actually reduced the number of practitioners that were willing to take workers' compensation cases at all.

"If we in fact put yet another arbitrary limit here in terms of the IMEs -- which can be challenged, by the way, by the parties in any discovery situation -- if we limit it further, we are going to find it will be even more difficult to get IMEs, particularly in the State of Hawaii. So I vote 'no' also.

"Thank you."

Senator Chumbley requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Kanno rose to support the measure and stated:

"Mr. President, I rise to speak in support of the measure.

"Mr. President and colleagues, the measure is truly a work in progress. At the hearing, a concern was brought up that some IMEs cost in the range of \$3,000 and the insurance commissioner testified that he felt that an appropriate figure was \$400. He has also indicated that there needs to be continued discussion with a number of items in the bill.

"A number of the proponents have also indicated that in specific situations such as psychiatric cases, where the amount of records are quite numerous and lengthy, there may need to be certain kinds of allowances for higher fees when it requires a doctor to spend an inordinate amount of time on the case.

"So I'd like to reassure members that we'll continue to look at these issues and that it truly is a work in progress. We have received a number of communications from interested parties, and I just ask the members that we keep in touch as we go through Conference on this issue.

"Thank you."

Senators D. Ige, Anderson, Matsuura, Iwase, Chun and Matsunaga then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3315 was adopted and H.B. No. 2476, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Sakamoto, Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3320 (H.B. No. 2582, H.D. 1, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 3320 was adopted and H.B. No. 2582, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3324 (H.B. No. 2774, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 3324 be adopted and H.B. No. 2774, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose in favor of the measure with reservations and said:

"Mr. President, I rise in support of this measure with reservations.

"The purpose of this measure is to recognize the right of mothers to breast feed their children in places of public accommodations, such as stores, parks, and restaurants. I believe that Hawaii's laws should support mothers who choose to breast feed their children.

"However, my concern is that because this measure falls under the Civil Rights Law, many businesses may suffer severely if charged with civil rights discrimination. Despite good intentions, businesses will have to face questions of whether asking a breast feeding mother to move from a busy aisle to a quiet corner is a reasonable request or unlawful discrimination. No matter what their intentions, this measure will create fear in any employee or employer who may ask a breast feeding mother to move.

"The health benefits of breast feeding are widely acknowledged, and I believe that Hawaii's mothers should not be unreasonably hindered in meeting the needs of their hungry infants when in a public place. However, I would also like to alleviate businesses' fear of civil rights discrimination charges. We can accomplish this by placing this measure in a different section of the law, as other states have chosen to do.

"Currently, the Discrimination in Public Accommodations section of the law prohibits discrimination on the basis of race, sex, color, religion, ancestry, or disability. The law references fundamental classifications. No other specific rights or actions are enumerated in that section, and I do not believe they should be.

"Thank you, Mr. President."

Senators Slom and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Chun rose to support the measure with reservations and said:

"Mr. President, I rise in support of this bill with reservations.

"Mr. President, I agree with the intent of this bill. I think it is a very good bill. However, like the Honorable Senator from Moanalua, I believe the vehicle is the wrong vehicle and we should not be placing this in the civil rights statute.

"I agree with a lot of what has been said -- that the best meal is a breast meal -- by the authors of the bill. However, in civil

rights, basically, issues of choice are raised. In other words, discrimination in public places is meant to emphasize that in a lot of situations -- for example, race, national origin, sexual orientation -- the allegation has been that people don't have any choice in their race, or their sex, or their national origin. However, that category does not easily fit into breast feeding because there is a choice by the mother as to when, where and how to feed an infant.

"I applaud the mother for breast feeding her child. I agree with the statement in the bill which says the best meal is a breast meal. In fact, my wife is breast feeding our daughter right now. I feel that breast feeding does have a good benefit for the child, but I don't believe that we should put this in a constitutional provision. I believe we should set up a separate statute somewhere which addresses situations as a matter of public policy we should support, not a matter of discrimination.

"Thank you, Mr. President."

Senator D. Ige then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3324 was adopted and H.B. No. 2774, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3325 (H.B. No. 1933, H.D. 1, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 3325 be adopted and H.B. No. 1933, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose in favor of the measure with reservations as follows:

"Mr. President, I rise to speak in favor of the bill with reservations.

"We've had laws on the books for a number of years and we've also had a problem with unlicensed contractors. The problem is we don't seem to be able to enforce the laws that we have, so we continue to try to have additional laws.

"A couple of things, I think, should be made clear. The fact that a person has a license, whether we're talking about a contractor, a doctor, or lawyer or anyone else, does not in and of itself insure the quality, honesty, integrity or delivery of services, just like the lack of a license does not.

"What we're talking about is an economic issue here where licensed contractors who have to pay their taxes, who have to pay workers' compensation, who have to pay all of the costs are suffering at the hands of those people that are doing jobs and not paying all of those costs, as well. But as I say, we've had laws on the books; we just have not been able to enforce them.

"Now, we're stepping this up and we're adding to the mix the possibility of forfeiture -- forfeiture of tools, of vehicles, of everything that has to do with the person's possible trade. We're seeing that we still have a problem with unemployment. We still see that we have a lot of people, particularly unionized carpenters and others, that no longer have jobs. They have union contracts but they have no jobs with those contracts. They are going into the business of repair. And I think that the possibility for mischief, with the forfeiture situation here, leads me to list my reservations. It's the same problem that we have in terms of forfeiture with drug use. The intent is very clear. The intent is good, but we've seen some very unfortunate situations where third parties have been injured.

"And in this case here, if the person is charged with being an unlicensed contractor, a second offense, and is subject to forfeiture, he or she will lose those tools first and then will have to appeal to try to get them back. In the meantime, that person is not taking care of his family or paying taxes or doing anything else, as well.

"So I would just caution that any time we're talking about forfeiture, it's a very serious step, and I think that there needs to be more safeguards than are in this bill at present.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3325 was adopted and H.B. No. 1933, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Buen, Bunda, Fukunaga).

H.B. No. 1925, S.D. 1:

Senator Chumbley moved that H.B. No. 1925, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Tam rose to speak with reservations on the measure and said:

"Mr. President, please register my vote with reservations.

"I have several reasons, one is the bill requires electronic recording of candidates who run for the House of Representatives or the Senate. Two, there are those who want to become State of Hawaii candidates but do not have the funds to buy a computer. This may sound ironic at this time, but who would think of anybody being without a computer? However, there are many in the community who do not have this technology.

"I was asked if I have the technology at home. For your information, I have two computers at home. I have an eight year old son who's very knowledgeable about computers and uses it, but that's beside the point.

"There are many college students who do not have computers and rent Kinko's computers on an hourly basis. That's a good example of those without computers in Hawaii.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1925, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3327 (H.B. No. 1836):

Senator Chumbley moved that Stand. Com. Rep. No. 3327 be adopted and H.B. No. 1836, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose to speak in opposition as follows:

"Mr. President, I rise in opposition to the measure on two points. As I have stated before, the title of this bill is so narrow that it prevents this legislative body from fully hearing,

debating, and resolving the apparent problems posed in Section 327-13(G) of the Hawaii Revised Statutes.

"Secondly, I believe, the original intent of the statute was to provide a measure of protection for the unborn child of a pregnant woman who is incapacitated. The issue is a complex one and the statute, which some claim is flawed, should be further discussed and clarified. But to enact H.B. No. 1836 before such a time is morally wrong.

"The intent of the legislation needs to remain until a more reasonable one can replace it. This new legislation is not reasonable.

"The child that a mother carries has rights. Those rights are given to it when the mother decides to carry it to term (the baby), and those rights still need to be protected in the incapacitation of the mother. We cannot in good conscience approve a bill that would cast away the protection of the unborn, simply to appease those who would turn this into a debate on a woman's choice of abortion. This is not the issue at hand.

"We have a further obligation to the incapacitated mother to protect her decision to have the baby and to insure that the fate of her child is not placed into the hands of someone else.

"We need to fix this statute, but at the same time we still need to protect the child that this bill would jeopardize. I therefore request my colleagues to oppose H.B. No. 1836."

Senator Inouye rose to speak against the measure and said:

"Mr. President, I speak in opposition of Standing Committee Report 3327.

"Mr. President, H.B. No. 1836 was passed unanimously last year and now we wish to repeal the exemptions affecting pregnant women. I concur with the Senator from Moanalua. My conscience directs me to vote otherwise. A 'no' vote for me, please."

Senator Slom rose and said:

"A 'no' vote for me please."

Senator Chun rose in opposition to the measure as follows:

"Mr. President, I stand in opposition to this bill. Mr. President, I agree with the comments of the Senators from Moanalua and also from Hilo.

"Mr. President, I would like to add my words that the proponents of this bill, basically, set it out as a woman's choice versus the state's right to dictate these decisions for the women. Mr. President, the real issue is a woman's choice versus the unborn child's life. In that kind of situation, the Supreme Court of the United States has clearly stated that it is the state's right and obligation, in fact, to protect the unborn life. For example, in the case of Planned Parenthood v. Casey, 505 U.S. 1992 by the United States Supreme Court, the Supreme Court specifically said that the woman's liberty is not so unlimited, however, 'that from the outset the state cannot show its concern for the life of the unborn, and at a later point in fetal development, the state's interest in life has sufficient force so that the right of the woman to terminate the pregnancy can be restricted. We conclude that the line should be drawn at viability so that before the time the woman has the right to choose to terminate her pregnancy, the concept of viability is the time at which there is a realistic possibility of maintaining and nourishing a life outside the womb so that the independent existence of a second life can, in reason and in all fairness, be the object of state protection that now overrides the rights of the woman.'

"Mr. President, I agree with the statements made earlier that even though this bill does attempt to protect the right of the unborn, this bill should be amended to recognize what the Supreme Court has stated that in the event the mother has progressed so that the fetus is viable, then and only then would her medical decisions not be recognized. However, to just do away with that little exemption right now would be to ignore, totally ignore, the rights of the unborn child. And I cannot accept that, Mr. President, and I will vote 'no.'"

Senator Iwase rose in support of the measure with reservations as follows:

"Mr. President, I rise to speak in support of the bill with reservations.

"I share the concern expressed by the previous speaker. This is a very emotional and heart-rending issue. It is one which deals with a mother and an unborn child. But we passed, last year, the right of any person, of any sex, or of any health condition to make a decision about his or her life. That is a very private decision. That is a very personal decision. And no organization, no government should be involved in telling an individual how he or she should leave this earth.

"On the other hand, we have the question of the fetus, particularly in the case where you are in the third trimester of pregnancy. And even the Supreme Court decision of Roe v. Wade recognizes that at that stage of development there is a strong societal interest in protecting the life of the child.

"I'm going to support this bill with reservations because it is my understanding that the chair of the Health Committee is going to make efforts next session to deal with that issue, and it must be addressed. The fetus, particularly in the third trimester, should not be ignored. If a mother is injured, incapacitated, and cannot make decisions and falls under this act and there is a child in the third trimester, that child should not be allowed to just die. And I hope that those questions are addressed next session, and I hope they are addressed to the satisfaction of all concerned.

"It is, like I said, a very difficult issue. It requires a balancing act. It is something the United States Supreme Court attempted to do in Roe v. Wade. We will continue to have to balance the interest of the mother and the child, and I hope we find a proper, humane, and moral balance.

"Thank you, Mr. President."

At 11:24 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

By unanimous consent, action on Stand. Com. Rep. No. 3327 and H.B. No. 1836 was deferred to the end of the calendar.

Stand. Com. Rep. No. 3330 (H.B. No. 2491, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3330 be adopted and H.B. No. 2491, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Tam rose to speak against the measure and said:

"Mr. President, I rise in opposition to this measure.

"It is the responsibility of the Legislature to set the price of school lunches based on the legislative budget given to the Department of Education. The Legislature should not shirk its responsibility in determining the price of school lunches.

"What will happen next year when the price of school lunches soar, due to mismanagement of the program? Under this bill, the superintendent of the Department of Education will

be allowed to increase the price of school lunches without a public hearing. There will be no accountability when this type of blanket approval is given and the increases in cost will be passed on to the student. The Legislature will not have the ability to control any or all increases.

"I feel uncomfortable that we are giving away another blank check, this time to the school lunch program. I strongly oppose this bill and feel that we will be back next year to repeal this unnecessary law.

"I also want to state that if the price of school lunches is increased arbitrarily by the superintendent of the Department of Education, many, many public school students who do not qualify for the free lunch program will be unable to eat a healthy lunch.

"I urge my colleagues to vote against this bill. Thank you."

Senator M. Ige rose in opposition and said:

"Mr. President, I, too, rise against this measure.

"Mr. President, some of my thoughts kind of go along with the previous speaker. I've never supported, throughout all of my years here in the Legislature, any type of legislation that would increase school lunches.

"I remember my dad telling his friends that one of my favorite school subjects was lunch. And even if I knew he was only teasing, I thought maybe it was true, especially at Ben Parker. I can still remember that fresh baked bread with macaroni and cheese on top. That was important to me. And I think, today, a healthy school lunch is important to a lot of children out there in our schools. And I believe that a well-balanced, nutritious meal will make a big difference for them throughout the day.

"A healthy school lunch benefits everybody. A healthy school lunch should remain affordable and available to all of our students in Hawaii. As a result, I'll be voting 'no' against this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3330 was adopted and H.B. No. 2491, H.D. 1, 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, 19. Noes, 3 (M. Ige, Matsuura, Tam). Excused, 3 (Buen, Bunda, Inouye).

Stand. Com. Rep. No. 3334 (H.B. No. 2901, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3334 be adopted and H.B. No. 2901, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in support of the measure with reservations as follows:

"I rise to speak in support of the bill with several reservations.

"This is a big omnibus bill trying to do many different things. The buzz word, I think, for this legislative session has become the 'new economy.' I think if you ask different people, you get different answers as to what that means.

"It's interesting, in instructives that go to the bill itself, Section 1 of the bill states, quote: 'The new economy is an economy where risk, uncertainty and constant change are the rule rather than the exception,' unquote. Gee, if I didn't know better, I would say that's what the old economy is all about -- risk and uncertainty being the rule rather than the exception.

"I have a problem with a number of different areas in here. The provision that allows the qualified high technology business, upon approval of the Department of Taxation, to sell their unused net operating loss carry-overs to any other taxpayer, the idea is to provide venture capital funding. First of all, this is not a procedure which is allowed in any other business to my knowledge within the State of Hawaii, and I don't know how effective it would be to gain additional venture capital. It certainly would not be as effective as improving our overall business climate, which is what I've been advocating for a long time.

"Secondly, the bill defines a qualified high technology business. Originally, it required that 100 percent of the business was involved in performing qualified research in Hawaii. Now that has been amended to only a majority of its activities in this state. Also, only a majority, not 100 percent of its gross income, must be derived from qualified research within the state.

"The Board of Trustees of ERS . . . originally the bill was going to require them to invest in local high technology businesses. Now, it simply says it allows them to. Well, they have that ability now. In fact, they have done it where they found it practical.

"The term 'techno-tourism' is used in regards to allowing the Hawaii Tourism Authority to get more involved in marketing techno-tourism. I guess I'll have to check with some of my 'techie' colleagues after the session to get more up-to-date as to why a tourist would come for techno-tourism or just exactly what it is.

"The bill also creates a new economy trust fund and just about everything -- fees, taxes, grants, appropriations -- will go into that trust fund. Then there is a priority list, and the list starts out with educational facilities improvements -- which I think we all support -- in the amount of \$44 million. However, the bill itself does not specify the amount that's going to be appropriated for the new economy trust fund, and does not specify the amount to the high technology development corporation.

"So because of all of these questions and because this bill seems to be doing too many things, I certainly will support moving the bill along and persevering with the new economy, but I think these reservations should be addressed.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3334 was adopted and H.B. No. 2901, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3335 (H.B. No. 2311, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3335 be adopted and H.B. No. 2311, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Tam rose to support the measure as follows:

"Mr. President, I rise in support of this measure.

"This bill is intended to remove the back room favoritism in awarding public contracts. Mr. President and fellow colleagues, the main emphasis of the Committee on Government Operations and Housing this year is to gain the respect of the public in terms of the operations of government in the State of Hawaii.

"The state is constantly being criticized about its process of awarding architectural and engineering contracts. Yet, we are continually reminded by the State's Chief Procurement Officer that we have adequate laws which allow for the 'best qualified' consultant to be selected. It is very difficult for me to believe that the 'best qualified' architect was selected for the women's softball stadium. We all know what happened, and that is inefficiency. I cannot believe that the 'best qualified' was hired to work without a contract.

"House Bill No. 2311, H.D. 1, S.D. 1, does not address all of the shortcomings of our procurement law as it applies to design professionals. However, it does provide us with a means of achieving what has been tried and tested at the national level. Our priority should be to hire the 'best qualified' person to do the work and to insure to the general public that the selection process is fair. This will allow contracts to be better dispersed to smaller companies with qualified professionals.

"In order for our state to adequately support the construction industry and to ensure fairness when awarding contracts, we need to develop a fair award selection criteria and screening process. In this way, we will be able to ensure the continued growth of the construction industry in Hawaii.

"Thank you."

Senator Anderson rose to support the measure with reservations and said:

"I'd like to speak for the bill, but with reservations.

"I was told very recently that there was a project that was under way in Waimanalo and then it was cancelled. There was need to look at evaluating the process of what these people were going to do to move the project on. One of the items here on page 3, line 18, number 2 says, 'Past performance on projects of similar scope for public agencies or private industry.' The gentleman that came to see me that owns land near this Waimanalo project said that the contract awarded for the project was for \$65,000 this year. In 1982, when there was a flood, the project was awarded \$65,000. And it seems like this scope was much larger than the last project that they were going to work on. Now they did bring this project to a halt because they're going to look at it. However, they were told that the state government told them all we have is X number of dollars. We are going to have to craft this project to meet those dollars. I think that's wrong. If a project is going to cost X number of dollars, that's what it's going to cost and that's what we should be projecting it for.

"So for those reasons, I have reservations on how contractors will complete their performance and how we in government must say, all right, if a project is going to cost a little more, then we may have to increase the budget on that particular item or government is some way going to have to make sure that those people are eligible. When it says similar scope, they might have to go out to somebody who has a scope a little larger for a project if it's going to be a little larger than they anticipated.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3335 was adopted and H.B. No. 2311, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE FOR DESIGN PROFESSIONAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:52 o'clock p.m.

Stand. Com. Rep. No. 3336 (H.B. No. 2878, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3336 be adopted and H.B. No. 2878, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Tam rose to speak in support of the measure as follows:

"Mr. President, I rise in support of this measure.

"The essence of this bill, Mr. President and fellow colleagues, is to eliminate the arm twisting by state and county administrations.

"About a month ago, while discussing architectural and engineering contracts with a group of design professionals in the Committee on Government Operations and Housing, I was surprised by the information provided by these professionals. They stated that they are required to perform services often without a contract. One consultant stated that he has expended more than \$150,000 on behalf of the state.

"About a week ago, on the six o'clock news, it was reported that city consultants were displeased about being required to work, and in some cases, to work without a contract. Honolulu Mayor Jeremy Harris, who has announced he will run for re-election, has applied political pressure on these consultants to complete their work on time.

"We have also determined that this is common practice in state government, and it is very costly to the state. Consultants are padding contracts with the knowledge that they are pre-funding government projects.

"According to the state's chief procurement officer, who is politically appointed, we have adequate laws which require written contracts before a contractor may start working on any assignment. Unfortunately, the political pressures of top administrators dictate differently. We have amended the language in this section to clarify that the procurement code specifically requires a written contract before services are performed.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3336 was adopted and H.B. No. 2878, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3337 (H.B. No. 2429, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3337 was adopted and H.B. No. 2429, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3339 (H.B. No. 2643, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3339 be adopted and H.B. No. 2643, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to this bill.

"When this bill started out, we were going to beautify the land and we increased the fee from \$1 to \$2 last year for the beautification fee. And at that time there was a discussion on two things. One was on abandoned vehicles, abandoned and derelict vehicles, particularly for the beautiful Garden Island of Kauai. But also, the city and county came in and said that with the additional money, they would be hiring more people and paying more personnel.

"This year, the version of the bill is to go to \$5 from \$2, take all reference to beautification away, and talk about just abandoned and derelict vehicles. Interestingly enough, the Outdoor Circle had testified against this bill saying that they had checked in the past to see what happened to existing beautification funds and they were very surprised and disappointed to find out that the City and County of Honolulu, in fact, was not using them for that purpose -- for beautification.

"We use terms like beautification, and in this case derelict vehicles, to justify increasing taxes or in this case a fee, which is the same as a tax. But then there's no oversight as to what actually happens to the funds that are used. So I think that there's no guarantee that this will be used solely for that purpose, and I don't think that each of the counties has the same kinds of problems with derelict or abandoned vehicles. To increase this fee from \$2 to \$5 is unwarranted.

"Thank you."

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I speak in favor of this bill.

"Mr. President, it's true that when it passed the TIA Committee we just addressed the abandoned and derelict vehicles. But as it came through the Ways and Means Committee, the Ways and Means Committee moved that if you raise the money to \$2, then the first \$2 would be used for abandoned and beautification. Anything above \$2, if it goes to \$3, then that \$1 will be used solely for abandoned and derelict vehicles. It's up to the counties. The counties have the authority to raise it up to \$5. If it should go up to \$5, then the \$3 above the \$2 would go to abandoned and derelict vehicles. But the beautification would still remain with the \$1 fee.

"This bill was supported by all the counties in the interest of beautification and removal of abandoned vehicles.

"Mr. President, I urge my colleagues to vote 'aye' on this bill. Thank you."

Senator Inouye rose to speak in favor of the measure and stated:

"Mr. President, I speak in favor of this bill.

"Mr. President, I voted in opposition to this measure when it appeared before the TIA Committee for the mere fact that the beautification was not identified and did not consider that the counties should have the discretion of seeking ways to use the appropriation or the funding for their desired needs. And because the chair of TIA has now saw fit to allow the counties to use some monies for beautification, I will be supporting this measure.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3339 was adopted and H.B. No. 2643, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3340 (H.B. No. 2835, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3340 be adopted and H.B. No. 2835, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to oppose the measure and stated:

"Mr. President, I rise to speak in opposition to the bill.

"All along, the bill was a tax bill, a new tax, a watershed protection tax. The current S.D. 2 has removed the tax from the bill, leaving an appropriation blank amount for the fiscal year 2001 to DLNR, but I think the intent was very clear that there would be a tax. And I'm one of those old fashioned people; I'm very concerned about what happens when it gets into Conference and the ultimate intent, as I say, has come through committees with the tax increased.

"So I would rather be safe than sorry, and I vote 'no' on the bill now."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3340 was adopted and H.B. No. 2835, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson, Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3341 (H.B. No. 3001, H.D. 2, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3341 was adopted and H.B. No. 3001, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Anderson). Excused, 2 (Buen, Bunda).

H.B. No. 2434, H.D. 1, S.D. 1:

Senator Fukunaga moved that H.B. No. 2434, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I am standing in opposition to this bill.

"Well, here we are. I've been voting against all the creation of special fund bills and all the discussion was, we're having special funds to protect them and everything else, and this bill says it all. It transfers unspecified sums from what it determines to be excess retained earnings of over 40 special and revolving funds to the general fund. So what we have been doing for the past four years, we're going to continue, and that is to create special funds, pump them up and then skim off money and put it in the general fund so that the public and the auditors are really confused.

"It is a bad move. It's a bad precedent. I urge my colleagues to vote 'no' on this bill."

The motion was put by the Chair and carried, H.B. No. 2434, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson, Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3344 (H.B. No. 1763, H.D. 2, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 3344 be adopted and H.B. No. 1763, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak against the bill.

"I think that again we have continued to pass legislation where we remove the accountability and responsibility from where it belongs and we pass additional legislation telling people what they can and cannot do, should and should not do. The idea of helmets makes common sense. It's just good common sense, but legislating all of these bills continuously I think is a bad precedent. So I'm voting 'no' on the bill.

"Thank you."

Senator Kawamoto rose in support of the measure as follows:

"Mr. President, I rise to speak in favor of the bill.

"On behalf of the Senator from Maui, who is not here today, Maui, Molokai and Lanai, this bill is safety -- safety for our young people, people that are growing up and want to see the rest of their lives grow up.

"Testimony in support was made by the Department of Health; Department of Transportation; the Disability Communication Access Board; Honolulu Police Department; Keiki Injury Prevention Coalition; the Hawaii Bicycle League; the People's Advocate for Trails, Hawaii; and four individuals. There was no opposition to this bill.

"And I think the bill went out of our committee 18 and below. It went through Judiciary at 12 years old. So this is going to Conference and we'll see what happens there.

"Thank you."

Senator Anderson rose to speak in opposition as follows:

"Mr. President, I, too, will be voting 'no.' I realize that every bill that Senator Slom and I vote 'no' on, we cannot sit on your Conference Committees, but I really don't care. I can't change too many people's minds anyway, it seems.

"But the reason to vote 'no' is when we ignore the cost to taxpayers. Everybody said it will not cost us a dime. Everybody has to buy a helmet for their child. Well, in fact, we pay insurance for welfare recipients and if you're going to mandate that every child wear a helmet, we're going to have to purchase those helmets, because if we don't and their child gets hurt and it's mandated, we will be sued like you'll never believe. The liability is going to be very, very high for us. And everybody said, well, we didn't think of that.

"One gentleman told me it's worth anything because look what you do for the child. And that's great, but I've never heard a group of people come down here and say we need unicameral because that saves millions of dollars or any other bill that we have that helps the economy. No one backs those bills. They just come here and ask for different things to be passed for human services, for the needs of some that they believe is justified. But they never come here and say, 'We want to help and we the people of this state believe that we're over-taxed. However, we don't care if you have bills for the economy and to help us. We just want you to spend money in areas that we cannot afford.'

"So for that reason, Mr. President, we do not have a cost factor on this bill. It is going to cost us, and when you very intelligent colleagues of mine go into your caucuses and conferences, please try to find out if there is any way you can see how this is going to affect our budget, what the cost factors are going to be, and make sure that when you vote, you know what you're voting for.

"Thank you very much."

Senator Sakamoto rose to support the measure with reservations and said:

"I rise in support with reservations, Mr. President.

"Certainly, safety is very important. In construction, workers wear hard hats when it's appropriate. I think there's been instances where golfers get hit by golf balls, Mr. President. Maybe children over 12 should wear helmets on the golf course.

"My point, and I'm being a little facetious, Mr. President, my point is I think appropriate safety hardware is important. I think riding bicycles as a kid was a very good thing, and I fell off and God bless whoever that I didn't die or didn't get traumatic brain injury (maybe some would say I had, Mr. President), but the point being I think there's a point where we need not legislate everything, lest we get carried away too much, Mr. President."

Senator Slom rose again and said:

"Mr. President, the good Senator from Moanalua just brought up a very important point. Since several of my colleagues will be engaging in a very difficult and strenuous and dangerous game tomorrow, I think it's close to the extreme combat games and I would expect that the chair of the Transportation Committee would be advocating for mandatory helmets, particularly for the use by my colleagues, because we certainly don't want any further erosion of brain power in this body.

"In addition to that, I note that we talk about works in progress and we talk about defective dates. The defective date on this bill is June 31, 20001. Mr. President, for a bill that is so important and that requires urgent action for safety and to protect our keiki, we only have 20,000 years in which to debate this further. So I would say unless we're really serious about this, then let's rethink it and stop trying to tell everybody everything that they have to do.

"Thank you, Mr. President."

Senators Ihara and D. Ige then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3344 was adopted and H.B. No. 1763, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Anderson, Slom, Tanaka). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3345 (H.B. No. 2098, H.D. 2, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 3345 be adopted and H.B. No. 2098, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator M. Ige rose to support the measure as follows:

"Mr. President, I rise to support this measure.



"Mr. President, no child in Hawaii should come into direct contact with any adult who has not had a criminal history check. Whether that child is in a public school or private school, whether that child is getting services from the Department of Human Services, whether that child is getting services from the Department of Health, I believe we owe this protection to our children.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3345 was adopted and H.B. No. 2098, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3347 (H.B. No. 1881, H.D. 2, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga, and carried, Stand. Com. Rep. No. 3347 was adopted and H.B. No. 1881, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3348 (H.B. No. 1632, H.D. 3, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3348 be adopted and H.B. No. 1632, H.D. 3, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Inouye rose to speak in support of the measure and said:

"Mr. President, this measure appropriates funds to finance major sugar cane operations on the Island of Kauai to encourage the continuation of sugar production on that island. Your Committee on Economic Development as well as the Ways and Means Committee, and I thank them for their foresight, developed and finds that although the sugar cane industry remains a vital component of Kauai's economic base, the industry is struggling to survive and is in need of financial assistance to continue operation.

"Because of the large scale of sugar cane operations, additional funding is urgently needed for the Department of Agriculture to carry out its appropriate loan program. This bill will further that goal as well as assist the entire state in the form of energy, agriculture, environmental and economic benefits, and enhance the possibility of developing a local ethanol industry.

"I urge my colleagues to support this bill. Thank you, Mr. President."

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to the bill.

"Deja vu, we've been here before. We've used loan money to try to save the sugar cane industry on the Big Island, to save the sugar cane industry on Maui, to save the sugar cane industry on Oahu. These efforts have failed. Some of the loans have not been repaid. And if we're talking about the new economy and if we're talking about new direction, then in fact we should be investing our funds and making our loans available in the new technology and the new educational directions.

"This bill appropriates a total of \$10 million -- \$5 million over the next two years -- and it allows the Board of Agriculture to waive statutory requirements for loans. We are already talking about additional bills for special purpose

revenue bonds, for ethanol, for other methods in which to help the sugar industry not only on Kauai, but wherever we can. But in order to do this I think we need to do it with other than these direct loan programs that seek special exemptions.

"Thank you."

Senator Anderson rose to speak with reservations on the measure and stated:

"I have some reservations, Mr. President.

"The good Senator from Kauai said earlier that he was opposed to a particular bill because that was for a particular lady who fell through the cracks. But it's okay to spend \$5 million on a particular island for a particular business. Now, that's a problem that I have. Sugar is not doing well. As the former speaker said, we're looking at a whole new economy; yet we're trying to preserve as much as possible the old ways with the sugar industry. I'm not sure if this is going to help. I would hope that it does.

"But I want to remember everything that people say. If you are opposed to individual types of legislation, then you should be opposed to individual legislation for individual businesses that gives them all kinds of tax credits, and we are going to give them loans. And yet other businesses have to strive to do the best they can and they go down the tubes.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3348 was adopted and H.B. No. 1632, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3351 (H.B. No. 2277, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3351 be adopted and H.B. No. 2277, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I stand in opposition to the bill which creates the Department of Health Hawaii Tobacco Settlement Fund because, in fact, it is a special fund.

"Thank you."

Senator M. Ige rose to speak in support of the measure with reservations as follows:

"Mr. President, I rise to support this measure with two reservations.

"Mr. President, on page 3 it talks about the child development programs and I guess the Committee removed that language. I just feel that we should have broad goals for this state and that by removing that language and including youth programs or the prevention of child abuse and including early childhood education, I think it waters down or actually refines what these monies are to be used for. I believe the legislature did right in talking about child development programs and using these monies for child development programs.

"The other concern I have is if there is a diminishment or actually these monies cannot supplement or diminish any of the general funds funding these programs. I have a concern that on principle, I believe the executive branch has the right to move general fund monies around based on our priorities. And I'm hopeful that these concerns can be ironed out or worked on during Conference Committee.

"I believe this is a good bill. It's going in the right direction, but I just hope that we would be able to continue the Legislature's priorities with the children of this state.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3351 was adopted and H.B. No. 2277, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Buen, Bunda).

At 1:16 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:20 o'clock p.m.

Stand. Com. Rep. No. 3352 (H.B. No. 2392, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3352 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga moved that H.B. No. 2392, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill, committee report separation notwithstanding and derelicts notwithstanding.

"The bill mandates additional coverage on Hawaii's prepaid health care act and more coverage for employers. While diabetes is a serious and growing problem, there's no question about it, we have to start seriously looking at changes in the prepaid health care act because since 1974, we've done only one thing and that is we've continued to add additional mandates and additional costs to employers who pay nearly 100 percent of all of the costs, rather than the 50/50 sharing between employers and employees as originally envisioned.

"Also, we have not moved in any direction to a cafeteria style approach to allow people to select different kinds of health coverage. We mandate all coverages in all policies.

"And finally, Mr. President, the requirement has always been that before we engage in any additional mandate, that we have a legislative audit of the social and financial implications, and this bill does not do this. This bill seeks to pass legislation first and do the audit afterwards.

"So for these reasons, I'll be voting 'no.' Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, the training for diabetes is very important. I, too, am diabetic, and I had the training but it cost me a few dollars. It's unfortunate that people who are less fortunate than I, cannot pay for this diabetic training. They could gain a lot and at the end it will save a lot.

"So Mr. President, I urge all colleagues to vote 'aye' on this bill."

The motion was put by the Chair and carried, H.B. No. 2392, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3353 (H.B. No. 2513, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3353 be adopted and H.B. No. 2513, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose with reservations and said:

"Mr. President, W/R please, because Senator Ige convinced me."

The Chair so ordered.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I'll support the measure with reservations also.

"Some of those reservations that the good Senator had brought up, I think, are legitimate concerns. The time period involved of five working days may in fact not be sufficient time if there are people off island, out of state, out of country. There also is a question of religious or cultural beliefs having to do with cremation. So I will support it with reservations.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3353 was adopted and H.B. No. 2513, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3358 (H.B. No. 2154, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3358 be adopted and H.B. No. 2154, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Matsunaga, Anderson, Chumbley, Chun and Iwase requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3358 was adopted and H.B. No. 2154, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3359 (H.B. No. 2171, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3359 be adopted and H.B. No. 2171, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition as follows:

"Mr. President, I rise to speak in opposition to this bill.

"This bill has really been around the block and around the corner. I notice breast feeding is alive and well. Why don't we just insert breast feeding in every other bill that we pass today

and then we'll have accomplished something nutritious and nourishing and healthful.

"The bill seeks to compel mandatory meal breaks after every five hours of work. The problem, as was shown in Committee, is that people who advocate these things make an assumption that, first of all, people don't get meal breaks. And number two, they don't have an understanding of what it means to work, particularly to have your own business, where oftentimes you will work past a particular time period because you've got to get the job done and you've got to satisfy the customer. If you don't provide the service, if you don't do the job, then in fact you lose the customer, you lose the service, and eventually lose the business.

"There was an example brought to us from H-Power. There were other examples of contractors, for example, that have cement mixers -- the cement is in the truck; somebody has to look at the time and all of a sudden, oh, oh, five hours have gone by, six hours have gone by; it's time for a meal.

"Again, we're not talking about people denying individuals a meal break. We're not talking about people denying people the ability to breast feed. But we are talking about, first and foremost, conducting the business of that firm and making sure that is the first priority.

"So I'll be voting 'no. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3359 was adopted and H.B. No. 2171, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson, Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3360 (H.B. No. 2554, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3360 be adopted and H.B. No. 2554, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Chun rose to support the measure with reservations and said:

"Mr. President, I stand in support of the bill with reservations.

"Mr. President, I understand that this bill attempts to basically enact the law that was in place approximately five years ago when partial disability was subject to the 32-week restriction. Previously, the department testified that it was inadvertently omitted from the law when it was amended five years ago and now they want to put it back in again.

"Mr. President, I don't have a problem with amending the law. However, I still want to know from the department as to whether or not that five year hiatus, in terms of not subjecting it to a 32-week limitation, has caused any problems to the special fund. If it hasn't, I go back to the old adage, 'if it's not broken, why fix it.' So I stand with reservations on this bill."

Senator Sakamoto rose to speak in support of the measure with reservations as follows:

"Mr. President, I also rise to speak in support with reservations.

"In many of these issues related to workers' comp, most of us don't understand the issue. Looking at the committee report, I think there is acknowledgement that even the committee report questions who gets more liability, whether it's the special comp fund or employers or nobody. My belief is that there is a

cost shifting and it's not clear what the amount is and who it goes to, and if indeed that cost shift is warranted.

"So I have those reservations, Mr. President."

Senators Slom and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3360 was adopted and H.B. No. 2554, H.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, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3361 (H.B. No. 2556, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3361 be adopted and H.B. No. 2556, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kanno requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator M. Ige rose to speak against the measure as follows:

"Mr. President, I rise to speak against this measure.

"Mr. President, first of all, the more I hear about this measure, the more I dislike it. In reading the purpose of the original bill -- 'The purpose of this measure is to delete the requirement that the period between safety inspections for regulated equipment be not less than five months, thereby requiring inspections every seven months.' Then you go on to the next paragraph, 'Testimony in opposition to this measure was received from the Department of Labor . . . the Department of Accounting and General Services, Legislative Information Services of Hawaii, Hawaii Chapter CCIM, Institute of Real Estate Management, Real Estate Coalition, Hawaii Council of Associations of Apartment Owners, Scheibert Energy Company, Building Owners and Managers Association.'

"Mr. President, our economy is highly dependent upon tourism, which is highly dependent upon elevators. When you read the committee report from WAM, I do not believe we should be giving the department any kind of flexibility in determining the frequency of these safety inspections. I believe this measure takes us in the wrong way, and it gives the responsibility to a department where we should be telling them exactly what we believe is the best thing to do regarding safety inspections.

"Thank you."

At 1:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:31 o'clock p.m.

Senator Nakata rose to support the measure as follows:

"Mr. President, I rise to speak in support of the measure.

"I need to make a correction to statements made earlier. The agencies mentioned as speaking in opposition were speaking in opposition to the original bill and they are in support of the measure that is before us. The Department of Labor is supportive of this measure.

"Thank you."

Senator Anderson rose to speak against the measure and said:

"Mr. President, I'll be going 'no' on this particular bill. Last year when we had this same issue, it was brought up that many of these people had their own inspectors because they were required within their own industry and by their insurers to provide inspections at all times. Consequently, we decided we didn't need any bill.

"Now, we're saying that you no longer have to do a five to seven months on a boiler, amusement ride, elevator, and equipment. I find that we're not cutting back on anything, though. The department is going to do this through new equipment that they have almost like a computer, I guess, that they can view this. But they're not cutting back on the people that they hire to do inspections. They are going to do a lot fewer, but they're going to be taking care of it in another way, and we're not streamlining anything. So those people that have their own inspectors are going to be doing the same work they had to do and they're going to be paying for it, but we're going to be paying people to do other things.

"I don't know how government is going to get smaller if we say we can do things through a new type of economy that we're going to have a computer that they can view this equipment if they need to. But they're not cutting back on any personnel or hiring anybody with certain skills. So this confuses me, Mr. President. So I'll be going 'no.'

"Thank you very much."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3361 was adopted and H.B. No. 2556, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson, M. Ige). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3362 (H.B. No. 2539, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3362 be adopted and H.B. No. 2539, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise in opposition to the bill.

"The original bill increased the current 5 cent tax on each barrel of oil five times to 25 cents. Subsequently, the tax amount was taken out but it was still an increase in tax that was sought. This current draft that we have here doesn't talk about a tax increase but does talk about expanding the purposes for which the funds in the environmental response revolving fund can be used. Now, initially this tax was set up and was sold to the Legislature and to the taxpayers as something we needed to do to have resources on hand to deal with any emergency oil spills.

"If this bill is passed right now, we will now be able to use money from the response revolving fund for support for environmental protection, natural resource protection programs, energy conservation and alternative energy development, concerns related to air quality, global warming, clean water, polluted run-off, and solid and hazardous waste. Mr. President, I don't think the intent to raise the tax in this measure has been changed one iota, and by putting more responsibilities in here, what we're guaranteeing is that we will come back either in Conference or next year and say, 'Gee, with all these functions we have to do, we're going to have to raise that tax.'

"It is not warranted because the original purpose, as I say, was for emergency oil spills. It is a bad precedent. I urge my colleagues to vote 'no.'"

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator M. Ige rose to speak in opposition and said:

"Mr. President, I, too, rise in opposition to this measure. And Mr. President, my comments are somewhat aligned to the previous speaker.

"The original purpose of this bill, as I understood it in the Labor Committee of which I'm the vice chairman, was to protect our oceans in case of any oil spill emergency. I think we should all take that very seriously. It's my understanding that the amount of money in that fund I believe is like \$7 million. For what purpose? It was to make sure that if anything happened, we would be able to respond immediately, right now, and not worry about the money and who's going to pay for it.

"Now, with the broadening of this definition as the previous speaker said, we're talking about using these monies for global warming, very little to do with protecting our ocean -- the very purpose that this measure was created and passed by this Legislature. Mr. President, I do not believe that this kind of scheming -- by broadening the definition this year, by watering down our original intent and coming back next year -- is appropriate. I believe it is irresponsible and I believe it is up to us as leaders of this state to set priorities and to make sure that the bureaucracy follows our direction and our leadership.

"I believe this bill, again, takes us in a very, very wrong direction, Mr. President.

"Thank you."

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3362 was adopted and H.B. No. 2539, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (M. Ige, Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3363 (H.B. No. 540, H.D. 2, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3363 be adopted and H.B. No. 540, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in opposition as follows:

"Mr. President, I rise to speak in opposition to the bill.

"The bill seeks to cover a great many more people that are presently not covered and to use, again, blank appropriations in here so we don't know how much we're actually talking about. It would cover legal immigrant residents who arrived in the United States after August 22, 1996, immigrants permanently residing under the color of law, or persons from member counties of the Compact of Free Association who are eligible to benefits under Hawaii's medicaid program but in fact are ineligible under federal coverage. Again there's a blank appropriation.

"We continue to spend additional funds. We continue to expand the number and kinds of people that are under our welfare programs and subsidy programs, rather than getting to the heart of the problem. The heart of the problem is we have a poor economy. We should be using our efforts to fix our economy first. That would automatically reduce the number of people who need these kinds of benefits.

"Thank you."

At 1:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:41 o'clock p.m.

Senator Anderson rose in opposition to the measure as follows:

"Now that that's been cleared and I really don't quite understand what we did here but I do understand my Minority Floor Leader, I wish to have the words of the Minority Floor Leader put into the Journal as though they were they my own, if I may, Mr. President. And I, too, will be going 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3363 was adopted and H.B. No. 540, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson, Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3365 (H.B. No. 2222, H.D. 1, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3365 was adopted and H.B. No. 2222, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3366 (H.B. No. 2445, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3366 be adopted and H.B. No. 2445, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Slom and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3366 was adopted and H.B. No. 2445, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3367 (H.B. No. 564, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3367 be adopted and H.B. No. 564, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Sakamoto rose to support the measure with reservations and said:

"Mr. President, I rise to speak in support with reservations.

"This reservation is not to the military portion but to the portion related to the surviving spouse or reciprocal beneficiary. What this bill calls for is changing what the current law is when the spouse or reciprocal beneficiary marries, remarries, enters into a new relationship, that those benefits cease. I understand there's an individual who has a problem because her husband was killed in the line of duty, but this bill is overly broad, Mr. President.

"The way it's written, it seems to me that if a happily married couple, who's 85 years old, and one spouse dies, the other spouse could then say well, maybe . . . how about the grandma who says maybe my nephew can be my reciprocal beneficiary, and then she dies, and then we're obligated to fund the 21-year-old for who knows how long, Mr. President.

"We really need to look at what we're doing. In compassion for looking at people who fall through the cracks, that's a good thing, but we ought not make caverns, Mr. President.

"Thank you."

Senator Slom rose to speak with reservations on the measure and stated:

"Mr. President, I, too, have reservations.

"I share the concerns eloquently spoken by the good Senator from Moanalua. In addition to this, this action will have tax implications as cautioned by the Retirement System. And it is yet another bill where there is a blank dollar amount. If we're going to talk seriously about making appropriations, then we should know exactly what the costs are before we vote on them.

"Thank you."

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3367 was adopted and H.B. No. 564, H.D. 2, 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, 22. Noes, 1 (Anderson). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3368 (H.B. No. 2446, S.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3368 was adopted and H.B. No. 2446, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3369 (H.B. No. 2447, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3369 be adopted and H.B. No. 2447, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Anderson and Kanno requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3369 was adopted and H.B. No. 2447, 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, 22. Noes, 1 (Chun). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3370 (H.B. No. 2458, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3370 be adopted and H.B. No. 2458, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Slom, Kanno and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3370 was adopted and H.B. No. 2458, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Chun). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3371 (H.B. No. 2472, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3371 was adopted and H.B. No. 2472, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3375 (H.B. No. 2648, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3375 be adopted and H.B. No. 2648, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise in opposition to the bill.

"First of all, it's interesting whether or not we're going to be able to put a new tax on those on probation and whether we can collect it. But in addition to that, even if we do, it goes into a special fund, so I'm voting 'no.

"Thank you."

Senator Matsunaga rose in support of the measure and said:

"Mr. President, I rise in support of this measure.

"First, Mr. President, please let me clarify that this is not a general tax on everybody. The probation service fee would apply only to users of probation services -- in other words, those who have committed crimes.

"Right now, crime does pay. Once you're on probation, you get services that cost the state a bundle for free. This bill would make probationers pay a part of what they cost the state.

"My advice to those who are concerned about the rise in fees is:

If you don't do the crime, you won't pay the fine;  
If you don't do it the wrong way, you won't have to pay;  
If you don't hit your honey, you won't have to pay money.

"Thank you, Mr. President." (Laughter.)

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3375 was adopted and H.B. No. 2648, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3377 (H.B. No. 1889, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3377 be adopted and H.B. No. 1889, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Kawamoto rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, this bill and our bill from the Senate really addresses one group of people, and it's the military actives that have come here -- some 46,000 military members in the Pacific. Again, especially the enlisted men and women who come here sometimes don't have the opportunity to prepare to make the move. They're asked to come to Hawaii within less than 30 days. They salute smartly and then they find out how expensive it is to travel and come to Hawaii.

"One of the expenses is this quarantine bill. Although we had said two years ago that they had to be self-sustaining, they didn't realize the effects of the self-sustaining of this quarantine. And what it amounts to is that an enlisted man, E-4, makes about \$1,400 a month and it costs him \$1,200 to pay for his quarantine. So that affects him greatly.

"This is an opportunity where we can say thank you for the many times that they made an extra effort to go out during Hurricane Iniki and Hurricane Iwa; made an extra effort to go out and rescue people who found themselves out at sea, lost with only a radio and needed to get the Coast Guard out there; the extra effort made to find somebody in the hills because he got lost. These are the things for which we can say thank you.

"The amount that it's going to cost the state is a little less than \$20 per person. So, it's a sum that we can look at. Many of you think about the economic side of the House. The military is looked upon for the military construction. This year we're going to try and pass a state resident bill that's going to bring some money to the state. And we also are asking them to use island coffee on the military vessels that's going to have another impact on our state economy. Just for example, last month their pay raise of 4.8 percent brought \$77 million to our island economy. So what we pay for this opportunity to say thank you for their efforts and for the time they spend here is a small amount compared to what they bring to this economy.

"Therefore, I'd like to ask all of my colleagues to support this bill. Thank you."

Senators Taniguchi and Iwase then requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Anderson rose to speak with reservations on the measure and stated:

"Mr. President, I'm going with reservations and I think it's very honorable that we look at the military.

"Over the years that we've been here, we've tried to do everything with the quarantine station. We cut back the time. We cut back costs. We've done everything to make sure that it's easier for people to bring in animals and that they have less time in quarantine.

"At one time, Hawaii had no snakes. We had no other animals. We had no rabies. And everybody says those are good things. Times have changed. We have all kinds of animals that are in our state, that are getting in. The Animal Quarantine Station, from what I understand, has cut back because we've said that they don't have to stay in quarantine as long. We had a quarantine station at one time that, if you sold your animals to other parts of the world, you didn't have to worry. I think the only other place that had as stringent concerns as we did was Australia. However, even with the quarantine that we had, if we purchased a dog from Australia, we didn't have to worry. They didn't go into quarantine. If a

person bought a dog from Hawaii, took it to Australia, they went into quarantine, regardless.

"So we've cut back. We've done everything we possibly can. And I would hope that once we've opened these floodgates on the quarantine station, that we don't continue to say we don't want to restrict anymore; we want to keep making sure it's not going to cost people; we can cut back in many, many areas because it is not helping Hawaii, I don't think. I think it is hurting us. So we're not going to only not afford, we're going to one of these days just say, why do we need a quarantine station? And I think we need it. I think we've done more than our share of having an island state that is free of all kinds of things, and we are no longer that type of a state.

"Thank you very much, Mr. President."

Senator D. Ige then requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Sakamoto rose to support the measure and stated:

"Mr. President, I rise in support of this measure.

"I think the Senator from Waimanalo has made some good points about some alien species, and the alien species introduction is a matter for the Harbors and the Airports, not for the quarantine station. The quarantine station has done a good job of keeping us rabies free. In my understanding of the matter, they're doing their best to at least move forward in keeping costs down. They've lowered the time of quarantine. They've got a chip that they can put in the pets that will enable tracking of pets just in case something does go haywire.

"And obviously, Mr. President, keeping rabies free is a good thing, keeping costs down is a good thing, and so is keeping the costs down for the military members, especially in the efforts of our community to be partners with the military, where the military help in schools, help along the highways, and help in many, many ways. The first impression of many of these military personnel is, Why does it cost so much to bring my animal here? I think we can help by at least lessening that burden, Mr. President."

Senator Anderson rose and said:

"Just a short rebuttal. I think the reason that I thought it would be proper that I could bring up what I wanted to is the title of the bill -- Agriculture and Animals. It didn't say just quarantine. The quarantine is what we have attached to the title of the bill.

"There's all kinds of problems. Do you want to go into agriculture? We've been bringing in all kinds of agricultural things that are not beneficial to our island state. So that's what I did, Mr. President. I went by the title, and I think that was fair.

"Thank you very much."

Senator Tam rose to speak with reservations and said:

"Mr. President, please register my vote W/R for the reason of equity. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3377 was adopted and H.B. No. 1889, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (M. Ige). Excused, 2 (Buen, Bunda).

Stand. Com. Rep. No. 3380 (H.B. No. 2183, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3380 be adopted and H.B. No. 2183, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to speak in support of the measure with reservations and said:

"Mr. President, I rise in support of the bill with reservations.

"I voted against the bill for the straight out loan to the sugar company on Kauai and mentioned at that time that we did have other measures, including this one, to authorize the issuance of up to \$50 million in special purpose revenue bonds to a company (Worldwide Energy Group) for the development of ethanol which would help the Kauai Sugar Company. We've talked about ethanol for many, many years. We've talked about alternative energy. The state has made many efforts in terms of tax credits and incentives to try to provide alternative energy. I think, however, at the same time, we should be looking at these projects in total and again looking at them from the standpoint of improving the overall environment and economy as well.

"So I vote for the bill with reservations. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3380 was adopted and H.B. No. 2183, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

At 1:57 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:01 o'clock p.m.

Stand. Com. Rep. No. 3384 (H.B. No. 2572, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 3384 be adopted and H.B. No. 2572, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Anderson rose to speak on the measure with reservations and said:

"Mr. President, I have some reservations on this particular measure.

"I sit on both committees. In the Water, Land, and Hawaiian Affairs Committee we had no problem voting for this bill, and everybody went up. Then when we got to Ways and Means they changed it, and one of the things is that we tacked on a couple of sections with which I have a little problem. One of them being that the department who we wanted to, I believe, give a little more leeway and not so much with the council, but it said that the department, in adopting rules pursuant to Chapter 91, shall consider, but are not bound by the criteria and general management principles in Section 4.9 and 4.10 in Kaneohe Bay. Well, that means that they shall take under consideration anything the council has to say, but they are not really bound to it.

"I'm not very familiar with all of the things that happened with the Kaneohe Bay Council but I do know that they have a very strong membership. And if it says that they shall, at least take them into consideration, the department has a lot of people who are, I wouldn't say weak, but they are easily influenced at times. Consequently, the council would be ruling as well as they are now. And that takes away from the department being as, I guess... flexibility that we're looking for, to allow them to do what they believe is right for all of the people because not everybody on the council represents the people, a lot of the groups, as much as they should.

"So this wording rather bothers me because we didn't have this in Committee. And you know that I'm shy, but I would have spoken up had this come up in Committee. We had all of the people there. It was not addressed and it was after. So for those reasons, I'm going with reservations at this time and maybe we can work it out in Conference.

"Thank you very much, Mr. President.

Senator Iwase then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3384 was adopted and H.B. No. 2572, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KANEHOE BAY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Buen, Bunda, Taniguchi).

H.B. No. 2194, H.D. 2, S.D. 1:

Senator Fukunaga moved that H.B. No. 2194, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise in support of the measure with reservations.

"I think one of the most successful programs we've had has been the legislative access room. We honored people here on this Senate floor a number of weeks ago because it started out as a voluntary program. We are now funding the program and we're increasing the appropriations. The appropriations for additional information and for access by the public I think are worthwhile. But this bill goes in a different direction. It's now seeking to add a pilot program for child care -- to provide child care or baby-sitting for those people who come down to use the public access.

"I know that the Senate Majority caucus room has a lot of space and we could probably put the little tykes there, but the question really is whether or not we should be utilizing child care in legislative access. I think they're two separate things. And so for those reasons and for the fact that we cannot use the Minority caucus room since it will be growing after November, I would submit my reservations.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2194, H.D. 2, 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, 22. Noes, none. Excused, 3 (Buen, Bunda, Taniguchi).

H.B. No. 1900, H.D. 1, S.D. 1:

Senator Fukunaga moved that H.B. No. 1900, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Fukunaga rose to support the measure and said:

"Mr. President, we do want to recognize our good colleague from the Hawaii Kai area; and while we don't have any songs

or dances to entertain him with, we speak in support of the state budget and would like to do so in a way which will be very appropriate.

"Fellow colleagues, we are poised at the start of this New Millennium with a supplemental budget that reflects our commitment to help Hawaii residents fully realize the benefits of the twenty-first century's New Economy. For those of you that have looked over the committee report, it pretty much spells out the priorities that we have identified. I want to highlight the following four objectives in our budget planning:

"First of all, the budget invests in Hawaii's people -- whether by added support for classroom staffing needs; or substantially increased levels of funding for repairs to Hawaii's school and public university facilities; or by way of increased funding support for health care services at the community level. For example, it also provides support to increase worker retraining efforts by Department of Human Resources Development to ensure that all state employees have the skills that they need to deliver twenty-first century services.

"Second, the budget shifts to a much more user-driven, customer-oriented approach to delivering government services. Two examples: 24-hour access to electronic information and services -- the state's Internet Portal, where we funded DCCA's efforts; and S.B. No. 3026's requirement that all school repair and maintenance expenditures be posted electronically to give each community a way to chart their school's improvements. These kinds of approaches give people choices, thereby rewarding speed, efficiency, and continuous improvements.

"The budget and some of the other bills that we have voted on today are also designed to support young people's aspirations, to give each youngster -- whether one from Kahaluu, Waianae, Kalihi, or Honokaa -- an opportunity to believe that he or she can become a future Bill Gates, the next Guy Kawasaki, or even Steve Case (of America Online). We believe that Hawaii's people are truly the best in the world and it is up to us to provide as many tools as possible to engage the coming generations of Hawaii-born entrepreneurs, policy makers, and bridge builders to the Pacific Century.

"For all of these foregoing reasons, we'd like to encourage our colleagues to vote in support of H.B. No. 1900, H.D. 1, S.D. 1.

"For the next part of our discussion I will defer to my co-chair; and then we'd like to introduce to you and to acknowledge the members of our Ways and Means staff."

Senator Levin rose to support the measure and said:

"Mr. President, overall we believe that this budget before you is both fiscally prudent and responsible.

"The Ways and Means Committee has given due consideration to the concerns of the administration, but this is a year when Ways and Means is determined to emphasize education, both for its own value and for the importance it has for our state, the economy, and the state's vitality. If you compare the biennium budget that we adopted last year, you will find that Ways and Means has proposed to supplement that budget with sizeable additions to lower education and higher education. These additions represent priorities identified by both the Senate and the administration and reflects the desire of both branches of government to improve the educational experience of our children.

"Ways and Means' commitment to education is reflected in this budget, and also in other measures that we have considered today, so that all together, when we reach the sixtieth day of the legislative session, we will be able to say to all concerned that this first Legislature of the new century was indeed the Education Legislature dedicated to meeting the needs of our community.



"Mr. President, I would like to return the floor to my co-chair."

Senator Fukunaga rose to continue her support of the measure:

"Mr. President, the final component of H.B. No. 1900, H.D. 1, S.D. 1, is its reliance on teamwork and collaboration. The value of this work product can meaningfully be evaluated as the sum of its many, many moving parts.

"What helped produce this document here before you today was support from you and your staff, from our subject matter committee chairs and our diligent Ways and Means Committee members, and most importantly, from our Ways and Means staff who are seated in the gallery.

"I'd like to first recognize on the budget side, our budget supervisor, Aaron Nyuha, and his budget team -- CIP analyst, Ryan Shigetani; analysts: Kevin Almeida, Urs Bauder, Rod Becker, Charles Gordon, Neal Matsumoto, and Michael Ng. (The Ways and Means staff members then rose to be recognized.)

"And now I will return the mike to Co-chair Levin."

Senator Levin rose to continue his support as follows:

"Mr. President, while I was sitting here innocently, while my mode of transport was being viciously maligned, I noted that there were no similar aspersions cast toward the work of the Ways and Means Committee nor its staff. I think there is good reason for that. Notwithstanding the remarks that may come from the Minority Floor Leader, the staff has done a remarkable job. Although none of them would be caught dead in my car, they otherwise have shown great wisdom and judgment throughout the past few months. They've worked tirelessly on behalf of the Committee and the Senate and I am proud to be associated with them.

"In addition to the analysts who have already been acknowledged, I would like to introduce and thank the bills research staff: Nani Medeiros, Gladys Quinto, Malia Manol, and chief bills researcher, Carl Miura. We are grateful to all of you. (The Ways and Means staff members then rose to be recognized.)

"Thank you."

Senator Fukunaga rose again and said:

"Finally, Mr. President, we'd like to introduce the captain of our Ways and Means team on his maiden voyage as our chief clerk, Gordon Arakaki. With his guidance, our team has experienced smooth sailing ahead, and we thank all of them. All of you, please rise and be recognized." (Mr. Arakaki and the Ways and Means staff rose to be recognized.)

Senator Slom rose and said:

"Mr. President, I'm cut to the quick. The co-chair of Ways and Means said 'notwithstanding the remarks forthcoming from the Minority Floor Leader.'"

The President interjected:

"Are you speaking in favor of this bill?"

Senator Slom replied:

"Why yes, I am, Mr. President, I am. I'm speaking in favor with reservations, and I do appreciate the work of the co-chairs of the Ways and Means Committee, of the members of the Ways and Means Committee, those times that they actually let me sit in and watch what goes on there, with the mysterious

goings on of the Ways and Means Committee, and certainly the Ways and Means Committee staff, because I know that they work very long and very hard. I know that because the popcorn smell wafts over into my office, day and night, so I know that they're working diligently for us.

"I think it is a good effort. I think it's a good budget, basically. I think it meets a number of our needs and attempts to deal with a number of our problems. I guess my concern and my reservations is that it still is a large budget. It still adds additional costs. It still adds additional personnel, over and above those in the Department of Education, to the already bloated state payroll, which means that it's going to add costs for retirement and health benefits. And these are things that I say we have to get under control.

"But generally speaking, I applaud their efforts. I realize how hard they have worked and that's why I will give my support. And even though they were unable to provide a song and dance for us, I think that the only thing that I could do is provide kind of a short song and dance for them. (Senator Slom then placed an electronic singing and dancing monkey on his desk and turned it on for the members of the Senate.)

"Thank you, co-chairs of Ways and Means." (Laughter.)

Senator Anderson rose in support of the measure and said:

"Mr. President, I rise to speak for the budget with no reservations.

"I sit on the Committee and I know how hard everybody worked and I know how hard the co-chairs worked. But one of my co-chairs in Judiciary said the other day that he's glad that I read. I read the Pacific Business News and it more or less said that we have a budget that's bloated because of fees. Well, the budget doesn't reflect those fees, Mr. President, until such time as we pass these bills which we've all been fighting.

"But I'd like to make a comment. The good co-chair from Ways and Means did say that the people of Hawaii are our first concern. And she's absolutely right, and I want you folks to realize that I asked if we could look at all the bills pulled by the Minority and Majority. Now, there might be a couple that overlap, but from page 15 on, those without any markings at all from the Minority, there would probably be about eight or nine bills that we would have discussed all day, including the budget. I think that's sad because the concerns of the citizens of Hawaii should be first and foremost. And that's why we have dialogue.

"Unfortunately, there are bills held up in committee that will never be heard, and that's sad because there are some good measures. I don't care who the bill name comes under -- Minority, Majority -- but is it beneficial for the people of Hawaii? I believe they are, and they're not being heard. So had we not requested these bills, we probably would have been out of here at 11:00 o'clock, 10:30, something like that. There would have been very little discussion on eight or nine bills. We could have all gone to lunch, rather than have the President invite everybody for lunch. But that's my concern.

"We put out a budget for the people of Hawaii. We have all kinds of fees that we're going to charge the people of Hawaii, and those are the ones that we've been speaking on and that we're concerned about. And if these bills pass, then we're going to say well, now we can go ahead. We're going to have a bigger general fund. We can spend more. And those are the concerns that the Minority Floor Leader and I have, is what happens, because if you read the Pacific Business News, that's what they're leading the people of Hawaii to believe -- that we have this inflated budget because we have all these fees already, and these are to come, and these are the ones that we should be looking at.

"And if we have bills in committee (not this year because it's way, way too late) that will reflect a savings to the people of Hawaii, to help the economy, to do many other things, I think we should be responsible enough to at least have a hearing, to have dialogue, so that people can come in.

"We should also look at because we have a large community of business people that maybe we should have some of these hearings at night so that they can attend or go to a neighbor island like we did with Water, Land, and Hawaiian Affairs. And it was the first time that some of these people came because they can't afford to come to Honolulu, but they were a part of the dialogue that we had. And I think that's important.

"So Mr. President, I have no problem with the budget the way it stands, and I do thank our chairmen and all of the staff for all of their hard work. Mahalo."

Senator Levin rose and said:

"Mr. President, I want to offer my sincere apologies to the Minority Floor Leader. I was being overly defensive. My eyesight was not good enough, and when he pulled out the stuffed doll that is on his desk, I assumed that was Rusty the orangutan.

"Thank you." (Laughter.)

The motion was put by the Chair and carried, H.B. No. 1900, 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, 23. Noes, none. Excused, 2 (Buen, Bunda).

#### **MATTER DEFERRED FROM EARLIER ON THE CALENDAR**

#### **THIRD READING**

Stand. Com. Rep. No. 3327 (H.B. No. 1836):

Senator Chumbley moved that Stand. Com. Rep. No. 3327 be adopted and H.B. No. 1836, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chun Oakland rose to support the measure as follows:

"Mr. President, I speak in support of this measure.

"The Hawaii Uniform Health Care Decisions Act was passed during the 1999 Legislative Session. This year, the Legislature was informed that leaving Part G of Subsection 13 of this law as currently worded would exclude a pregnant woman from designating a legal surrogate decision maker. It also precludes pregnant women from executing a living will or a durable power of attorney for health care. Retaining Part G would require the family of the woman, if she is not competent, to seek guardianship or other legal action to determine decision making during her incapacity.

"The intent of this measure, if enacted, is to help protect the autonomy of decision making for an individual to make critical life and end-of-life decisions and to ensure that these wishes are understood and carried out. It was also intended to simplify preparation of an advanced directive and develop a means to recognize a legal surrogate decision-maker in case an individual has not designated one. It was not the intent to enact a provision of the state law that would be discriminatory with respect to pregnant women.

"Women of child-bearing age need to understand how this law might apply to them in the event they become pregnant and incapacitated. For example, a pregnant woman can choose to

suspend the 'no-heroics' provision until her child is safely delivered. Another consideration is to understand that the state can override the no-heroics provision in the last trimester of pregnancy.

"With this, I urge my colleagues to support this measure. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3327 was adopted and H.B. No. 1836, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 7 (Chun, Inouye, Kawamoto, Matsuura, Sakamoto, Slom, Tam). Excused, 2 (Buen, Bunda).

Senator Levin, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for the following Senate concurrent resolutions:

S.C.R. No. 97;  
S.C.R. No. 171;  
S.C.R. No. 181;  
S.C.R. No. 199; and  
S.C.R. No. 206,

and the Chair granted the waiver.

At 2:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:25 o'clock p.m.

#### **ADJOURNMENT**

At 2:25 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 13, 2000.

## FIFTIETH DAY

**Thursday, April 13, 2000**

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Rick Lazor, Nuuanu Baptist Church, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

The President announced that he had read and approved the Journal of the Forty-Ninth Day.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 292 and 293) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 292, informing the Senate that on April 11, 2000, he signed the following bills into law:

House Bill No. 2123 as Act 16, entitled: "RELATING TO WAGES AND TIPS OF EMPLOYEES"; and

Senate Bill No. 2024 as Act 17, entitled: "RELATING TO MEDICAL RESEARCH ON CANCER STUDIES,"

was placed on file.

Gov. Msg. No. 293, advising the Senate of the withdrawal of the nomination of CLINTON CHO, D.D.S., to the Board of Dental Examiners under Gov. Msg. No. 275, dated April 7, 2000, was placed on file.

In compliance with Gov. Msg. No. 293, the nomination listed under Gov. Msg. No. 275 was returned.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 456 to 616) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 456, returning S.B. No. 2742, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 457, returning S.B. No. 2477, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 458, returning S.B. No. 2426, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 459, returning S.B. No. 2289, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 460, returning S.B. No. 2005, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 461, returning S.B. No. 914, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

By unanimous consent, S.B. No. 914, entitled: "A BILL FOR AN ACT RELATING TO VOTE COUNT," was placed on the calendar for Final Reading on Friday, April 14, 2000.

Hse. Com. No. 462, returning S.B. No. 887, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

By unanimous consent, S.B. No. 887, entitled: "A BILL FOR AN ACT RELATING TO JUDGES FOR THE CIRCUIT COURT," was placed on the calendar for Final Reading on Friday, April 14, 2000.

Hse. Com. No. 463, returning S.B. No. 2001, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 464, returning S.B. No. 2088, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 465, returning S.B. No. 2205, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 466, returning S.B. No. 2438, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 467, returning S.B. No. 2542, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 468, returning S.B. No. 2470, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 469, returning S.B. No. 2563, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 470, returning S.B. No. 2830, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 471, returning S.B. No. 2858, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 472, returning S.B. No. 2941, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 473, returning S.B. No. 2942, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 474, returning S.B. No. 2947, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 475, returning S.B. No. 3117, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 476, returning S.B. No. 3192, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 477, returning S.B. No. 185, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 185, S.D. 2, and requested a conference on the subject matter thereof.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by

Hse. Com. No. 511, returning S.B. No. 2427, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.





On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2948, S.D. 1, and requested a conference on the subject matter thereof.





Hse. Com. No. 595, returning S.B. No. 2667, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.



On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3003, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 613, returning S.B. No. 3043, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3043, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 614, returning S.B. No. 3125, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3125, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 615, returning S.B. No. 3133, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3133, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 616, returning S.B. No. 3190, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3190, S.D. 1, and requested a conference on the subject matter thereof.

#### STANDING COMMITTEE REPORTS

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3398) recommending that the Senate advise and consent to the nominations of HARVARD C.S. KIM, JODEE MALIA CRANE, NORMAN JIMENO and NOBLEZA E. MAGSANOC to the Hawaii School-to-Work Executive Council, in accordance with Gov. Msg. No. 228.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3398 and Gov. Msg. No. 228 was deferred until Friday, April 14, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3399) recommending that S.C.R. No. 92, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE NATIVE HAWAIIAN PEOPLE," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3400) recommending that S.R. No. 45, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 45, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING

THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE NATIVE HAWAIIAN PEOPLE," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3401) recommending that S.C.R. No. 93 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPOINT THE TRUSTEES TO THE OFFICE OF HAWAIIAN AFFAIRS TO SERVE OUT THEIR TERMS OF OFFICE IF THE RICE V. CAYETANO DECISION REQUIRES THEIR REMOVAL AS ELECTED OFFICIALS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3402) recommending that S.C.R. No. 104 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 104, entitled: "SENATE CONCURRENT RESOLUTION ASKING THE CONGRESS OF THE UNITED STATES TO ADDRESS THE ISSUE OF AVAILABILITY OF OBTAINING A FALSE IDENTIFICATION VIA THE INTERNET," was adopted.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3403) recommending that S.C.R. No. 137, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 137, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO INVESTIGATE THE MANAGEMENT OF ALL STATE GOVERNMENT HOUSING PROJECTS," was adopted.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3404) recommending that S.R. No. 91, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 91, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS AND HOUSING TO REVIEW THE PROCUREMENT PROCESS FOR ARCHITECTURAL AND ENGINEERING SERVICES," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3405) recommending that S.C.R. No. 76 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3406) recommending that S.R. No. 30 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No.

30, entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3407) recommending that S.C.R. No. 14, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 14, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PU'U O KAPOLEI BE PLACED ON THE STATE AND NATIONAL HISTORIC REGISTERS," was adopted.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3408) recommending that S.C.R. No. 157 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 157, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH A POSITION OF MILITARY LIAISON OFFICER FOR THE BOARD OF EDUCATION," was adopted.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3409) recommending that S.R. No. 78 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 78, entitled: "SENATE RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH A POSITION OF MILITARY LIAISON OFFICER FOR THE BOARD OF EDUCATION," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3410) recommending that S.C.R. No. 166, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 166, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3411) recommending that S.C.R. No. 18, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 18, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING MILITARY AND FEDERAL AGENCIES TO HONOR THE DEFINITION OF STATE RESIDENT FOR CONTRACTS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3412) recommending that S.R. No. 52 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 52, entitled: "SENATE RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM 'AN UNTOLD TRIUMPH' AND FOR THE STATE FOUNDATION ON

CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3413) recommending that S.C.R. No. 57 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND ASSESS THE DEPARTMENT OF EDUCATION'S DEVELOPMENT OF EDUCATIONAL STANDARDS FOR PUBLIC SCHOOLS STATEWIDE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3414) recommending that S.C.R. No. 59 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OMBUDSMAN TO INVESTIGATE AND OBTAIN INFORMATION REGARDING GEOGRAPHIC EXCEPTIONS GRANTED BY THE DEPARTMENT OF EDUCATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3415) recommending that S.R. No. 68 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 68, entitled: "SENATE RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3416) recommending that S.C.R. No. 74, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL EXECUTIVE DEPARTMENTS AND AGENCIES TO SUBMIT REPORTS TO THE LEGISLATURE ON-LINE AND REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY OTHER MEANS OF REDUCING PAPER USAGE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3417) recommending that S.C.R. No. 77 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3418) recommending that S.C.R. No. 95 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO SHARE IN THE COST OF CONDUCTING A COMPREHENSIVE

INVENTORY OF CEDED LANDS IN THE STATE OF HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3419) recommending that S.C.R. No. 103 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM 'AN UNTOLD TRIUMPH' AND FOR THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3420) recommending that S.C.R. No. 113 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE EXISTING REPRESENTATION FRAMEWORK OF THE OFFICE OF HAWAIIAN AFFAIRS AND THE EFFECTS OF THE RICE V. CAYETANO DECISION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3421) recommending that S.C.R. No. 141 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 141, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3422) recommending that S.C.R. No. 142, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 142, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION CONSIDER ESTABLISHING A WORK EXPERIENCE, COMMUNITY SERVICE, OR SERVICE LEARNING COMPONENT AS A REQUIREMENT FOR GRADUATION FROM HIGH SCHOOL," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3423) recommending that S.C.R. No. 176, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 176, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DEVELOP A PROPOSAL FOR A CHIEF INFORMATION OFFICER FOR THE STATE OF HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3424) recommending that S.C.R. No. 185 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 185, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT AN ANALYSIS OF CURRENT AND

COMPARATIVE PATTERNS OF PUBLIC SCHOOL FINANCING FOR K-12 EDUCATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3425) recommending that S.C.R. No. 47 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND IDENTIFY FISCALLY-RELATED POWERS CONFERRED UPON OR ASSUMED BY THE EXECUTIVE BRANCH SINCE 1987 THAT MAY BE RECLAIMED BY THE LEGISLATURE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3426) recommending that S.C.R. No. 56 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR THE ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO DEVELOP A POLICY ON LEGISLATIVE BILL LIMITS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3427) recommending that S.C.R. No. 16 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 16, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS AND THE COSTS THEREOF," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3428) recommending that S.C.R. No. 29, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO INCORPORATE INTO THE COUNTY BUILDING CODES PROVISIONS FOR DISABILITY ACCESSIBILITY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3429) recommending that S.C.R. No. 38, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONTINUED DISCUSSION FOR A COMPREHENSIVE REVIEW OF CURRENT CHILD PROTECTION LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3430) recommending that S.R. No. 16, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING CONTINUED DISCUSSION FOR A COMPREHENSIVE REVIEW OF CURRENT CHILD PROTECTION LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3431) recommending that S.C.R. No. 73, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3432) recommending that S.R. No. 28, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 28, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3433) recommending that S.C.R. No. 85, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 85, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO TRAIN AND CONSULT WITH OPERATORS AND STAFF OF ADULT RESIDENTIAL CARE HOMES, AT THE TIME OF LICENSING AND PERIODICALLY THEREAFTER, REGARDING THEIR DUTIES AND RESPONSIBILITIES FOR THEIR RESIDENTS, AND REQUESTING THE DEPARTMENT OF HEALTH TO AMEND THE RULES ON ADULT RESIDENTIAL CARE HOMES TO ADDRESS CONCERNS BY THE OPERATORS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3434) recommending that S.R. No. 38, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 38, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO TRAIN AND CONSULT WITH OPERATORS AND STAFF OF ADULT RESIDENTIAL CARE HOMES, AT THE TIME OF LICENSING AND PERIODICALLY THEREAFTER, REGARDING THEIR DUTIES AND RESPONSIBILITIES FOR THEIR RESIDENTS, AND REQUESTING THE DEPARTMENT OF HEALTH TO AMEND THE RULES ON ADULT RESIDENTIAL CARE HOMES TO ADDRESS CONCERNS BY THE OPERATORS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3435) recommending that S.C.R. No. 88, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 88, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPROVE STATEWIDE DIABETES AWARENESS AND EDUCATION AND TO CONVENE A TASK FORCE TO ADDRESS EARLY DETECTION AND SCREENING," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3436) recommending that S.C.R. No. 89, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 89, S.D. 2, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORK GROUP TO STUDY CONDITIONS AT PUNALU'U BEACH AND THE NEAR-BY KAMEHAME BEACH AND RECOMMEND APPROPRIATE ACTIONS TO PRESERVE AND PROTECT THE AREA'S ENDANGERED SPECIES AND THE ECOSYSTEM," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3437) recommending that S.C.R. No. 105, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE ON ALTERNATIVE MEDICINE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3438) recommending that S.C.R. No. 129, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 129, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3439) recommending that S.C.R. No. 133, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 133, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY THE IMPLICATIONS OF INCREASED ACCESS TO STERILE SYRINGES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3440) recommending that S.C.R. No. 135, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 135, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3441) recommending that S.C.R. No. 143 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 143, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO IDENTIFY POTENTIAL SOURCES OF PERMANENT DEDICATED FUNDING AND FUNDING NEEDS OF THE NATURAL AREA RESERVES SYSTEM," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3442) recommending that S.C.R. No. 196, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 196, S.D. 1, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, TO REPORT ON THE TRANSITION OF THE HAWAII STATE HOSPITAL TO A SECURED PSYCHOSOCIAL REHABILITATION FACILITY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3443) recommending that S.C.R. No. 204 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 204, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3444) recommending that S.C.R. No. 58, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A SCHOOL CHOICE PROGRAM FOR HAWAII PUBLIC SCHOOLS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3445) recommending that S.C.R. No. 102, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 102, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3446) recommending that S.C.R. No. 207, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 207, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ATTORNEY GENERAL AND PLAINTIFFS TO AMICABLY AND INFORMALLY RESOLVE, THROUGH MEDIATION, NEGOTIATION, AND SETTLEMENT, *KALIMA V. STATE OF HAWAII*, CIVIL NO. 99-4771-12 VSM, PENDING BEFORE THE FIRST CIRCUIT COURT," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3447) recommending that S.C.R. No. 125 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 125, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3448) recommending that S.R. No. 61 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 61, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3449) recommending that S.C.R. No. 206, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 206, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT ASSESSING THE IMPACT OF THE INCREASED WORKLOADS OF SCHOOL PRINCIPALS AND OTHER ADMINISTRATORS ON THEIR ABILITY TO BE EFFECTIVE INSTRUCTIONAL LEADERS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3450) recommending that S.C.R. No. 30, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 30, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE POTENTIAL NURSING SHORTAGE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3451) recommending that S.C.R. No. 134, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 134, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3452) recommending that S.C.R. No. 208, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 208, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3453) recommending that S.R. No. 98, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 98, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3454) recommending that S.C.R. No. 210, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 210, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF



HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATURE'S CONSULTANT ON THE PROVISION OF MENTAL HEALTH SERVICES AT THE HAWAII STATE HOSPITAL," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3455) recommending that S.C.R. No. 6, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A DOMESTIC VIOLENCE COURT OR DIVISION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3456) recommending that S.C.R. No. 26, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 26, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING DRUG COURTS ON THE ISLANDS OF HAWAII AND KAUAI," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3457) recommending that S.C.R. No. 32 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 32, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR DIABETES SELF-MANAGEMENT EDUCATION AND TRAINING," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3458) recommending that S.C.R. No. 60, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, AND WAIMEA CANYON STATE PARK ON THE ISLAND OF KAUAI," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3459) recommending that S.R. No. 24, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 24, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, AND WAIMEA CANYON STATE PARK ON THE ISLAND OF KAUAI," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3460) recommending that S.C.R. No. 68 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3461) recommending that S.C.R. No. 82, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 82, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESUME FRY/SEED PRODUCTION AT THE ANUENUE FISHERIES RESEARCH CENTER," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3462) recommending that S.R. No. 34, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 34, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESUME FRY/SEED PRODUCTION AT THE ANUENUE FISHERIES RESEARCH CENTER," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3463) recommending that S.R. No. 26 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 26, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3464) recommending that S.C.R. No. 97 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 97, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3465) recommending that S.C.R. No. 101, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 101, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3466) recommending that S.C.R. No. 114 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONTINUE THE DOMESTIC VIOLENCE WORKING GROUP ESTABLISHED IN 1999 BY THE HAWAII STATE LEGISLATURE AND EXPAND THE MEMBERSHIP OF THE GROUP," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3467) recommending that S.C.R. No. 115, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 115, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S CAMPAIGN FINANCE LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3468) recommending that S.C.R. No. 116, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 116, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO PROMOTE EXCELLENCE IN THE JUDICIARY THROUGH RECOGNITION OF EXCELLENCE, REVIEW OF JUDICIAL PERFORMANCE, AND PUBLIC EDUCATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3469) recommending that S.C.R. No. 117, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 117, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SOCIAL WORK LICENSING LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3470) recommending that S.R. No. 58, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 58, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF SOCIAL WORK LICENSING LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3471) recommending that S.C.R. No. 122, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 122, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3472) recommending that S.C.R. No. 130 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 130, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE EXISTING CONSTRUCTION LAWS AND PRACTICES RELATING TO NEW RESIDENTIAL OWNERS WHO REQUIRE REMEDIAL WORK," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3473) recommending that S.R. No. 63 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 63, entitled: "SENATE RESOLUTION REQUESTING THE

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE EXISTING CONSTRUCTION LAWS AND PRACTICES RELATING TO NEW RESIDENTIAL OWNERS WHO REQUIRE REMEDIAL WORK," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3474) recommending that S.C.R. No. 131 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3475) recommending that S.R. No. 64 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 64, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3476) recommending that S.C.R. No. 149, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 149, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A GENERIC DOCKET ON THE ISSUES OF OVERHEAD AND UNDERGROUND PLACEMENT OF UTILITY LINES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3477) recommending that S.R. No. 73, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A GENERIC DOCKET ON THE ISSUES OF OVERHEAD AND UNDERGROUND PLACEMENT OF UTILITY LINES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3478) recommending that S.C.R. No. 155 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 155, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3479) recommending that S.C.R. No. 169 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 169, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CONDUCT A STUDY ON METHODS TO FINANCE THE

UNDERGROUNDING OF OVERHEAD UTILITY LINES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3480) recommending that S.C.R. No. 170, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 170, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO COLLABORATE WITH ELECTRICAL SERVICE PROVIDERS AND ASSESS NET ENERGY METERING," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3481) recommending that S.C.R. No. 171, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 171, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY ON THE FEASIBILITY OF IMPLEMENTING A ONE-CALL SYSTEM TO LOCATE UNDERGROUND FACILITIES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3482) recommending that S.C.R. No. 173, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 173, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAIIAN ELECTRIC COMPANY TO MAINTAIN ITS DEMAND SIDE MANAGEMENT PROGRAMS BENEFITTING ELECTRICITY CUSTOMERS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3483) recommending that S.R. No. 84, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAIIAN ELECTRIC COMPANY TO MAINTAIN ITS DEMAND SIDE MANAGEMENT PROGRAMS BENEFITTING ELECTRICITY CUSTOMERS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3484) recommending that S.C.R. No. 179, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 179, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUIRING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3485) recommending that S.C.R. No. 181, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 181, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CREATE AND IMPLEMENT A STANDARDIZED INTERCONNECTION AGREEMENT FOR SMALLER INDEPENDENT PRODUCERS OF ENERGY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3486) recommending that S.C.R. No. 183 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF THE USE OF HYDROGEN AS A FUEL FOR TRANSPORTATION AND POWER GENERATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3487) recommending that S.C.R. No. 199, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 199, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS ON HOW TO IMPROVE THE LAWS CONCERNING THE SEXUAL EXPLOITATION OF WOMEN AND CHILDREN," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3488) recommending that S.C.R. No. 151, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 151, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE ITS 1992 SUMMARY OF SPECIAL AND REVOLVING FUNDS AND TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE UNIVERSITY OF HAWAII," was adopted.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3489) recommending that H.C.R. No. 126, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 126, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF THE GOLF COURSE INDUSTRY IN HAWAII AND DESIGNATING THE EWA PLAINS/KAPOLEI REGION THE GOLF CAPITAL OF OAHU," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3490) recommending that H.C.R. No. 27, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 27, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION INVITING THE PRESIDENT AND CONGRESS TO GATHER WITH NATIVE HAWAIIANS IN OBSERVANCE OF THE CENTENNIAL OF THE ORGANIC ACT," was adopted.

## ORDER OF THE DAY

### THIRD READING

Stand. Com. Rep. No. 3390 (H.B. No. 2443, H.D. 2):

On motion by Senator Levin, seconded by Senator Buen and carried, Stand. Com. Rep. No. 3390 was adopted and H.B. No.

2443, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fukunaga).

Stand. Com. Rep. 3391 (H.B. No. 2555, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 3391 and H.B. No. 2555, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES," was deferred until Tuesday, May 2, 2000.

Stand. Com. Rep. 3392 (H.B. No. 2568, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 3392 and H.B. No. 2568, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," was deferred until Tuesday, May 2, 2000.

Stand. Com. Rep. 3393 (H.B. No. 2569, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 3393 and H.B. No. 2569, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," was deferred until Tuesday, May 2, 2000.

Stand. Com. Rep. No. 3394 (H.B. No. 2997):

On motion by Senator Levin, seconded by Senator Buen and carried, Stand. Com. Rep. No. 3394 was adopted and H.B. No. 2997, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fukunaga).

H.B. No. 1883, H.D. 2, S.D. 3:

Senator Fukunaga moved that H.B. No. 1883, H.D. 2, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Buen rose for a conflict ruling and stated:

"Mr. President, I rise to speak against this measure. I ask for a ruling on a potential conflict. I work for Maui Electric Company."

The Chair ruled that Senator Buen was not in conflict.

Senator Buen then rose in opposition and said:

"Mr. President and fellow colleagues, I have heard some say that I am voting for Hawaiian Electric Company. I want to make it clear that I am not! This bill will have a devastating financial impact on our consumers of electricity, while the special interest groups will be making millions.

"As long as renewable energy costs more than conventional energy today, the cost to the consumers will increase and this burden will be borne by our senior citizens, low income families, single parent families, and small businesses, all of whom are the ones that can least afford it.

"I am not against renewable energy. However, as long as renewable energy costs more than conventional energy, the cost of electricity will increase for the consumers. This is why I am opposing this measure. If renewables cost less and is just as reliable, then I am in support of renewables.

"In other words, let the free market and not the legislature, dictate which technology will be the most reliable and

economically feasible, while taking into consideration the environmental concerns.

"What is the equity in raising the threshold for a qualifying utility from 400 million kilowatt-hours to 500 million kilowatt-hours? This would only exempt Kauai from the mandates and extend that exemption to them until there is a 25 percent growth in their economy! The claim has been made that the change is needed should Lihue Plantation go out of business and Kauai would need time to come into compliance. Well, the same thing applies to Maui. What if HC&S would go out of business? Why are the Kauai consumers being granted an exemption and not the Maui consumers?

"This is also true for the consumers on Oahu, who would not be in compliance with the mandates and with little hope of developing large scale renewable energy projects necessary to meet the proposed mandates.

"Where are the consumer protection aspects of this bill? Other than so-called 'competition,' where is the regulatory review over the prices that must be paid by the consumers for this power?

"The claim has been made that Hawaii has renewables 'in abundance.' That may be so for some islands, but what is the situation on Oahu? Where is the hydropower? Where is the geothermal? Where will we put all of the windmills needed to meet the demands of H.B. No. 1883?

"Who has done a realistic assessment of the cost of this bill? Or a realistic appraisal on renewable technologies and their ability to meet the demands of this bill?

"If you want your constituents to subsidize these special interest groups, then I say vote for this bill.

"If you want to see 750 windmills as high as Aloha Tower on Waahila Ridge or other ridges, if it is determined that the wind is strongest there, then I say vote for this bill.

"Thank you, Mr. President."

Senator Slom also rose in opposition and said:

"Mr. President, I rise to speak in opposition to the bill. I have no conflicts that I'm aware of other than I pay electric rates -- high electric rates -- every month.

"I think this is a feel good bill. Everybody wants to talk about renewable energy, alternative energy. We've talked about it for years. We've delved into it for years. And what we've found out is that from a cost and economic perspective, it is not an efficient thing to do in the manner in which this bill sets it out to do. That does not mean that we're opposed to alternative energy or renewable energy. None of us are, including the utility companies.

"I've never been known as a great supporter of the utility companies in any of their specialized legislation, but in this case, the testimony that I've listened to, all of the people that I've talked to over and over again, they make very good points when it comes down to one thing -- if it's such a good thing, then why make it mandatory? Why have to force people?

"We talk about alternative energy and we see that each of the energy companies, and particularly Kauai, have done an excellent job in providing alternative energy. But we look at the Big Island, for example, we look at geothermal and what we find right now is that currently HELCO generates extra energy from geothermal but it's not enough to subsidize the mandates for HECO and MECO. And still we have environmental activists that are opposed to geothermal energy.

"We talk about other alternatives -- nuclear energy; we have environmental and other activists that are opposed to nuclear.

We talk about coal; we have activists that are opposed to coal. We talk about biomass. We look around, and while biomass certainly in the future is going to provide additional alternative options for us, right now it's not there. It's not there in the quantities or the percentages that would be required by this bill.

"In addition to that, this bill states that if the utility company is unable to meet the percentage, then the utility is subject to penalties. Guess what? Who gets to pay those penalties? We, the customers; we, the consumers do. We will pay the penalties. We will pay the cost for extra development.

"In addition to that, this mandate ignores the problems of site, site selection, site availability, permitting, environmental sensitivities, and costs. A facility that's needed to produce renewable energy requires open space. Even if the utilities were to purchase the land -- if it were available -- the current permitting process will delay construction of the facility and will be added to the cost. And again, it's those of us that are consumers who are going to be paying for it.

"So, none of us wants to be dependent on fossil fuel. None of us wants to be dependent on OPEC or the Middle East or anywhere else. But we cannot turn a blind eye to the economics and the realities and who actually is going to pay.

"So, if this is such a good idea, two things: it should not be mandated -- it should not be compulsory enforced with penalties and allowing additional litigiousness by people filing law suits; and secondarily, while we can applaud the island of Kauai, if it's good enough for Kauai to be exempted, then it should be good enough for the other islands as well.

"So I oppose this bill and urge my colleagues to think about it seriously. Thank you, Mr. President."

Senator Tam rose to speak against the measure and said:

"Mr. President and fellow colleagues, I rise in opposition to this measure.

"Over twenty years ago, the federal government encouraged the use of alternative energy by awarding large tax credits for the creation of windmill farms. Large investments were made to construct windmill farms in Northern California outside of San Francisco, which eventually resulted in the scarring of hundreds of acres of land with windmill towers. The contribution of windmills to the development of alternative energy was nil.

"A few days ago, ABC World News reported that alternative energy would not have an impact in the future, as the cost to produce electricity would be cheaper than alternative energy for the consumer to purchase.

"Consumer advocate testimony suggested that this bill be held until a formula is developed to purchase excess alternative energy by the electric company. The concern is that until cost is determined, we will be unable to evaluate the merits of this bill, especially as it relates to the increase in cost to the consumer. At present, the primary beneficiaries of the development of alternative energy would be the neighboring islands. The cost to Oahu residents, including my Senatorial District 13, would be considerable without any benefit to them.

"It is with these questions in mind that I urge my colleagues to join me in opposing this bill.

"Thank you."

Senator Sakamoto rose in opposition to the measure as follows:

"Mr. President, I rise in opposition. I'm certainly not in opposition to renewable energy; that certainly is a good thing.

"However, let me suggest two things. I think if we want renewable energy, first, let's reduce the regulations on the production of renewable energies; second, let's let the utilities have an increased rate of return for renewables, therefore giving them an incentive to produce renewables. Not at so much of an expense for cost, but maybe for a few percent increased rate of return, they will pursue renewables more vigorously.

"Thank you, Mr. President."

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

Senator Chun rose in support of the measure and said:

"Mr. President, I rise in support of the bill.

"Mr. President, in a lot of the discussion the honorable Senators have been focusing on the fact that Kauai is exempt from the bill. I want to make it very clear -- Kauai is not exempting itself from the bill, it is allowing itself time to comply with the requirements of the bill.

"Right now, the bill, as it originally came from CPN, had a requirement of 400 million kilowatts before the restrictions of the bill would kick in. Right now, today, Kauai at best, I think, is generating somewhere around 390 kilowatts of power. So as it stands right now, Kauai would not be included in the bill.

"What the concern was, is that in the event AmFac went out of business, Kauai would need some additional time to get its resources and its permits, as the Senators have stated, in line in order to get back up to speed to comply with the renewable energy requirement. That additional time was foreseen as anywhere between one to two more years. And that's how the 500 kilowatt threshold was reached. We thought that was a time in which Kauai would be able to comply with the renewable standards.

"Now, it has been mentioned that why is Kauai getting a different consideration? I am not opposed to having islands, if they are in the same situation, given more additional time. However, the thing that I believe makes a difference in Kauai's situation is that during this time, the county is not only talking about what to do, they are actually in the process of doing something about it.

"Kauai, of all the other counties, is the only community right now that is actively in the process of owning its own electric utility and controlling its destiny. No other utility in this state is in the process of doing that. Second of all, Kauai is the only county right now that I can think of that is actively pursuing, on the county and the state level, permits to increase the amount of renewable energy within its grid. They are actively pursuing those types of alternative energy technologies now. I believe because they are actively pursuing those technologies now, rather than just talking about it, the honorable chairmen from this committee have recognized that good faith effort and have decided that they should allow them time because they are in the process right now, rather than just planning on it.

"Mr. President, I believe this bill is a good bill. Kauai is not exempted. When the 500 million kilowatts of energy threshold is there, they will have to comply like all other utilities with one big difference, the utility payers themselves will be owning the utility and directing its growth and its direction. Our plans are in place and we're in the permit processing right now.

"Thank you, Mr. President."

Senator Slom rose again and said:

"Mr. President, just a couple of additional remarks.

"First of all, the question of exemption versus time to comply, I certainly understand the good Senator from Kauai's remarks and I would suggest again, though, however, if it's good enough for the beautiful Garden Island, then the other islands also should have time to comply. In fact, because of the population, because of the problems that they have in terms of distribution, in size, and everything else, they probably should have more time to comply.

"But I think the real problem here is that we are doing this ass backwards. We have been trying to provide incentives for growth, for investment, and so forth, and this bill seeks to penalize and punish. So we've turned it completely around and it's in stark contrast to what we're doing with high tech and with other industries. We're saying, 'We want you to do these things; we want you to change; we want the new economy. So in order to do that, we're going to provide incentives for you; we're going to provide easier permit processing and everything else.' We're not doing that in this question of energy. It is all penalty and punishment.

"In addition to that, it sends yet another harsh measure to those investors on the mainland and elsewhere who would want to invest here. Why would you want to invest here if the state legislature is going to determine what the investment is going to be and what the company has to do?

"I've heard in the testimony, my good friends from the environmentalist community, they rail against profits; they rail against ownership and stockholders. So I've suggested to them, since they know all the answers and they know what's wrong with the present situation, that they should, themselves, go into the energy production business and then they can give as many rebates as they want; they can charge as little as they want; they don't have to worry about permitting; they don't have to worry about anything else. But in the real world, we do have to worry about these things.

"And so, if we're going to be serious about this and we want to send a message, then the message should be: let's have time to comply; let's make sure that we're on that process, but let's treat everybody the same -- and we're not doing that with this bill.

"Thank you, Mr. President."

Senator Anderson then rose in opposition and stated:

"Mr. President, I, too, will be voting against the bill.

"In Ways and Means, I reminded everybody that anytime we wanted to exempt a neighboring island (because they felt that they were being cheated or they would not participate), we would use specific language to exempt neighbor islands. For example, language to exempt a population base of 750,000; 800,000; whatever it was . . . 80 percent of the population tax base.

"We want to encourage the use of renewable energy. For a particular island, we may use the particular population base if we believe it can produce renewable energy from biomass or ethanol. On the Big Island, with geothermal or natural gas, whatever you have, use the population base. If Maui wanted to get into it, they could do that. But I didn't think it was fair that on Oahu, where the windmills failed, all of the sugar plantations have left. We asked the sugar plantations if they would stay in business, at least with the plantation, so that the state would have by-products sold in Hawaii at the Waipahu plantation. AmFac said 'no way.' They wanted to close the plantation. So we couldn't use it as a tourist attraction. We couldn't sell anything on the by-products that were made in Hawaii.

"Now, what we're asking everybody is, you get a tax credit and if it costs us more, then we will go ahead, buy your credit and charge the Oahu residents. I don't think that's fair, Mr.

President. If they want to have the chance to use renewable energy and their island is able to do it, I think that's fair. Don't exclude yourself, exclude us. There's no way we're able to meet these mandates today. We don't have the same options that you do.

"Thank you very much, Mr. President."

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

Senator Taniguchi rose to speak in support and said:

"Mr. President, I rise to speak in favor of the bill.

"I appreciate the comments made by my colleagues this morning on this bill. This bill is going to Conference. You have my commitment, if I am able to get onto the Conference Committee, that we will address those issues in Conference and try to deal with the harsher aspects of this bill.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 1883, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 8 (Anderson, Buen, M. Ige, Iwase, Kawamoto, Sakamoto, Slom, Tam). Excused, 1 (Bunda).

H.B. No. 2649, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 2649, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

H.B. No. 2024, H.D. 1, S.D. 2:

Senator Fukunaga moved that H.B. No. 2024, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in favor of the measure with reservations as follows:

"Mr. President, I rise to speak in favor of the bill, with reservations.

"We have been talking about a legislative analyst position for quite some time, and the bill has been amended to clarify that the legislative analyst will be placed within the legislative auditor and will be selected by the legislature.

"My concerns are several. One, with that position. First of all, we said that before about the small business defender and now we're going to allow the governor to make that appointment. We've done it in other areas as well, where we have made strong statements about the responsibility and accountability of the legislature and then we've deferred and allowed the governor to do it. I'm just a little concerned that either we'll do that again here or that it may be very difficult again for years for both the House and Senate to agree on an analyst.

"In addition to that, I've got concerns about the blank appropriations for the Council of State Governments' dues and the blank appropriations for the Office of Information Practices

-- not only is that amount blank, but it doesn't even say what the ombudsman is going to spend the money for. There's also the blank amount for the auditor. I don't like blank amounts. I like the idea of moving the legislative analyst along. I think we need it, but I have those reservations.

"Thank you."

Senator M. Ige rose and stated:

"Mr. President, could you please note my reservations as well. Thank you."

The Chair so ordered.

Senators Anderson and Buen then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2024, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Bunda).

At this time, Senator Inouye extended happy birthday wishes to Senator Slom on behalf of the Senate.

#### ADJOURNMENT

At 12:16 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 14, 2000.

## FIFTY-FIRST DAY

Friday, April 14, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Brother Elmer Dunskey, S.M., Professor Emeritus, Chaminade University, after which the Roll was called showing all Senators present with the exception of Senators Bunda, Chun, Ihara and Tanaka who were excused.

The President announced that he had read and approved the Journal of the Fiftieth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Matsunaga introduced McGruff, the Crime Dog, and congratulated Hawaiian Electric Company for receiving the National McGruff Truck Recognition Award for the year 2000. Representing Hawaiian Electric Company was Chris Shirai, vice president for energy delivery.

Senator Chumbley then recognized the members of the McGruff Truck Coalition and introduced the following individuals: Bill Harkins, representing Garden Isle Telecommunications; Steve Golden, representing The Gas Company and Citizens Energy Services; Joel Matsunaga, representing GTE Hawaiian Tel; Sue Kunz, representing Hawaii Electric Light Company; Kit Beuret, representing Oceanic Cable; and Rick Keller, representing the Attorney General's Office.

Senator Sakamoto, with the assistance of Senators D. Ige, Iwase, Buen, Anderson, Matsuura, Inouye and Fukunaga, congratulated the Kamehameha Warriors Girls Varsity Volleyball Team on winning their third consecutive State Championship and introduced the following individuals: Dan Kitashima, head coach; Chris Blake, assistant coach; Erv Kau, athletic director; and team members: Uila Crabbe, team captain; Beth Nakamura; Camille Piikea Dudoit; Uluwehi Nakila; Anela laea; Cassey Hussey; Kanoelehua Marciel; Janelle Jeremiah; Kaala Hansen; Casey Castillo; Nohealani Tano; Shanelle Kuulei Kamanao; and Kealani Kimball.

Senator Tam introduced Kelvin Chun, a teacher at Nuuanu Elementary School, and congratulated him on being named the 1999 Outstanding Honolulu District Teacher of the Year and on receiving the 1999 Walt Disney American Teacher Award. Accompanying Mr. Chun was Eleanor Fukioka, principal of Nuuanu Elementary School.

Senator Tam then introduced Faye Miyamasu, a first grade teacher at Pauoa Elementary School, and congratulated her for receiving the Educators For Excellence Award for 1999 by the State Department of Education and GEICO Direct. Accompanying Mrs. Miyamasu was Ronald Spinney, former principal of Pauoa Elementary School, and his wife Karen.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 294 to 311) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 294, submitting for consideration and confirmation to the Board of Acupuncture, the nominations of

JAMES K. IKEDA and TING PONG MA, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 295, submitting for consideration and confirmation to the State Boxing Commission of Hawaii, the nominations of RANDOLPH B. AHLO, GEORGE M. AMIMOTO and HERBERT S.L. CHOCK, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 296, submitting for consideration and confirmation to the Civil Defense Advisory Council, the nominations of: LINDA C. TSEU, term to expire June 30, 2001; and ALEJANDRO LOMOSAD, term to expire June 30, 2004, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 297, submitting for consideration and confirmation to the Contractors License Board, the nominations of: RAYMOND S. MORI, term to expire June 30, 2003; and ANCLETO "LITO" ALCANTRA, BRUCE KUGIYA and EARLE S. MATSUDA, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 298, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of GERALD ADACHI, D.M.D., term to expire June 30, 2001, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 299, submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of ELROY K. MALO, term to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 300, submitting for consideration and confirmation to the Hawaii Labor Relations Board, the nominations of BRIAN K. NAKAMURA and KATHLEEN RACUYA-MARKRICH, terms to expire June 30, 2006, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 301, submitting for consideration and confirmation to the Board of Directors, Hawaii Tourism Authority, the nominations of: MILLICENT M.Y.H. KIM and PETER H. SCHALL, terms to expire June 30, 2002; and KEITH VIEIRA and RON WRIGHT, terms to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 302, submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of STANLEY G. YATES, term to expire June 30, 2003, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 303, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nomination of RANDALL QUINONES, term to expire June 30, 2003, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 304, submitting for consideration and confirmation to the State Council on Mental Health, the nominations of: PAULINE D. ARELLANO, VICKY M. FOLLOWELL and ALBERT HAUOLA PEREZ, terms to expire June 30, 2001; and GORDON M. BRONSON, LONIA BURROUGHS, SALLY J. CROVO, DEBRA T. FARMER, WILLIAM C. LENNOX, JR., HOWARD A. LESSER, JAMES M. MIHALKE, SHARON ROSE NOBRIGA and SHARON P.



YOKOTE, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 305, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nominations of GARY Y. GIBO and RANDAL MORIFUJI, terms to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 306, submitting for consideration and confirmation to the Board of Psychology, the nomination of ELLEN R. CARINGER, PH.D., term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 307, submitting for consideration and confirmation to the Stadium Authority, the nomination of T. GEORGE PARIS, term to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 308, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of ERIC M.F.C. AKO, D.V.M., term to expire June 30, 2004, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 309, submitting for consideration and confirmation to the Hawaii Workforce Development Council, the nominations of: MAMO P. CUMMINGS, term to expire June 30, 2001; NORM BAKER, EUGENE BAL III, CLAYTON W. DELA CRUZ, MORRIS A. GRAHAM, PH.D., ROCHELLE LEE GREGSON, RUTHANN QUITQUIT, MYLES SHIBATA and RICHARD W. SMITH, terms to expire June 30, 2003; and JAMES G. WESTLAKE, term to expire June 30, 2004, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 310, submitting for consideration and consent, the nomination of KARL K. SAKAMOTO to the office of Judge, 1st Division, Circuit Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 311, submitting for consideration and consent, the nomination of SIMEON R. ACOBA, JR., to the office of Associate Justice, State Supreme Court, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Judiciary.

### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 617 to 672) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 617, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 101, H.D. 1 (S.D. 1);  
H.B. No. 284, H.D. 1 (S.D. 1);  
H.B. No. 286, H.D. 2 (S.D. 1);  
H.B. No. 540, H.D. 2 (S.D. 1);  
H.B. No. 564, H.D. 2 (S.D. 2);  
H.B. No. 750, H.D. 1 (S.D. 1);  
H.B. No. 755, H.D. 2 (S.D. 2);  
H.B. No. 1457 (S.D. 1);  
H.B. No. 1491, H.D. 1 (S.D. 1);  
H.B. No. 1632, H.D. 3 (S.D. 1);  
H.B. No. 1759, H.D. 2 (S.D. 2);  
H.B. No. 1763, H.D. 2 (S.D. 2);  
H.B. No. 1764 (S.D. 1);  
H.B. No. 1773, H.D. 1 (S.D. 1);  
H.B. No. 1846, H.D. 1 (S.D. 1);

H.B. No. 1874, H.D. 1 (S.D. 2);  
H.B. No. 1881, H.D. 2 (S.D. 2);  
H.B. No. 1889, H.D. 2 (S.D. 2);  
H.B. No. 1900, H.D. 1 (S.D. 1);  
H.B. No. 1905, H.D. 2 (S.D. 1);  
H.B. No. 1909, H.D. 1 (S.D. 2);  
H.B. No. 1912, H.D. 1 (S.D. 1);  
H.B. No. 1925 (S.D. 1);  
H.B. No. 1933, H.D. 1 (S.D. 2);  
H.B. No. 1938, H.D. 1 (S.D. 1);  
H.B. No. 1939, H.D. 1 (S.D. 1);  
H.B. No. 1940, H.D. 2 (S.D. 2);  
H.B. No. 1944, H.D. 2 (S.D. 2);  
H.B. No. 1946, H.D. 2 (S.D. 1);  
H.B. No. 1947, H.D. 2 (S.D. 2);  
H.B. No. 1956, H.D. 1 (S.D. 2);  
H.B. No. 1969, H.D. 2 (S.D. 1);  
H.B. No. 1983, H.D. 1 (S.D. 2);  
H.B. No. 1984, H.D. 1 (S.D. 2);  
H.B. No. 1994, H.D. 2 (S.D. 2);  
H.B. No. 2017, H.D. 1 (S.D. 1);  
H.B. No. 2023, H.D. 2 (S.D. 2);  
H.B. No. 2060, H.D. 2 (S.D. 1);  
H.B. No. 2087, H.D. 2 (S.D. 2);  
H.B. No. 2092 (S.D. 1);  
H.B. No. 2095 (S.D. 1);  
H.B. No. 2098, H.D. 2 (S.D. 1);  
H.B. No. 2129, H.D. 1 (S.D. 1);  
H.B. No. 2151, H.D. 1 (S.D. 1);  
H.B. No. 2154, H.D. 2 (S.D. 2);  
H.B. No. 2160, H.D. 2 (S.D. 2);  
H.B. No. 2171, H.D. 1 (S.D. 2);  
H.B. No. 2183, H.D. 1 (S.D. 1);  
H.B. No. 2188, H.D. 2 (S.D. 2);  
H.B. No. 2194, H.D. 2 (S.D. 1);  
H.B. No. 2213 (S.D. 1);  
H.B. No. 2218, H.D. 1 (S.D. 1);  
H.B. No. 2222, H.D. 1 (S.D. 1);  
H.B. No. 2273, H.D. 2 (S.D. 1);  
H.B. No. 2277, H.D. 1 (S.D. 1);  
H.B. No. 2280, H.D. 2 (S.D. 1);  
H.B. No. 2297 (S.D. 1);  
H.B. No. 2309, H.D. 1 (S.D. 1);  
H.B. No. 2311, H.D. 1 (S.D. 1);  
H.B. No. 2314, H.D. 1 (S.D. 2);  
H.B. No. 2354, H.D. 2 (S.D. 2);  
H.B. No. 2392, H.D. 2 (S.D. 1);  
H.B. No. 2405, H.D. 2 (S.D. 1);  
H.B. No. 2407, H.D. 1 (S.D. 2);  
H.B. No. 2409, H.D. 1 (S.D. 1);  
H.B. No. 2410, H.D. 1 (S.D. 2);  
H.B. No. 2418 (S.D. 1);  
H.B. No. 2423 (S.D. 1);  
H.B. No. 2425, H.D. 1 (S.D. 1);  
H.B. No. 2429, H.D. 2 (S.D. 2);  
H.B. No. 2434, H.D. 1 (S.D. 1);  
H.B. No. 2445 (S.D. 1);  
H.B. No. 2446 (S.D. 1);  
H.B. No. 2447 (S.D. 2);  
H.B. No. 2458 (S.D. 1);  
H.B. No. 2468, H.D. 1 (S.D. 1);  
H.B. No. 2469, H.D. 1 (S.D. 1);  
H.B. No. 2471, H.D. 1 (S.D. 1);  
H.B. No. 2472, H.D. 2 (S.D. 2);  
H.B. No. 2473, H.D. 1 (S.D. 1);  
H.B. No. 2476, H.D. 1 (S.D. 2);  
H.B. No. 2480, H.D. 1 (S.D. 1);  
H.B. No. 2481, H.D. 1 (S.D. 1);  
H.B. No. 2483, H.D. 1 (S.D. 1);  
H.B. No. 2484 (S.D. 1);  
H.B. No. 2491, H.D. 1 (S.D. 1);  
H.B. No. 2501, H.D. 2 (S.D. 1);  
H.B. No. 2506, H.D. 1 (S.D. 2);  
H.B. No. 2513, H.D. 1 (S.D. 1);  
H.B. No. 2514 (S.D. 2);  
H.B. No. 2521 (S.D. 1);

H.B. No. 2530, H.D. 1 (S.D. 1);  
 H.B. No. 2534, H.D. 2 (S.D. 1);  
 H.B. No. 2537 (S.D. 1);  
 H.B. No. 2539, H.D. 2 (S.D. 1);  
 H.B. No. 2542, H.D. 1 (S.D. 1);  
 H.B. No. 2556, H.D. 1 (S.D. 1);  
 H.B. No. 2559, H.D. 1 (S.D. 2);  
 H.B. No. 2572, H.D. 1 (S.D. 2);  
 H.B. No. 2573, H.D. 1 (S.D. 1);  
 H.B. No. 2574, H.D. 1 (S.D. 1);  
 H.B. No. 2576, H.D. 1 (S.D. 1);  
 H.B. No. 2582, H.D. 1 (S.D. 2);  
 H.B. No. 2585, H.D. 1 (S.D. 1);  
 H.B. No. 2586 (S.D. 1);  
 H.B. No. 2588, H.D. 1 (S.D. 1);  
 H.B. No. 2624, H.D. 1 (S.D. 1);  
 H.B. No. 2643, H.D. 1 (S.D. 2);  
 H.B. No. 2648, H.D. 2 (S.D. 2);  
 H.B. No. 2650, H.D. 1 (S.D. 2);  
 H.B. No. 2653, H.D. 2 (S.D. 1);  
 H.B. No. 2701, H.D. 3 (S.D. 1);  
 H.B. No. 2727, H.D. 1 (S.D. 2);  
 H.B. No. 2774 (S.D. 1);  
 H.B. No. 2793, H.D. 1 (S.D. 1);  
 H.B. No. 2797, H.D. 1 (S.D. 1);  
 H.B. No. 2801, H.D. 2 (S.D. 2);  
 H.B. No. 2802 (S.D. 1);  
 H.B. No. 2820, H.D. 1 (S.D. 1);  
 H.B. No. 2835, H.D. 2 (S.D. 2);  
 H.B. No. 2878, H.D. 2 (S.D. 2);  
 H.B. No. 2901, H.D. 2 (S.D. 2);  
 H.B. No. 2906, H.D. 1 (S.D. 1);  
 H.B. No. 2955, H.D. 1 (S.D. 1);  
 H.B. No. 2984, H.D. 2 (S.D. 2);  
 H.B. No. 3014, H.D. 1 (S.D. 1);  
 H.B. No. 3016, H.D. 1 (S.D. 1);  
 H.B. No. 3018 (S.D. 1); and  
 H.B. No. 3021, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 618, transmitting H.C.R. No. 5, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 5, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS," was referred jointly to the Committee on Health and Human Services and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 619, transmitting H.C.R. No. 7, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 620, transmitting H.C.R. No. 8, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 8, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING A DRUG COURT IN THE THIRD CIRCUIT," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 621, transmitting H.C.R. No. 13, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF SUBMERGED LANDS AT DUKE KAHANAMOKU BEACH AT WAIKIKI, HONOLULU, OAHU, FOR PIER PURPOSES," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 622, transmitting H.C.R. No. 17, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 17, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN STANDARDS IN ALL NEW AND RENOVATED BUILDINGS OF THE PUBLIC SCHOOL AND LIBRARY SYSTEMS," was referred jointly to the Committee on Government Operations and Housing and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 623, transmitting H.C.R. No. 18, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 18, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF LEGISLATION FOR THE REGULATION OF THE PROFESSION OF CERTIFIED PUBLIC ACCOUNTANCY THAT IS CONSISTENT WITH THE STANDARDS OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS AND THE UNIFORM ACCOUNTANCY ACT AS RECOMMENDED BY THE NATIONAL ASSOCIATION OF STATE BOARDS OF ACCOUNTANCY," was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 624, transmitting H.C.R. No. 20, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 20, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SUPPORT OF THE STATE AND COUNTY ADMINISTRATIONS TO IMPLEMENT EVENTS PLANNED BY THE 50TH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION AND HONORING THE 50TH ANNIVERSARY OF THE KOREAN WAR," was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education and Technology.

Hse. Com. No. 625, transmitting H.C.R. No. 24, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 24, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII FARMER'S MARKET," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 626, transmitting H.C.R. No. 31, H.D. 2, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 31, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE STATE OF HAWAII TO ACQUIRE TWO PARCELS

OF LAND ADJACENT TO LIMAHULI STREAM ON THE ISLAND OF KAUAI FOR THE PRESERVATION OF IMPORTANT CULTURAL RESOURCES AND THEIR INCORPORATION INTO HA'ENA STATE PARK," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 627, transmitting H.C.R. No. 34, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 34, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A UNIVERSAL MEDICAL FEE SCHEDULE FOR THE PREPAID HEALTH INSURANCE SYSTEM, THE MEDICAL PORTION OF THE NO-FAULT AUTOMOBILE INSURANCE SYSTEM, AND THE MEDICAL PORTION OF THE WORKERS' COMPENSATION INSURANCE SYSTEM IN HAWAII, AND DETERMINING UNIVERSAL PAYMENT POLICIES, RECOGNIZED PROVIDERS, AND POLICIES REGARDING PAYMENT FOR SUPPLIES," was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means

Hse. Com. No. 628, transmitting H.C.R. No. 38, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 38, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW AND EVALUATE THE LICENSING REQUIREMENTS FOR PSYCHOLOGISTS," was referred to the Committee on Commerce and Consumer Protection.

Hse. Com. No. 629, transmitting H.C.R. No. 42, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 42, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING EXPANSION OF A STATE WEB SITE ENTITLED 'FOR THE SAKE OF THE CHILDREN' FOR PUBLIC ACCESS INFORMATION PURPOSES," was referred jointly to the Committee on Judiciary and the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 630, transmitting H.C.R. No. 57, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 631, transmitting H.C.R. No. 60, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND EACH COUNTY TO ENTER INTO LONG-TERM LEASES AND DEVELOPMENT AGREEMENTS WITH HAWAIIAN CANOE CLUBS THAT DESIRE TO MAKE IMPROVEMENTS TO THEIR EXISTING TENANCIES," was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 632, transmitting H.C.R. No. 62, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 62, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPILE DATA ON THE NUMBER AND PERCENTAGE OF EMPLOYEES OF PRIVATE COMPANIES ON CONTRACT WITH THE STATE WHO MAY BE AFFECTED BY THE IMPLEMENTATION OF A LIVING WAGE LAW," was referred to the Committee on Labor and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 633, transmitting H.C.R. No. 65, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 65, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR REGULATING THE ALARM INDUSTRY," was referred jointly to the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 634, transmitting H.C.R. No. 66, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 635, transmitting H.C.R. No. 67, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 67, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO INITIATE A COLLABORATIVE EFFORT WITH PRIVATE DEVELOPERS AND THE MILITARY TO DEVELOP AND ANALYZE OPTIONS TO PROVIDE LOW-INCOME HOUSING TO THE CIVILIAN AND MILITARY POPULATIONS," was referred jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 636, transmitting H.C.R. No. 71, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION ADOPTING AND ACHIEVING A POLICY GOAL THAT BY THE YEAR 2004 NINETY PERCENT OF STUDENTS IN PUBLIC ELEMENTARY SCHOOLS READ AT OR ABOVE GRADE LEVEL BY THE END OF THE THIRD GRADE," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 637, transmitting H.C.R. No. 77, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 77, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO REQUIRE A SOCIAL IMPACT STATEMENT TO BE SUBMITTED FOR ANY PROPOSED YOUTH FACILITY INVOLVING MENTAL HEALTH OR PUBLIC SAFETY IN A COMMUNITY," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 638, transmitting H.C.R. No. 78, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF DEVELOPING SEVEN FALLS AND ADJOINING AREAS INTO A TOURIST ATTRACTION," was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 639, transmitting H.C.R. No. 81, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE SECOND TUESDAY OF SEPTEMBER AS LEGISLATORS BACK-TO-SCHOOL DAY IN HAWAII," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 640, transmitting H.C.R. No. 86, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 86, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO CONDUCT A COMPREHENSIVE REVIEW OF ALL PROGRAMS IN THE STATE FOR, AND THE BENEFITS RECEIVED BY, HAWAII'S ELDERS," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 641, transmitting H.C.R. No. 89, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE ITS 1992 SUMMARY OF SPECIAL AND REVOLVING FUNDS," was referred to the Committee on Ways and Means.

Hse. Com. No. 642, transmitting H.C.R. No. 93, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A TEN-YEAR PLAN FOR TEACHER EDUCATION ON THE NEIGHBOR ISLANDS," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 643, transmitting H.C.R. No. 96, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT

A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 644, transmitting H.C.R. No. 101, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 101, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASCERTAIN THE FEASIBILITY OF AMENDING THE HAWAIIAN HOMES COMMISSION ACT TO ALLOW FOR DIRECT ELECTION OF MEMBERS," was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 645, transmitting H.C.R. No. 103, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 103, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT THAT COMMERCIAL MARINE MAMMAL WATCHING TOURS MAY HAVE ON MARINE MAMMALS IN WATERS OFF THE WAJANAE COAST OF OAHU," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 646, transmitting H.C.R. No. 109, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 109, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING LANDLORDS, ASSOCIATIONS OF APARTMENT OWNERS, AND TENANTS WITH AND WITHOUT PETS, TO RESPECT EACH OTHERS' RIGHTS AND TO WORK TOGETHER TO PROVIDE FOR THE NEEDS OF ALL OWNERS AND TENANTS," was referred to the Committee on Government Operations and Housing.

Hse. Com. No. 647, transmitting H.C.R. No. 110, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY THE IMPLICATIONS OF INCREASED ACCESS TO STERILE SYRINGES," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 648, transmitting H.C.R. No. 111, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 111, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 649, transmitting H.C.R. No. 116, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 116, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY COUNCIL TO STUDY ISSUES RELATING TO ENCOURAGING AND ATTRACTING THE DEVELOPMENT OF PUBLIC AND PRIVATE HIGH TECHNOLOGY BIOSCIENCE RESEARCH IN THE STATE," was referred jointly to the Committee on

Education and Technology and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 650, transmitting H.C.R. No. 117, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW THE STATUTORY FRAMEWORK RELATING TO THE LEASING OF STATE LANDS," was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 651, transmitting H.C.R. No. 120, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 120, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO CREATE A MASTER PLAN FOR FLOOD MITIGATION FOR WAIMANALO," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 652, transmitting H.C.R. No. 123, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 123, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF AGRICULTURE TO TAKE MEASURES TO MITIGATE THE INFESTATION OF FLIES, UNPLEASANT ODORS, INUNDATION BY DUST, AND SEVERE DRAINAGE PROBLEMS AT MAILI ELEMENTARY SCHOOL," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 653, transmitting H.C.R. No. 140, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES HOUSE OF REPRESENTATIVES TO SPEEDILY PASS S. 1052 RELATING TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 654, transmitting H.C.R. No. 141, H.D. 2, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 141, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO TAKE APPROPRIATE ACTION TO ADDRESS THE SERIOUS ENVIRONMENTAL AND PUBLIC HEALTH PROBLEMS POSED BY THE TOXIC WASTES LEFT BEHIND AT FORMER UNITED STATES MILITARY INSTALLATIONS IN THE PHILIPPINES," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 655, transmitting H.C.R. No. 151, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A COMPREHENSIVE MASTER PLAN FOR KOKEE AND

WAIMEA CANYON STATE PARKS," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 656, transmitting H.C.R. No. 152, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING LEGISLATORS TO FOSTER COMMUNITY SUPPORT OF PUBLIC SCHOOLS," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 657, transmitting H.C.R. No. 157, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ANALYSIS OF CURRENT AND COMPARATIVE PATTERNS OF PUBLIC SCHOOL FINANCING," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 658, transmitting H.C.R. No. 158, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES INITIATE A COLLABORATIVE PARTNERSHIP TO IMPROVE SERVICES FOR ADULTS AND EXPAND OPPORTUNITIES FOR HIGH SCHOOL STUDENTS THAT WILL RESULT IN SUBSTANTIVE OUTCOMES FOR THE TWO ENTITIES," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 659, transmitting H.C.R. No. 163, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 163, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CPR TRAINING IN HIGH SCHOOLS," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 660, transmitting H.C.R. No. 164, H.D. 2, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 164, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ESTABLISH A TRANSITION PLAN TO TRANSFER THE FUNCTIONS AND RESPONSIBILITIES OF THE CONVENTION CENTER AUTHORITY TO THE HAWAII TOURISM AUTHORITY," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 661, transmitting H.C.R. No. 165, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 165, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," was referred to the

Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 662, transmitting H.C.R. No. 172, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 172, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HEALTH AND EDUCATION TO ASSESS THE PREVALENCE OF HEAD LICE AND THE CURRENT USE OF CHEMICAL TREATMENT FOR HEAD LICE IN HAWAII'S SCHOOLS," was referred jointly to the Committee on Health and Human Services and the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 663, transmitting H.C.R. No. 182, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 182, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO WAIANAE COAST TRAFFIC PROBLEMS," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 664, transmitting H.C.R. No. 184, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE BENEFITS AND FEASIBILITY OF COLLABORATIVE HEALTH CARE PURCHASING ARRANGEMENTS BETWEEN HAWAII QUEST AND THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was referred to the Committee on Commerce and Consumer Protection, then to the Committee on Ways and Means.

Hse. Com. No. 665, transmitting H.C.R. No. 186, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 186, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUIRING THE DEPARTMENT OF EDUCATION AND THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION TO ALLOW OUTRIGGER CANOE PADDLING TO BE A SANCTIONED SCHOOL SPORT STATEWIDE," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 666, transmitting H.C.R. No. 188, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 188, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A RESEARCH INSTITUTE AND A MASTER OF ARTS PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA CENTER FOR HAWAIIAN STUDIES," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

Hse. Com. No. 667, transmitting H.C.R. No. 190, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 190, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO EXPLORE HOME OWNERSHIP OPTIONS AT THE STATE-OWNED AND

OPERATED PALOLO HOMES I AND II AND OTHER STATE-OWNED AND OPERATED HOUSING PROJECTS," was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 668, transmitting H.C.R. No. 191, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 191, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES NAVY TO INCREASE THE WORKLOAD AND EMPLOYMENT AT PEARL HARBOR NAVAL SHIPYARD AND TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 669, transmitting H.C.R. No. 192, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION INTO THE ACQUISITION OF NO. 1 CAPITOL DISTRICT BY THE STATE," was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 670, transmitting H.C.R. No. 195, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 195, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO STUDY TRAFFIC PATTERNS AT THE JUNCTION OF LOWER KAIMUKI, KAPAHULU, MOILIILI, KAPIOLANI BOULEVARD, ST. LOUIS HEIGHTS, AND UNIVERSITY OF HAWAII," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 671, transmitting H.C.R. No. 196, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 196, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP AND IMPLEMENT A STATEWIDE, COMPREHENSIVE, AND EFFECTIVE WORKING PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTINGS POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE," was referred to the Committee on Health and Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 672, transmitting H.C.R. No. 199, H.D. 1, which was adopted by the House of Representatives on April 13, 2000, was placed on file.

By unanimous consent, H.C.R. No. 199, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE GOALS AND OBJECTIVES OF THE A-PLUS PROGRAM AND INCLUDING RECOMMENDATIONS FOR ITS IMPROVEMENT IN CONJUNCTION WITH THE COMPREHENSIVE STUDENT SUPPORT SYSTEM," was referred to the Committee on Education and Technology, then to the Committee on Ways and Means.

## STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3491) recommending that the Senate advise and consent to the nominations of ROSEMARY C. ADAM-TEREM, PH.D., JENNIFER SCHEMBER-LANG and GAILYNN WILLIAMSON, PH.D., to the Reproductive Rights Protection Committee, in accordance with Gov. Msg. No. 199.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3491 and Gov. Msg. No. 199 was deferred until Monday, April 17, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3492) recommending that the Senate advise and consent to the nominations of WAYNE M.T. LU, WILLIAM F. MIELCKE, CAROLYN A. NII, DIANE J. PLOTTS and CLIFTON K. TSUJI to the Board of Directors of the Hawaii Health Systems Corporation, in accordance with Gov. Msg. No. 226.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3492 and Gov. Msg. No. 226 was deferred until Monday, April 17, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3493) recommending that the Senate advise and consent to the nominations of VICTORIA A. SUYAT, CARRICK WONG, LYNN C. FOX, PETER L. FRITZ, STERLING KRYSLER, LILLIAN Y. SHIBATA, RICHARD W. SMITH and MARK YABUI to the State Rehabilitation Council, in accordance with Gov. Msg. No. 252.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3493 and Gov. Msg. No. 252 was deferred until Monday, April 17, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3494) recommending that the Senate advise and consent to the nominations of MARGARET K. MASUNAGA and NANCY KREIDMAN to the State Commission on the Status of Women, in accordance with Gov. Msg. No. 255.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3494 and Gov. Msg. No. 255 was deferred until Monday, April 17, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3495) recommending that the Senate advise and consent to the nominations of RICHARD I.C. CALDITO SR., ABE KAAHUI, HAROLD KOZUMA, DED., FREDERICK K. LEE, ROBERT Y. MASUDA, BETTY M. MATSUMURA and BRUCE W. MCCULLOUGH to the Policy Advisory Board for Elder Affairs, in accordance with Gov. Msg. No. 262.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3495 and Gov. Msg. No. 262 was deferred until Monday, April 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3496) recommending that the Senate advise and consent to the nomination of JACK LAW to the Civil Rights Commission, in accordance with Gov. Msg. No. 224.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3496 and Gov. Msg. No. 224 was deferred until Monday, April 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3497) recommending that the Senate advise and consent to the

nomination of LANI RAE GARCIA to the Hawaii Paroling Authority, in accordance with Gov. Msg. No. 227.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3497 and Gov. Msg. No. 227 was deferred until Monday, April 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3498) recommending that the Senate advise and consent to the nomination of EUCLID LEE to the Board of Registration, Island of Oahu, in accordance with Gov. Msg. No. 248.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3498 and Gov. Msg. No. 248 was deferred until Monday, April 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3499) recommending that the Senate advise and consent to the nomination of DAVID M. VIEIRA SR., to the Board of Registration, Island of Hawaii, in accordance with Gov. Msg. No. 249.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3499 and Gov. Msg. No. 249 was deferred until Monday, April 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3500) recommending that the Senate advise and consent to the nomination of PAUL K. SHINSEKI to the Board of Registration, Kauai and Niihau, in accordance with Gov. Msg. No. 250.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3500 and Gov. Msg. No. 250 was deferred until Monday, April 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3501) recommending that the Senate advise and consent to the nominations of CRAIG G. NAKAMURA and ANTHONY MONDELLO to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, in accordance with Gov. Msg. No. 251.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3501 and Gov. Msg. No. 251 was deferred until Monday, April 17, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3502) recommending that the Senate advise and consent to the nominations of HIROSHI SAKAI and ROBERT S. TOYOFUKU to the Commission to Promote Uniform Legislation, in accordance with Gov. Msg. No. 254.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3502 and Gov. Msg. No. 254 was deferred until Monday, April 17, 2000.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 3398 (Gov. Msg. No. 228):

Senator Inouye moved that Stand. Com. Rep. No. 3398 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Hawaii School-to-Work Executive Council of the following:

HARVARD C.S. KIM, term to expire June 30, 2001;

JODEE MALIA CRANE and NORMAN JIMENO, terms to expire June 30, 2002; and

NOBLEZA E. MAGSANOC, term to expire June 30, 2003,

seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, Chun, Ihara, Kanno, Tanaka).

### FINAL READING

S.B. No. 914:

Senator Chumbley moved that S.B. No. 914, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose to speak against the measure as follows:

"Mr. President, I rise in opposition to this bill.

"Part of what the bill says sounds good. It says, 'If a contest or question requires a majority of the votes for passage, any blank, spoiled, or invalid ballot cast shall not be tallied for passage or as votes cast.' Going that far sounds very logical. How can you count a blank vote? How can you count a spoiled vote or why should you count a spoiled vote? Or why should you count an invalid vote? Right, Senator from Mililani? How can a vote be counted when it is blank, spoiled, or invalid? However, the sentence doesn't stop there. It says, 'except that such ballot shall be counted as votes cast in ratification of the constitutional amendment or a question for a constitutional convention.'

"Mr. President, it doesn't make sense to count invalid votes, because if it's invalid, it is not a vote. If it's spoiled, it's not a vote. If it's blank, it's not a vote. And I think the rationale was, while the Supreme Court decision stated that we needed to count for some such manner based on a conversation between some people or a report some time way back then, people make mistakes. Words are sometimes said in one context and used in another context. I think the intention of making it harder for a constitutional amendment to pass was part of the rationale given for wanting to count blanks and wanting to count spoiled.

"But certainly, Mr. President, in today's language, with today's common sense, we're making a mockery by saying we should count blank, spoiled, or invalid ballots. So again, I'm in opposition and I ask everyone to think clearly about what is right, and it is not right to count blank, spoiled, or invalid ballots."

Senator Slom rose to oppose the measure and said:

"Mr. President, I, too, rise in opposition to this bill.

"The Supreme Court decision, I believe, was an erroneous and shortsighted decision when it was made. And I do remember that our attorney general at that time had ruled that blank votes and erroneous votes were just that -- they were blank and erroneous. But we did not follow that and the Supreme Court did not follow that.

"It's interesting that except for wild speculation, how does anybody know why the vote was blank? Why are we making an assumption that the vote was 'no'? It could be an erroneous ballot. It could have been because the person didn't care. It could have been because the person felt that they were not interested, or didn't have enough education or knowledge. And to make this decision is a bad one and sets a bad precedent.

"It's also interesting to me, Mr. President, that we always used to brag about Hawaii being the state that was able to look at its Constitution and review its basic fundamental laws every ten years. And that was a very positive thing. But the last time we did that was 1978. It seems that a lot of the mistakes that were made in 1978 have been frozen in time and we've not been allowed to look at them since.

"I guess the final thing I would say is the solution to the problem, if in fact there is a problem of blank and spoiled ballots, is not to penalize those voters that voted 'yes,' but to find a way of educating other voters as to why they should vote. And I guess the last thing is, if this is such a good idea for the constitutional convention question or constitutional issues, then why not extend it to the vote for the governor, the vote for House members, the vote for the Senate members? We don't have a place on the ballot that says 'none of the above,' so if we extend this, then people are in fact allowed to vote 'no' against candidates that they don't believe are doing a good job.

"Thank you, Mr. President."

Senator Chumbley rose to support the measure and stated:

"Mr. President, I rise to speak in support of this measure.

"Members, something as important as a constitutional convention, with its potential for decisions of far reaching consequences, should not be convened without the solid support of the state's citizens.

"The vote requirement for the passage of a constitutional amendment is that the affirmative votes be more than the negative votes and that the affirmative votes be at least 50 percent of all the ballots cast in the election. This assures that no amendment is adopted by a minority of voters due to the failure of many of the voters to cast votes on the amendment. I believe that the vote requirement for the convening of a constitutional convention should meet the same standards as that for the ratification of amendments to the Constitution.

"Mr. President and members, this is the Supreme Court decision and this is the right vote.

"Thank you."

Senator Anderson rose to speak against the measure and said:

"Mr. President, I, too, will be voting 'no.'

"I'd like to remind some of my colleagues, I had a very good friend who was a mayor and he once told everybody, 'Don't leave the ballot blank if you are upset with me. Vote for my opponent.' generally, there will be a lot of blank votes. But the voters did just that to send a message, and he happened to lose that particular election. If they had just left it blank, the vote would not have been counted. It would have just sat there. But he told them to go ahead and vote for his opponent, and he lost the mayor's race.

"So it's not a very good idea to take a blank vote and count it any one way or the other. It's not supposed to be counted against you or for you because an election can be won or lost on this law. And it wasn't supposed to be for that reason. If I don't like a particular person, I leave it blank. And that sends a message because it just shows up as a blank vote, not a vote counted against that individual.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, S.B. No. 914, entitled: "A BILL FOR AN ACT RELATING TO VOTE COUNT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:



Ayes, 13. Noes, 7 (Anderson, Buen, Kawamoto, Levin, Sakamoto, Slom, Tam). Excused, 5 (Bunda, Chun, Ihara, Kanno, Tanaka).

S.B. No. 887:

Senator Chumbley moved that S.B. No. 887, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Chumbley rose to support the measure as follows:

"Mr. President, I rise to speak in support of this measure.

"Members, the Fifth Circuit Court, which serves the islands of Kauai and Niihau, is the only circuit with just one circuit court judge. This measure was a bill that we had passed in the previous year, and on March 9, 1999, all 25 of us unanimously supported this measure. We included in the first fiscal year of the biennium budget, funding for this position and this is merely the statutory authorization to increase from one position to two positions. So I ask all my colleagues to support this.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 887, entitled: "A BILL FOR AN ACT RELATING TO JUDGES FOR THE CIRCUIT COURT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Bunda, Chun, Ihara, Kanno, Tanaka).

Senator Slom rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"This has been a very rough week on Wall Street for stocks and bonds and investments -- the Nasdaq has lost about 24 percent of its value since January, this week alone; the Dow Jones plunged 10 percent today -- and it reminds me of the governor's speech before us in January when he was telling us about how wonderful our investment was in Digital Island and that it was going to bring us 40 to 50 million dollars in new revenues. I don't know how much that investment is worth today, but it's not worth 40 or 50, nor 15 or 20, nor even 10 million dollars.

"The point that I'm making is that I have told this body on numerous occasions that the idea of investments should be left with the taxpayers of this state. I think that the men and women of this state, who are already overburdened with taxes, have the ability to lose money on their own. They don't need the state to take additional money and say that we're smarter and we can invest better for you and then have that money lost. I think we've got to get over this idea that the state knows better what to do, rather than that single mom, that small business, or that family within our state.

"Let's not take anymore money for investment purposes. Let's not buy any more luxury buildings for investment purposes. Let's let the money remain with the households that so desperately need it.

"Thank you, Mr. President."

At this time, the President extended happy birthday wishes to Senator Kawamoto on behalf of the Senate.

Senator Slom rose again and said:

"Mr. President, another point of personal privilege, please.

"I had occasion to see the good Senator from Waialua this morning, and I want to tell you that he was looking good --

except that he was wearing shorts and he could not come to the Senate floor with those legs, guaranteed. (Laughter.)

"He did express his concern for the good Senator from Mililani; he was concerned about hairy problems with the Senator.

"He expressed his good wishes to everyone and he will be back with us next week.

"Thank you, Mr. President."

At this time, the President made the following announcement:

"As a follow-up to the memo regarding Senate Rule 23 (3), if there are no objections from the members, I will be suspending Senate Rule 23 (3) for the purpose of implementing the recently agreed upon Conference Committee procedures.

"This suspension of Rule 23 (3) will be in effect until the end of the 2000 Legislative Session."

By unanimous consent, Senate Rule 23 (3) was suspended for the purpose of implementing new Conference Committee procedures, a copy of which is attached to the Senate Rules.

#### ADJOURNMENT

At 12:26 o'clock p.m., on motion by Senator Chumbley, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 17, 2000.

## FIFTY-SECOND DAY

Monday, April 17, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Dale Vallejo-Sanderson, New Hope Windward Christian Fellowship, after which the Roll was called showing all Senators present with the exception of Senators Bunda and Tam who were excused.

The President announced that he had read and approved the Journal of the Fifty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senators Nakata and Hanabusa, in recognizing and celebrating the 25th anniversary of the Polynesian Voyaging Society's Hokulea, introduced navigator Nainoa Thompson and Elisa Yadao of the Polynesian Voyaging Society; and Byron Mallott and Julie Kitka of the Sealaska Corporation.

Senator Inouye, on behalf of Senator Levin, Senator Matsuura, President Mizuguchi, Senator Kawamoto and herself, congratulated the Hilo High School Vikings Basketball Team on capturing the title of 2000 State High School Boys Basketball Champions and introduced the following individuals: Larry Manliguis, head coach; Roy Kobayashi, athletic director; assistant coaches: Wayne Kaneshiro, Paul McCarty, Royden Okunami and Mark Chang; and team members: Jason Mandaquit, Terrence Gardner, Bryson Moses, Preston Jarneski, Wesley Martinez, Jason Santos, Tyson Takiue, Chris Kanakaole, Kimo Keiter-Charles, Tim Toomey, Napela Naniola, Ashley Labowski and Holoakea Nathaniel.

Senator Kawamoto then introduced Admiral Thomas B. Fargo, Commander in Chief of the United States Pacific Fleet, and extended a warm aloha and best wishes to the Admiral, his wife Sarah, and son William. Accompanying Admiral Fargo were Captain Wensing and Lt. Commander Skinner.

At this time, the President appointed Senators Kawamoto, Sakamoto and Anderson to escort Admiral Thomas Fargo to the rostrum to address the members of the Senate.

Admiral Fargo addressed the members of the Senate and their guests as follows:

"Aloha and good morning, Mr. President and Senators, distinguished guests, ladies and gentlemen.

"I am deeply honored by your invitation to join you today and to represent the men and women of the Pacific Fleet. I thought it might be appropriate to mention just a few aspects of our lasting and positive relationship with the Hawaii community. We do have a long history spanning over a century of presence in the Pacific, and we appreciate that ours is a mutually beneficial relationship and an honorable partnership.

"You should know that I think it's especially important that we work hard in the Navy to give back to the community as much as this wonderful community gives to us day in and day out. Most important, our sailors love it here. It's more than just the weather and the beautiful scenery -- it's the spirit of Aloha and the warmth of the community -- and that's why they find Pearl Harbor the very finest, the very best homeport that we have in the Pacific for their families and their loved ones in every aspect of their daily life.

"I should add that we truly appreciate the great work that the Hawaii Legislators have done in support of our military presence here in Hawaii. I'm speaking of people -- that's

clearly the strength of Hawaii and our Navy. It's very clear the high quality people that we're fortunate to work with day in and day out. They're the best that I've seen in my 30 years in the Navy -- they're smart, motivated, and engaging. And certainly a contribution that Hawaii makes to our Navy is that you have exceeded all of our recruiting goals every year over the past decade. We appreciate that tremendously.

"Finally, let me say how much I appreciate how warmly my family has been welcomed here to Hawaii, both Sarah and Bill. With the possible exception that I'm still paying off the bets from the Navy-Hawaii football game, it's been a great six months.

"This is an exciting time here in Hawaii for the Navy and the Hawaiian community. We've got two big events going on. I'm sure you're well aware of those. First is the Touchstone filming of the movie 'Pearl Harbor.' This film is a wonderful opportunity and a great tribute to our World War II veterans. It will bring recognition to the many men and women who served with such dedication and courage, particularly here in Hawaii.

"I will say that there is one drawback -- rarely does a day go by that I don't see a ship burning in Pearl Harbor, and I have to check with Kevin Wensing every day to make sure that it's still the Disney folks that are causing that particular upheaval. But thank you for your support of this project. Without it, there would be little chance of making this epic film a reality.

"The second item I'd like to mention is, as you know, the Secretary of the Navy Richard Danzig announced last week, in recognition of the close relationship between the Navy and the Hawaiian ohana, The newest Virginia-class submarine will be commissioned the USS Hawaii, SSN 776. The USS Hawaii will join the long tradition of ships named in honor of Hawaii -- Honolulu, Kilauea, Kamehameha, and Pearl Harbor.

"In recognition of this landmark event, I'd like to present just a couple of gifts here. Mr. President and Senator Kawamoto would you join me up here also. Here are the first sets of ball caps for the USS Hawaii. I'd like to present one to each of you. Those are official admiral's scrambled eggs on the front of them, so you're now honorary crew members. (Laughter.) Also, to the State Senate, with our deepest appreciation, here is a rendition of this great ship USS Hawaii.

"Thank you."

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 673 to 675) were read by the Clerk and were placed on file:

Hse. Com. No. 673, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 1883, H.D. 2 (S.D. 3);  
H.B. No. 2024, H.D. 1 (S.D. 2); and  
H.B. No. 2649, H.D. 1 (S.D. 1).

Hse. Com. No. 674, informing the Senate that the Speaker on April 17, 2000, appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 185, S.D. 2 (H.D. 1);

Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Leong.

S.B. No. 211, S.D. 1 (H.D. 2):

Representatives Yoshinaga, Catalani, co-chairmen, Goodenow, Nakasone, Fox.

S.B. No. 278, S.D. 2 (H.D. 1):

Representatives Takai, Kanoho, co-chairmen, Goodenow, McDermott.

S.B. No. 426, S.D. 2 (H.D. 1):

Representatives Takamine, chairman, Kawakami, Suzuki, Marumoto.

S.B. No. 539, S.D. 1 (H.D. 1):

Representatives Takai, Saiki, Takamine, co-chairmen, McDermott.

S.B. No. 568, S.D. 2 (H.D. 3):

Representatives Cachola, Hamakawa, Kanoho, co-chairmen, Meyer.

S.B. No. 851, S.D. 2 (H.D. 2):

Representatives Santiago, Menor, Yamane, co-chairmen, McDermott.

S.B. No. 862, S.D. 2 (H.D. 1):

Representatives Santiago, Hamakawa, co-chairmen, Saiki, Thielen.

S.B. No. 873, S.D. 1 (H.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 915, S.D. 1 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 1095 (H.D. 2):

Representatives Cachola, Hamakawa, Kanoho, co-chairmen, Meyer.

S.B. No. 1281, S.D. 2 (H.D. 2):

Representatives Yoshinaga, Goodenow, co-chairmen, Catalani, Suzuki, Fox.

S.B. No. 2021, S.D. 2 (H.D. 1):

Representatives Arakaki, Kahikina, co-chairmen, Yamane, McDermott.

S.B. No. 2056, S.D. 1 (H.D. 1):

Representatives Arakaki, Kahikina, co-chairmen, Yamane, McDermott.

S.B. No. 2058, S.D. 1 (H.D. 1):

Representatives Takamine, chairman, Kawakami, Suzuki, Marumoto.

S.B. No. 2059, S.D. 1 (H.D. 2):

Representatives Arakaki, Yamane, co-chairmen, Kahikina, Santiago, McDermott.

S.B. No. 2061, S.D. 1 (H.D. 2):

Representatives Yoshinaga, Catalani, co-chairmen, Goodenow, Nakasone, Fox.

S.B. No. 2062, S.D. 1 (H.D. 3):

Representatives Arakaki, Menor, Kanoho, Yamane, co-chairmen, Pendleton.

S.B. No. 2074, S.D. 2 (H.D. 2):

Representatives Garcia, Arakaki, Kanoho, co-chairmen, Pendleton.

S.B. No. 2108, S.D. 2 (H.D. 2):

Representatives Hamakawa, Cachola, Kanoho, co-chairmen, Kaho'ohalahala, Thielen.

S.B. No. 2115, S.D. 1 (H.D. 2):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Auwae.

S.B. No. 2121, S.D. 1 (H.D. 1):

Representatives Herkes, chairman, Ahu Isa, Luke, Halford.

S.B. No. 2134, S.D. 1 (H.D. 2):

Representatives Abinsay, Garcia, Espero, co-chairmen, Halford.

S.B. No. 2147, S.D. 1 (H.D. 1):

Representatives Hamakawa, Nakasone, co-chairmen, Saiki, McDermott.

S.B. No. 2151, S.D. 1 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2152, S.D. 1 (H.D. 1):

Representatives Garcia, Saiki, Kanoho, co-chairmen, Pendleton.

S.B. No. 2154, S.D. 1 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2160, S.D. 1 (H.D. 1):

Representatives Herkes, Suzuki, co-chairmen, Luke, Halford.

S.B. No. 2166 (H.D. 2):

Representatives Morita, Menor, Luke, co-chairmen, Fox.

S.B. No. 2186, S.D. 2 (H.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 2194, S.D. 1 (H.D. 1):

Representatives Takamine, chairman, Kawakami, Suzuki, Marumoto.

S.B. No. 2218, S.D. 1 (H.D. 2):

Representatives Ito, Kanoho, Yoshinaga, Kawakami, co-chairmen, Leong.

S.B. No. 2221, S.D. 1 (H.D. 2):

Representatives Morita, Abinsay, Herkes, Luke, co-chairmen, Fox.

S.B. No. 2254, S.D. 1 (H.D. 2):

Representatives Santiago, Menor, Saiki, co-chairmen, Auwae.

S.B. No. 2278, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

S.B. No. 2283, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

S.B. No. 2287, S.D. 1 (H.D. 2):

Representatives Morita, Menor, Schatz, co-chairmen, Moses.

S.B. No. 2293 (H.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

S.B. No. 2301, S.D. 2 (H.D. 1):

Representatives Hiraki, Cachola, Goodenow, co-chairmen, Fox.

S.B. No. 2303, S.D. 2 (H.D. 2):

Representatives Hiraki, Goodenow, co-chairmen, Catalani, Takai, Fox.

S.B. No. 2311, S.D. 1 (H.D. 1):

Representatives Hiraki, Hamakawa, co-chairmen, Goodenow, Saiki, Auwae.

S.B. No. 2312, S.D. 1 (H.D. 1):

Representatives Yoshinaga, Catalani, co-chairmen, Goodenow, Nakasone, Fox.

S.B. No. 2352, S.D. 2 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2354, S.D. 1 (H.D. 2):

Representatives Kanoho, Takamine, co-chairmen, Fox.

S.B. No. 2369, S.D. 1 (H.D. 1):

Representatives Yoshinaga, Goodenow, co-chairmen, Suzuki, Moses.

S.B. No. 2409, S.D. 1 (H.D. 2):

Representatives Herkes, Takamine, co-chairmen, Suzuki, Halford.

S.B. No. 2411, S.D. 1 (H.D. 1):

Representatives Abinsay, Kanoho, co-chairmen, Espero, Halford.

S.B. No. 2419, S.D. 1 (H.D. 1):

Representatives Herkes, Luke, co-chairmen, Suzuki, Halford.

S.B. No. 2420, S.D. 2 (H.D. 2):

Representatives Herkes, Morihara, Takamine, co-chairmen, Souki, Yoshinaga, Halford, Meyer.

S.B. No. 2427, S.D. 1 (H.D. 1):

Representatives Hamakawa, Nakasone, co-chairmen, Saiki, Meyer.

S.B. No. 2432, S.D. 1 (H.D. 1):

Representatives Saiki, Garcia, Nakasone, co-chairmen, Meyer.

S.B. No. 2433, S.D. 2 (H.D. 2):

Representatives Garcia, Yoshinaga, Takamine, co-chairmen, Pendleton.

S.B. No. 2448, S.D. 2 (H.D. 2):

Representatives Santiago, Yamane, co-chairmen, Kahikina, McDermott.

S.B. No. 2467, S.D. 2 (H.D. 1):

Representatives Menor, Saiki, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 2475, S.D. 1 (H.D. 3):

Representatives Ito, Saiki, Catalani, co-chairmen, Leong.

S.B. No. 2480, S.D. 1 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2482, S.D. 1 (H.D. 1):

Representatives Herkes, Morihara, Takamine, co-chairmen, Luke, Suzuki, Halford, Meyer.

S.B. No. 2484, S.D. 1 (H.D. 1):

Representatives Saiki, Arakaki, Nakasone, co-chairmen, Meyer.

S.B. No. 2486, S.D. 2 (H.D. 2):

Representatives Menor, Saiki, Yamane, co-chairmen, Whalen.

S.B. No. 2490, S.D. 2 (H.D. 1):

Representatives Arakaki, Santiago, Kahikina, co-chairmen, Pendleton.

S.B. No. 2493, S.D. 2 (H.D. 1):

Representatives Arakaki, Santiago, Kahikina, co-chairmen, Pendleton.

S.B. No. 2513, S.D. 1 (H.D. 1):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Meyer.

S.B. No. 2521, S.D. 1 (H.D. 1):

Representatives Takamine, chairman, Kanoho, Kawakami, Marumoto.

S.B. No. 2530, S.D. 1 (H.D. 1):

Representatives Abinsay, Espero, co-chairmen, Chang, Kaho'ohalahala, Halford.

S.B. No. 2533, S.D. 1 (H.D. 2):

Representatives Garcia, Saiki, Kanoho, co-chairmen, Pendleton.

S.B. No. 2535 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2536, S.D. 1 (H.D. 2):

Representatives Saiki, Menor, Nakasone, co-chairmen, Meyer.

S.B. No. 2545 (H.D. 1):

Representatives Morita, Saiki, Schatz, co-chairmen, Moses.

S.B. No. 2562, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

S.B. No. 2574, S.D. 1 (H.D. 1):

Representatives Takai, Kanoho, co-chairmen, Goodenow, McDermott.

S.B. No. 2575, S.D. 2 (H.D. 2):

Representatives Takai, Takamine, co-chairmen, Goodenow, Kanoho, McDermott.

S.B. No. 2576, S.D. 2 (H.D. 1):

Representatives Arakaki, Kahikina, co-chairmen, Yamane, McDermott.

S.B. No. 2579, S.D. 1 (H.D. 2):

Representatives Arakaki, Santiago, Nakasone, co-chairmen, Pendleton.

S.B. No. 2598, S.D. 2 (H.D. 1):

Representatives Arakaki, Nakasone, co-chairmen, Kahikina, Pendleton.

S.B. No. 2607, S.D. 1 (H.D. 3):

Representatives Yoshinaga, Hamakawa, Catalani, co-chairmen, Goodenow, Thielen.

S.B. No. 2621, S.D. 1 (H.D. 2):

Representatives Santiago, Hamakawa, co-chairmen, Saiki, Auwae.

S.B. No. 2655, S.D. 2 (H.D. 2):

Representatives Santiago, Menor, Yamane, co-chairmen, Cachola, McDermott.

S.B. No. 2657, S.D. 2 (H.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 2666, S.D. 1 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2667 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2670 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2692, S.D. 2 (H.D. 2):

Representatives Hamakawa, Nakasone, co-chairmen, Saiki, Meyer.

S.B. No. 2706, S.D. 1 (H.D. 2):

Representatives Hiraki, Herkes, Luke, co-chairmen, Moses.

S.B. No. 2711, S.D. 1 (H.D. 1):

Representatives Herkes, Menor, co-chairmen, Luke, Halford.

S.B. No. 2716, S.D. 1 (H.D. 1):

Representatives Herkes, Takamine, co-chairmen, Souki, Suzuki, Halford.

S.B. No. 2717, S.D. 1 (H.D. 2):

Representatives Arakaki, Santiago, Menor, co-chairmen, Pendleton.

S.B. No. 2722, S.D. 1 (H.D. 2):

Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Leong.

S.B. No. 2725 (H.D. 2):

Representatives Hiraki, Menor, co-chairmen, Goodenow, Moses.

S.B. No. 2729, S.D. 1 (H.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 2731, S.D. 1 (H.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 2736, S.D. 2 (H.D. 1):

Representatives Takamine, chairman, Kanoho, Kawakami, Marumoto.

S.B. No. 2741 (H.D. 2):

Representatives Abinsay, Cachola, Espero, co-chairmen, Halford.

S.B. No. 2745, S.D. 1 (H.D. 2):

Representatives Abinsay, Takumi, Espero, co-chairmen, Halford.

S.B. No. 2758, S.D. 1 (H.D. 2):

Representatives Hamakawa, Nakasone, co-chairmen, Saiki, Meyer.

S.B. No. 2766, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

S.B. No. 2769 (H.D. 1):

Representatives Morita, chairman, Garcia, Schatz, Thielen.

S.B. No. 2779, S.D. 1 (H.D. 2):

Representatives Herkes, Luke, co-chairmen, Souki, Suzuki, Halford.

S.B. No. 2781, S.D. 2 (H.D. 2):

Representatives Herkes, Takamine, co-chairmen, Souki, Suzuki, Halford.

S.B. No. 2785, S.D. 1 (H.D. 1):

Representatives Hamakawa, Nakasone, co-chairmen, Saiki, Meyer.

S.B. No. 2791 (H.D. 1):

Representatives Takamine, chairman, Kanoho, Kawakami, Marumoto.

S.B. No. 2802, S.D. 1 (H.D. 1):

Representatives Yoshinaga, Suzuki, co-chairmen, Goodenow, Meyer.

S.B. No. 2808 (H.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 2819, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

S.B. No. 2837, S.D. 1 (H.D. 2):

Representatives Ito, Yoshinaga, Takamine, co-chairmen, Leong.

S.B. No. 2838, S.D. 1 (H.D. 1):

Representatives Herkes, Luke, co-chairmen, Souki, Suzuki, Halford.

S.B. No. 2843 (H.D. 2):

Representatives Saiki, Nakasone, co-chairmen, Kaho'ohalahala, Auwae.

S.B. No. 2849 (H.D. 1):

Representatives Arakaki, Hamakawa, co-chairmen, Kahikina, Pendleton.

S.B. No. 2850, S.D. 1 (H.D. 2):

Representatives Arakaki, Saiki, Kahikina, co-chairmen, Pendleton.

S.B. No. 2856, S.D. 1 (H.D. 1):

Representatives Arakaki, Hamakawa, Kahikina, co-chairmen, Pendleton.

S.B. No. 2859, S.D. 1 (H.D. 1):

Representatives Yoshinaga, Takamine, co-chairmen, Goodenow, Moses.

S.B. No. 2863, S.D. 1 (H.D. 2):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Meyer.

S.B. No. 2869 (H.D. 1):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Meyer.

S.B. No. 2870, S.D. 1 (H.D. 2):

Representatives Saiki, Menor, Nakasone, co-chairmen, Meyer.

S.B. No. 2872, S.D. 1 (H.D. 1):

Representatives Takamine, chairman, Kanoho, Kawakami, Marumoto.

S.B. No. 2873, S.D. 1 (H.D. 2):

Representatives Santiago, Yamane, co-chairmen, Nakasone, McDermott.

S.B. No. 2879, S.D. 2 (H.D. 2):

Representatives Morita, Schatz, co-chairmen, Garcia, Fox.

S.B. No. 2905 (H.D. 2):

Representatives Yoshinaga, Herkes, Takamine, co-chairmen, Moses.

S.B. No. 2924, S.D. 1 (H.D. 1):

Representatives Herkes, Saiki, co-chairmen, Hamakawa, Halford.

S.B. No. 2930, S.D. 2 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2935, S.D. 1 (H.D. 2):

Representatives Saiki, Garcia, Nakasone, co-chairmen, Meyer.

S.B. No. 2938, S.D. 1 (H.D. 1):

Representatives Takamine, chairman, Kawakami, Suzuki, Marumoto.

S.B. No. 2945, S.D. 1 (H.D. 3):

Representatives Herkes, Menor, Suzuki, co-chairmen, Halford.

S.B. No. 2946, S.D. 1 (H.D. 1):

Representatives Takamine, chairman, Kawakami, Suzuki, Marumoto.

S.B. No. 2948, S.D. 1 (H.D. 2):

Representatives Herkes, Morihara, Takamine, co-chairmen, Luke, Halford.

S.B. No. 2961, S.D. 2 (H.D. 1):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Meyer.

S.B. No. 2982, S.D. 1 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 2987, S.D. 1 (H.D. 2):

Representatives Menor, Yoshinaga, Yamane, co-chairmen, Whalen.

S.B. No. 2988, S.D. 2 (H.D. 2):

Representatives Herkes, Yoshinaga, Kanoho, co-chairmen, Luke, Halford.

S.B. No. 2993, S.D. 2 (H.D. 2):

Representatives Morita, Menor, Saiki, Kanoho, co-chairmen, Moses.

S.B. No. 3002, S.D. 2 (H.D. 1):

Representatives Yoshinaga, Goodenow, co-chairmen, Suzuki, Moses.

S.B. No. 3003, S.D. 1 (H.D. 1):

Representatives Yoshinaga, Goodenow, co-chairmen, Suzuki, Moses.

S.B. No. 3026, S.D. 1 (H.D. 1):

Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Leong.

S.B. No. 3032, S.D. 2 (H.D. 2):

Representatives Herkes, Takamine, co-chairmen, Cachola, Morita, Halford.

S.B. No. 3038, S.D. 1 (H.D. 1):

Representatives Ito, Saiki, co-chairmen, Hamakawa, Leong.

S.B. No. 3043, S.D. 2 (H.D. 1):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 3045, S.D. 1 (H.D. 2):

Representatives Kanoho, Saiki, co-chairmen, Fox.

S.B. No. 3073, S.D. 2 (H.D. 1):

Representatives Hiraki, Hamakawa, co-chairmen, Goodenow, Saiki, Auwae.

S.B. No. 3079 (H.D. 1):

Representatives Ito, Hamakawa, co-chairmen, Saiki, Leong.

S.B. No. 3123, S.D. 2 (H.D. 2):

Representatives Arakaki, Yoshinaga, Goodenow, co-chairmen, Santiago, Pendleton.

S.B. No. 3125, S.D. 2 (H.D. 1):

Representatives Hamakawa, Nakasone, co-chairmen, Saiki, Meyer.

S.B. No. 3129 (H.D. 2):

Representatives Santiago, Menor, co-chairmen, Lee, Whalen.

S.B. No. 3133, S.D. 1 (H.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

S.B. No. 3160, S.D. 2 (H.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 3179 (H.D. 3):

Representatives Santiago, Menor, Saiki, Yamane, co-chairmen, Auwae.

S.B. No. 3190, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

S.B. No. 3193, S.D. 1 (H.D. 2):

Representatives Menor, Yoshinaga, Yamane, co-chairmen, Whalen.

S.B. No. 3194, S.D. 2 (H.D. 2):

Representatives Abinsay, Saiki, co-chairmen, Espero, Halford.

S.B. No. 3199, S.D. 1 (H.D. 2):

Representatives Abinsay, Espero, co-chairmen, Ahu Isa, Halford.

S.B. No. 3201, S.D. 1 (H.D. 2):

Representatives Hiraki, Goodenow, co-chairmen, Catalani, Takai, Fox.

Hse. Com. No. 675, informing the Senate that the Speaker on April 17, 2000, appointed conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House bills:

H.B. No. 101, H.D. 1 (S.D. 1):

Representatives Yoshinaga, Catalani, co-chairmen, Goodenow, Nakasone, Moses.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 164 (S.D. 1):

Representatives Hamakawa, Nakasone, co-chairmen, Kanoho, Saiki, Meyer.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 284, H.D. 1 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Takai, Moses.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 286, H.D. 2 (S.D. 1):

Representatives Hiraki, Hamakawa, Nakasone, co-chairmen, Goodenow, Thielen.

In accordance therewith, the President appointed Senators Kawamoto, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 303, H.D. 2 (S.D. 1):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Kanoho, Meyer.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 540, H.D. 2 (S.D. 1):

Representatives Arakaki, Kahikina, co-chairmen, Stegmaier, Yamane, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, as managers on the part of the Senate at such conference.

H.B. No. 564, H.D. 2 (S.D. 2):

Representatives Yoshinaga, Catalani, co-chairmen, Goodenow, Nakasone, Meyer.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 750, H.D. 1 (S.D. 1):

Representatives Takai, Saiki, co-chairmen, Hamakawa, Ito, Leong.

In accordance therewith, the President appointed Senators Hanabusa, chairman, Tanaka, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 755, H.D. 2 (S.D. 2):

Representatives Cachola, Hamakawa, Kanoho, co-chairmen, Garcia, Meyer.

In accordance therewith, the President appointed Senators Hanabusa, Chun, co-chairmen, Tanaka, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1457 (S.D. 1):

Representatives Hiraki, Hamakawa, Takamine, co-chairmen, Saiki, Moses.

In accordance therewith, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Bunda as managers on the part of the Senate at such conference.

H.B. No. 1491, H.D. 1 (S.D. 1):

Representatives Menor, Hamakawa, co-chairmen, Lee, Saiki, Whalen.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1632, H.D. 3 (S.D. 1):

Representatives Abinsay, Kanoho, co-chairmen, Espero, Kawakami, Halford.

In accordance therewith, the President appointed Senators Inouye, Levin, co-chairmen, Buen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1759, H.D. 2 (S.D. 2):

Representatives Hiraki, Goodenow, co-chairmen, Catalani, Takai, Fox.

In accordance therewith, the President appointed Senators Kawamoto, Matsunaga, Buen, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1763, H.D. 2 (S.D. 2):

Representatives Hiraki, Hamakawa, co-chairmen, Goodenow, Saiki, Fox.

In accordance therewith, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Buen as managers on the part of the Senate at such conference.

H.B. No. 1764 (S.D. 1):

Representatives Hiraki, Goodenow, co-chairmen, Catalani, Takai, Fox.

In accordance therewith, the President appointed Senators Kawamoto, chairman, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 1773, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1846, H.D. 1 (S.D. 1):

Representatives Arakaki, Santiago, Kawakami, co-chairmen, Kahikina, Marumoto.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1869, H.D. 1 (S.D. 1):

Representatives Yoshinaga, Suzuki, co-chairmen, Goodenow, Meyer.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Nakata as managers on the part of the Senate at such conference.

H.B. No. 1873, H.D. 2 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Takai, Moses.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1874, H.D. 1 (S.D. 2):

Representatives Ito, Takamine, co-chairmen, Kawakami, Takai, Moses.

In accordance therewith, the President appointed Senators D. Ige, Nakata, co-chairmen, Sakamoto, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 1881, H.D. 2 (S.D. 2):

Representatives Hiraki, Hamakawa, co-chairmen, Goodenow, Saiki, Auwae.

In accordance therewith, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 1883, H.D. 2 (S.D. 3):

Representatives Morita, Menor, Yamane, co-chairmen, Herkes, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Chun as managers on the part of the Senate at such conference.

H.B. No. 1889, H.D. 2 (S.D. 2):

Representatives Abinsay, Garcia, Espero, co-chairmen, Chang, Halford.



In accordance therewith, the President appointed Senators Inouye, Kawamoto, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1893, H.D. 1 (S.D. 1):

Representatives Morita, Kanoho, co-chairmen, Cachola, Schatz, Meyer.

In accordance therewith, the President appointed Senators Nakata, chairman, Ihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 1900, H.D. 1 (S.D. 1):

Representatives Takamine, chairman, Ahu Isa, Catalani, Espero, Goodenow, Kahikina, Kanoho, Kawakami, Luke, Nakasone, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer, Moses.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1902, H.D. 1 (S.D. 1):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Schatz, Meyer.

In accordance therewith, the President appointed Senators Hanabusa, chairman, Tanaka, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1905, H.D. 2 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Takai, Moses.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 1909, H.D. 1 (S.D. 2):

Representatives Chang, Cachola, Hamakawa, Kanoho, co-chairmen, Fox.

In accordance therewith, the President appointed Senators Hanabusa, Inouye, Levin, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1912, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Halford.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1925 (S.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1933, H.D. 1 (S.D. 2):

Representatives Menor, Saiki, co-chairmen, Hamakawa, Lee, Pendleton.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Matsunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1934, H.D. 2 (S.D. 1):

Representatives Santiago, Menor, co-chairmen, Cachola, Yoshinaga, Whalen.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1938, H.D. 1 (S.D. 1):

Representatives Menor, Saiki, co-chairmen, Hamakawa, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1939, H.D. 1 (S.D. 1):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Yamane, Auwae.

In accordance therewith, the President appointed Senators Hanabusa, Chun, co-chairmen, Tanaka, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1940, H.D. 2 (S.D. 2):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Yamane, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Levin, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1944, H.D. 2 (S.D. 2):

Representatives Menor, Takamine, co-chairmen, Cachola, Lee, Whalen.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, Kawamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1946, H.D. 2 (S.D. 1):

Representatives Morita, Kanoho, co-chairmen, Cachola, Schatz, Meyer.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1947, H.D. 2 (S.D. 2):

Representatives Takumi, Hamakawa, co-chairmen, Saiki, Schatz, Auwae.

In accordance therewith, the President appointed Senators Inouye, Hanabusa, co-chairmen, Tanaka, Matsuura, Slom as managers on the part of the Senate at such conference.

H.B. No. 1955, H.D. 2 (S.D. 1):

Representatives Garcia, Kanoho, co-chairmen, Ahu Isa, Kaho'ohalahala, Moses.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1956, H.D. 1 (S.D. 2):

Representatives Herkes, Menor, Luke, co-chairmen, Suzuki, Halford.

In accordance therewith, the President appointed Senators Inouye, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1969, H.D. 2 (S.D. 1):

Representatives Herkes, Luke, co-chairmen, Ahu Isa, Suzuki, Halford.

In accordance therewith, the President appointed Senators Inouye, Levin, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1983, H.D. 1 (S.D. 2):

Representatives Hamakawa, chairman, Saiki, Auwae.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Tam, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1984, H.D. 1 (S.D. 2):

Representatives Hamakawa, Nakasone, co-chairmen, Saiki, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Iwase, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1994, H.D. 2 (S.D. 2):

Representatives Abinsay, Espero, co-chairmen, Ahu Isa, Chang, Halford.

In accordance therewith, the President appointed Senators Inouye, Nakata, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2017, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2023, H.D. 2 (S.D. 2):

Representatives Abinsay, Espero, co-chairmen, Ahu Isa, Chang, Halford.

In accordance therewith, the President appointed Senators Inouye, Levin, Fukunaga, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2024, H.D. 1 (S.D. 2):

Representatives Takamine, chairman, Kanoho, Kawakami, Luke, Moses.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2060, H.D. 2 (S.D. 1):

Representatives Takai, Hamakawa, Kanoho, co-chairmen, Yamane, Leong.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 2062, H.D. 2 (S.D. 1):

Representatives Takai, Kanoho, co-chairmen, Goodenow, Yamane, Leong.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 2066, H.D. 1 (S.D. 1):

Representatives Takai, Kanoho, co-chairmen, Goodenow, Yamane, Leong.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 2087, H.D. 2 (S.D. 2):

Representatives Ito, Saiki, co-chairmen, Hamakawa, Takai, Leong.

In accordance therewith, the President appointed Senators D. Ige, Chumbley, Sakamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2092 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Takai, Moses.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2095 (S.D. 1):

Representatives Ito, Garcia, co-chairmen, Takai, Leong.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2098, H.D. 2 (S.D. 1):

Representatives Ito, Saiki, co-chairmen, Hamakawa, Takai, Pendleton.

In accordance therewith, the President appointed Senators D. Ige, Chumbley, Sakamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2129, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2151, H.D. 1 (S.D. 1):

Representatives Takamine, chairman, Ahu Isa, Catalani, Espero, Goodenow, Kahikina, Kanoho, Kawakami, Luke, Nakasone, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer, Moses.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2154, H.D. 2 (S.D. 2):

Representatives Yoshinaga, Arakaki, Takamine, co-chairmen, Kahikina, Moses.

In accordance therewith, the President appointed Senators Nakata, Chun Oakland, Levin, co-chairmen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 2160, H.D. 2 (S.D. 2):

Representatives Santiago, Yamane, co-chairmen, Kahikina, Stegmaier, McDermott.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Chun Oakland, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2171, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Catalani, co-chairmen, Goodenow, Nakasone, Moses.

In accordance therewith, the President appointed Senators Nakata, Kawamoto, co-chairmen, Kanno as managers on the part of the Senate at such conference.

H.B. No. 2183, H.D. 1 (S.D. 1):

Representatives Morita, Abinsay, Espero, co-chairmen, Luke, Fox.

In accordance therewith, the President appointed Senators Inouye, Chun, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2185, H.D. 2 (S.D. 1):

Representatives Hiraki, Cachola, co-chairmen, Goodenow, Kanoho, Halford.

In accordance therewith, the President appointed Senators Kawamoto, Hanabusa, co-chairmen, Buen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2188, H.D. 2 (S.D. 2):

Representatives Herkes, Menor, Luke, co-chairmen, Lee, Halford.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2194, H.D. 2 (S.D. 1):

Representatives Kanoho, Takamine, co-chairmen, Kawakami, Suzuki, Moses.

In accordance therewith, the President appointed Senators Fukunaga, chairman, D. Ige, Chun, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2213 (S.D. 1):

Representatives Saiki, chairman, Hamakawa, Auwae.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2218, H.D. 1 (S.D. 1):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2222, H.D. 1 (S.D. 1):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Tam, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2273, H.D. 2 (S.D. 1):

Representatives Arakaki, Kahikina, co-chairmen, Stegmaier, Yamane, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2277, H.D. 1 (S.D. 1):

Representatives Santiago, Hamakawa, Takamine, co-chairmen, Yamane, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2280, H.D. 2 (S.D. 1):

Representatives Ito, Morihara, Yoshinaga, Takamine, co-chairmen, Leong.

In accordance therewith, the President appointed Senators D. Ige, Nakata, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 2297 (S.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2309, H.D. 1 (S.D. 1):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Schatz, Meyer.

In accordance therewith, the President appointed Senators Hanabusa, Levin, co-chairmen, Tanaka, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2311, H.D. 1 (S.D. 1):

Representatives Kanoho, Takamine, co-chairmen, Saiki, Yamane, Marumoto.

In accordance therewith, the President appointed Senators Tam, Fukunaga, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2314, H.D. 1 (S.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, Chun, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2354, H.D. 2 (S.D. 2):

Representatives Garcia, Kahikina, co-chairmen, Luke, Moses.

In accordance therewith, the President appointed Senators Kawamoto, chairman, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 2392, H.D. 2 (S.D. 1):

Representatives Menor, Kawakami, co-chairmen, Kahikina, Lee, McDermott.

In accordance therewith, the President appointed Senators Chun Oakland, Taniguchi, Kanno, co-chairmen, Kawamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2405, H.D. 2 (S.D. 1):

Representatives Abinsay, Morita, Espero, co-chairmen, Chang, Halford.

In accordance therewith, the President appointed Senators Nakata, Inouye, Levin, co-chairmen, Chun, Slom as managers on the part of the Senate at such conference.

H.B. No. 2406, H.D. 1 (S.D. 1):

Representatives Abinsay, Espero, co-chairmen, Ahu Isa, Chang, Halford.

In accordance therewith, the President appointed Senators Inouye, chairman, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2407, H.D. 1 (S.D. 2):

Representatives Takamine, chairman, Catalani, Goodenow, Kawakami, Moses.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2409, H.D. 1 (S.D. 1):

Representatives Takamine, chairman, Catalani, Goodenow, Kawakami, Moses.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2410, H.D. 1 (S.D. 2):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Kanohe, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Levin, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2418 (S.D. 1):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Yamane, Auwae.

H.B. No. 2423 (S.D. 1):

Representatives Santiago, Saiki, Nakasone, co-chairmen, Kahikina, McDermott.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, Chun, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2425, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Tam, Taniguchi, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2429, H.D. 2 (S.D. 2):

Representatives Arakaki, Kahikina, co-chairmen, Stegmaier, Yamane, McDermott.

In accordance therewith, the President appointed Senators Tam, Chun, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2432, H.D. 1 (S.D. 1):

Representatives Arakaki, Kahikina, co-chairmen, Stegmaier, Yamane, McDermott.

In accordance therewith, the President appointed Senators Tam, Chun, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2434, H.D. 1 (S.D. 1):

Representatives Herkes, Takamine, co-chairmen, Nakasone, Suzuki, Halford.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, D. Ige as managers on the part of the Senate at such conference.

H.B. No. 2445 (S.D. 1):

Representatives Yoshinaga, Suzuki, co-chairmen, Catalani, Goodenow, Meyer.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2446 (S.D. 1):

Representatives Yoshinaga, Goodenow, co-chairmen, Catalani, Suzuki, Meyer.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2447 (S.D. 2):

Representatives Yoshinaga, Goodenow, co-chairmen, Catalani, Suzuki, Fox.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2458 (S.D. 1):

Representatives Yoshinaga, Goodenow, co-chairmen, Catalani, Suzuki, Fox.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2468, H.D. 1 (S.D. 1):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2469, H.D. 1 (S.D. 1):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2471, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2472, H.D. 2 (S.D. 2):

Representatives Menor, Yamane, co-chairmen, Cachola, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2473, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Chang, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2476, H.D. 1 (S.D. 2):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Nakata, Kanno, Taniguchi, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2480, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Rath.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2481, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Rath.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2483, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Rath.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2484 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Hanabusa, Slom as managers on the part of the Senate at such conference.

H.B. No. 2485, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2490, H.D. 1 (S.D. 1):

Representatives Ito, chairman, Morihara, Santiago, Takai, Leong.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2491, H.D. 1 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Ahu Isa, Takai, Moses.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 2492, H.D. 1 (S.D. 1):

Representatives Ito, Kawakami, co-chairmen, Santiago, Takai, Leong.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 2501, H.D. 2 (S.D. 1):

Representatives Saiki, Nakasone, co-chairmen, Hamakawa, Yamane, Auwae.

In accordance therewith, the President appointed Senators Hanabusa, Chun, co-chairmen, Tanaka, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2506, H.D. 1 (S.D. 2):

Representatives Arakaki, Saiki, Kahikina, co-chairmen, Hamakawa, Auwae.

In accordance therewith, the President appointed Senators Chun, Oakland, Chumbley, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2513, H.D. 1 (S.D. 1):

Representatives Arakaki, Hamakawa, Kahikina, co-chairmen, Saiki, Auwae.

In accordance therewith, the President appointed Senators Chun Oakland, M. Ige, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2514 (S.D. 2):

Representatives Arakaki, Kahikina, co-chairmen, Yamane, Meyer.

In accordance therewith, the President appointed Senators Chun Oakland, Chun, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2521 (S.D. 1):

Representatives Santiago, Ito, Kawakami, co-chairmen, Yamane, Leong.

In accordance therewith, the President appointed Senators D. Ige, Chun Oakland, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 2530, H.D. 1 (S.D. 1):

Representatives Hamakawa, Nakasone, co-chairmen, Kanoho, Saiki, Auwae.

In accordance therewith, the President appointed Senators Nakata, chairman, Ihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 2534, H.D. 2 (S.D. 1):

Representatives Santiago, Yamane, co-chairmen, Kahikina, Kawakami, Moses.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2537 (S.D. 1):

Representatives Takamine, chairman, Goodenow, Kawakami, Moses.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2539, H.D. 2 (S.D. 1):

Representatives Morita, Takamine, co-chairmen, Goodenow, Kanoho, Auwae.

In accordance therewith, the President appointed Senators Nakata, Levin, Fukunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2542, H.D. 1 (S.D. 1):

Representatives Takamine, chairman, Kahikina, Kawakami, Luke, Fox.

H.B. No. 2556, H.D. 1 (S.D. 1):

Representatives Yoshinaga, Catalani, co-chairmen, Goodenow, Nakasone, Moses.

In accordance therewith, the President appointed Senators Nakata, Kawamoto, co-chairmen, Kanno, Slom as managers on the part of the Senate at such conference.

H.B. No. 2559, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Catalani, co-chairmen, Goodenow, Nakasone, Meyer.

In accordance therewith, the President appointed Senators Nakata, Kawamoto, D. Ige, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2572, H.D. 1 (S.D. 2):

Representatives Takumi, Schatz, co-chairmen, Catalani, Thielen.

In accordance therewith, the President appointed Senators Inouye, Hanabusa, Levin, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2573, H.D. 1 (S.D. 1):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Schatz, Meyer.

In accordance therewith, the President appointed Senators Hanabusa, Fukunaga, co-chairmen, Tanaka, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2574, H.D. 1 (S.D. 1):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Schatz, Meyer.

In accordance therewith, the President appointed Senators Hanabusa, Fukunaga, co-chairmen, Tanaka, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2576, H.D. 1 (S.D. 1):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Schatz, Thielen.

In accordance therewith, the President appointed Senators Hanabusa, Fukunaga, co-chairmen, Tanaka, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2582, H.D. 1 (S.D. 2):

Representatives Herkes, Menor, co-chairmen, Lee, Luke, Rath.

In accordance therewith, the President appointed Senators Tam, Matsunaga, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2585, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Rath.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, D. Ige, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2586 (S.D. 1):

Representatives Hamakawa, Kanoho, Catalani, co-chairmen, Saiki, Auwae.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2588, H.D. 1 (S.D. 1):

Representatives Takamine, chairman, Ahu Isa, Catalani, Kawakami, Marumoto.

In accordance therewith, the President appointed Senators Tam, Levin, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2624, H.D. 1 (S.D. 1):

Representatives Kawakami, chairman, Catalani, Luke, Schatz, Fox.

In accordance therewith, the President appointed Senators D. Ige, Sakamoto, co-chairmen, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 2643, H.D. 1 (S.D. 2):

Representatives Hiraki, Goodenow, co-chairmen, Catalani, Takai, Fox.

In accordance therewith, the President appointed Senators Kawamoto, Chun Oakland, co-chairmen, Chun, Buen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2648, H.D. 2 (S.D. 2):

Representatives Hamakawa, Nakasone, co-chairmen, Kanoho, Saiki, Auwae.

H.B. No. 2649, H.D. 1 (S.D. 1):

Representatives Saiki, chairman, Hamakawa, Auwae.

H.B. No. 2650, H.D. 1 (S.D. 2):

Representatives Hamakawa, Takamine, co-chairmen, Kawakami, Saiki, Moses.

In accordance therewith, the President appointed Senators Fukunaga, Levin, co-chairmen, Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2653, H.D. 2 (S.D. 1):

Representatives Hamakawa, Nakasone, co-chairmen, Saiki, Yamane, Auwae.

H.B. No. 2701, H.D. 3 (S.D. 1):

Representatives Morita, Ito, Menor, Schatz, co-chairmen, Leong.

In accordance therewith, the President appointed Senators D. Ige, Nakata, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2727, H.D. 1 (S.D. 2):

Representatives Hiraki, Menor, co-chairmen, Goodenow, Lee, Rath.

In accordance therewith, the President appointed Senators Kawamoto, Taniguchi, Kanno, co-chairmen, Inouye, Slom as managers on the part of the Senate at such conference.

H.B. No. 2774 (S.D. 1):

Representatives Yoshinaga, Hamakawa, co-chairmen, Catalani, Saiki, Auwae.

In accordance therewith, the President appointed Senators Chun Oakland, Chumbley, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2793, H.D. 1 (S.D. 1):

Representatives Abinsay, Takamine, co-chairmen, Chang, Espero, Halford.

In accordance therewith, the President appointed Senators Inouye, Fukunaga, co-chairmen, D. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 2797, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Cachola, Garcia, Lee, Whalen.

In accordance therewith, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2801, H.D. 2 (S.D. 2):

Representatives Abinsay, Espero, co-chairmen, Ahu Isa, Chang, Halford.

In accordance therewith, the President appointed Senators Inouye, Chun, co-chairmen, M. Ige, Slom as managers on the part of the Senate at such conference.

H.B. No. 2802 (S.D. 1):

Representatives Abinsay, Espero, co-chairmen, Ahu Isa, Chang, Halford.

In accordance therewith, the President appointed Senators Inouye, Chun, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2820, H.D. 1 (S.D. 1):

Representatives Ito, Saiki, Kawakami, co-chairmen, Kaho'ohalahala, Leong.

In accordance therewith, the President appointed Senators D. Ige, Chumbley, Sakamoto, co-chairmen, Iwase, Slom as managers on the part of the Senate at such conference.

H.B. No. 2835, H.D. 2 (S.D. 2):

Representatives Cachola, Kanoho, co-chairmen, Garcia, Schatz, Moses.

In accordance therewith, the President appointed Senators Hanabusa, Fukunaga, Levin, co-chairmen, Chun, Matsuura as managers on the part of the Senate at such conference.

H.B. No. 2878, H.D. 2 (S.D. 2):

Representatives Herkes, Yoshinaga, Kanoho, co-chairmen, Suzuki, Fox.

In accordance therewith, the President appointed Senators Tam, Fukunaga, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2901, H.D. 2 (S.D. 2):

Representatives Herkes, Morihara, Yoshinaga, Takamine, co-chairmen, Fox.

In accordance therewith, the President appointed Senators D. Ige, Fukunaga, Taniguchi, Inouye, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2906, H.D. 1 (S.D. 1):

Representatives Hiraki, Menor, co-chairmen, Goodenow, Lee, Rath.

In accordance therewith, the President appointed Senators Kawamoto, chairman, Buen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2955, H.D. 1 (S.D. 1):

Representatives Herkes, Morihara, Takamine, co-chairmen, Luke, Halford.

In accordance therewith, the President appointed Senators Inouye, D. Ige, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2984, H.D. 2 (S.D. 2):

Representatives Yoshinaga, Herkes, Takamine, co-chairmen, Luke, Moses.

In accordance therewith, the President appointed Senators Nakata, Levin, co-chairmen, Chun Oakland, Kanno as managers on the part of the Senate at such conference.

H.B. No. 3014, H.D. 1 (S.D. 1):

Representatives Takamine, chairman, Catalani, Goodenow, Kawakami, Moses.

In accordance therewith, the President appointed Senators Inouye, Chun, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 3016, H.D. 1 (S.D. 1):

Representatives Arakaki, Takamine, co-chairmen, Kahikina, Kawakami, Fox.

In accordance therewith, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 3018 (S.D. 1):

Representatives Hamakawa, chairman, Saiki, Auwae.

In accordance therewith, the President appointed Senators Chun Oakland, Kawamoto, Chumbley, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 3021, H.D. 1 (S.D. 1):

Representatives Morita, Kanoho, co-chairmen, Cachola, Schatz, Meyer.

In accordance therewith, the President appointed Senators Nakata, chairman, D. Ige, Slom as managers on the part of the Senate at such conference.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 3491 (Gov. Msg. No. 199):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3491 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Reproductive Rights Protection Committee of the following:

ROSEMARY C. ADAM-TEREM, PH.D., term to expire June 30, 2002; and

JENNIFER SCHEMBER-LANG and GAILYNN WILLIAMSON, PH.D., terms to expire June 30, 2004,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3492 (Gov. Msg. No. 226):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3492 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of WAYNE M.T. LU, WILLIAM F. MIELCKE, CAROLYN A. NII, DIANE J. PLOTTS and CLIFTON K. TSUJI to the Board of Directors of the Hawaii Health Systems Corporation, terms to expire June 30, 2004, seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3493 (Gov. Msg. No. 252):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3493 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

VICTORIA A. SUYAT, term to expire June 30, 2001;

CARRICK WONG, term to expire June 30, 2002; and

LYNN C. FOX, PETER L. FRITZ, STERLING KRYSLER, LILLIAN Y. SHIBATA, RICHARD W. SMITH and MARK YABUI, terms to expire June 30, 2003,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3494 (Gov. Msg. No. 255):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3494 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Commission on the Status of Women of the following:

MARGARET K. MASUNAGA, term to expire June 30, 2002; and

NANCI KREIDMAN, term to expire June 30, 2003,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).



Stand. Com. Rep. No. 3495 (Gov. Msg. No. 262):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3495 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of RICHARD I.C. CALDITO SR., ABE KAAHUI, HAROLD KOZUMA, DED., FREDERICK K. LEE, ROBERT Y. MASUDA, BETTY M. MATSUMURA and BRUCE W. MCCULLOUGH to the Policy Advisory Board for Elder Affairs, terms to expire June 30, 2004, seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3496 (Gov. Msg. No. 224):

Senator Chumbley moved that Stand. Com. Rep. No. 3496 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of JACK LAW to the Civil Rights Commission, term to expire June 30, 2002, seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3497 (Gov. Msg. No. 227):

Senator Chumbley moved that Stand. Com. Rep. No. 3497 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of LANI RAE GARCIA to the Hawaii Paroling Authority, term to expire June 30, 2004, seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3498 (Gov. Msg. No. 248):

Senator Chumbley moved that Stand. Com. Rep. No. 3498 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of EUCLID LEE to the Board of Registration, Island of Oahu, term to expire June 30, 2004, seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3499 (Gov. Msg. No. 249):

Senator Chumbley moved that Stand. Com. Rep. No. 3499 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of DAVID M. VIEIRA SR., to the Board of Registration, Island of Hawaii, term to expire June 30, 2004, seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3500 (Gov. Msg. No. 250):

Senator Chumbley moved that Stand. Com. Rep. No. 3500 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of PAUL K. SHINSEKI to the Board of Registration, Kauai and Niihau, term to expire June 30, 2004, seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3501 (Gov. Msg. No. 251):

Senator Chumbley moved that Stand. Com. Rep. No. 3501 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nominations to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe of the following:

CRAIG G. NAKAMURA, term to expire June 30, 2003; and

ANTHONY MONDELLO, term to expire June 30, 2004,

seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

Stand. Com. Rep. No. 3502 (Gov. Msg. No. 254):

Senator Chumbley moved that Stand. Com. Rep. No. 3502 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nominations of HIROSHI SAKAI and ROBERT S. TOYOFUKU to the Commission to Promote Uniform Legislation, terms to expire June 30, 2004, seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Bunda, M. Ige, Kanno, Tam).

## RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION

The Chair re-referred the following House concurrent resolution that was received:

House Concurrent Resolution	Referred to:
-----------------------------------	--------------

No. 159, H.D. 1      Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, requested a waiver pursuant to Senate Rule 20 for H.C.R. Nos. 101 and 156, and the Chair granted the waiver.

Senator Taniguchi, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for the following House concurrent resolutions:

H.C.R. No. 18;  
H.C.R. No. 38;  
H.C.R. No. 65;  
H.C.R. No. 87;  
H.C.R. No. 145; and  
H.C.R. No. 184,

and the Chair granted the waiver.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I didn't want everybody to think that I only read. I wanted them to know that sometimes I do watch television. And on Sunday I was watching the Bob Rees show. He interviewed four freshmen Representatives -- Representatives Catalani, Luke, Schatz and Kaho'ohalahala. It just so happened that Mr. Schatz, who represents Manoa, came out and said one of the things that he liked about Hawaii was that we were more of a republic than a democracy. This gives a chance for minorities to be heard and he didn't believe that the majority should rule. That was one of the reasons that he didn't like a referendum. When he said that, I thought I'd listen a little more closely. He thought that referendums don't work well.

"Well, I want you to know, Mr. President, that right now the majority rules. You can pass anything that you feel like and it will pass. Referendums allow people a chance to express themselves. In fact, learning from others like Kulani, a free lance writer, who says that our citizens like the idea of having an option when they think that their legislators failed to address important concerns. Now, if there is a 50/50 split, be it on gambling, be it on fireworks, be it on any issue, the people want a chance to express themselves. A referendum, especially after it took 20 years to find one and it's an advisory referendum, gives the people a chance to give input. So all four of them, including Mr. Rees, somewhat agreed that they're there for the minority input.

"That's not how they got elected. The majority of voters elected us. Majority includes minority. They, too, have a right. And I feel all the time like I'm losing a heck of a lot. As a member of the majority perspective who believes in something, I lose because minority groups seem to get their way and the beliefs of the majority members are going down the tubes. Now, you're the majority party, but you refuse to let others have a say in the legislative system. And I think that's really shameful.

"So I just thought that I would like to share that with you because all four of these people, including Mr. Rees, didn't like

the idea of allowing other people to express themselves. And that's one of the reasons that we're caught up all the time with never passing anything that's well worth passing for the public.

"So, once in a while I'd like you to remember that we were elected by the majority of the people of your particular district, precinct or whatever, and they're hoping that you will fulfill that duty. And if you can't, then we should give them an opportunity to directly voice their opinion through initiative or referendum.

"Thank you very much, Mr. President."

## APPOINTMENT OF CONFEREES

S.B. No. 20, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 20, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 185, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 185, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Chun Oakland, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 211, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 211, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 278, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 278, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, co-chairmen, Sakamoto as managers on the part of the Senate at such conference.

S.B. No. 539, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 539, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Levin, Chumbley, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 568, S.D. 2 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 568, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Nakata, co-chairmen, Matsuura, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 851, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 851, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Chumbley, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 873, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 873, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1281, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1281, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2021, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2021, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Chun, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2056, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2056, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chairman, Chun Oakland, Nakata, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2058, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2058, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2059, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2059, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2062, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2062, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Taniguchi, Kanno, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2074, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2074, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Chun, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2108, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2108, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Fukunaga, Levin, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2115, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2115, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Chun, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2121, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2121, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Tam, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2134, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2134, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Kawamoto, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2147, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2147, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2151, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2151, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Kawamoto, co-chairmen, Ihara, Bunda as managers on the part of the Senate at such conference.

S.B. No. 2152, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2152, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Chun, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2154, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2154, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2166 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2166 and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Kanno, Nakata, co-

chairmen, Ihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 2186, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2186, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2194, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2194, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2218, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2218, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Sakamoto, Iwase, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2221, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2221, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Chun, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2254, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2254, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Chumbley, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2278, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2278, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2283, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2283, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2287, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2287, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Kawamoto, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2293 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2293 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Nakata, co-chairmen, M. Ige, Slom as managers on the part of the Senate at such conference.

S.B. No. 2301, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2301, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Hanabusa, Levin, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

S.B. No. 2303, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2303, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Inouye, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2311, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2311, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Bunda, Buen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2312, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2312, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Kawamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2352, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2352, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Sakamoto, Chumbley, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2354, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2354, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, chairman, D. Ige, Chun, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2369, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2369, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2409, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2409, S.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Inouye, D. Ige, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2411, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2411, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Chun, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2419, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2419, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2420, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2420, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Fukunaga, Kanno, Inouye, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 2427, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2427, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2432, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2432, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2433, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2433, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Levin, Fukunaga, Nakata, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2448, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2448, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, D. Ige, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2467, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2467, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2475, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2475, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Sakamoto, Iwase, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2480, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2480, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2482, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2482, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, co-chairmen, Chun, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2484, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2484, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Chun Oakland, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2486, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2486, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Taniguchi, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2490, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2490, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Buen, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2493, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2493, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2513, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2513, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Nakata, co-chairmen, Matsuura, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2521, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2521, S.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Tam, Fukunaga, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2530, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2530, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Chun, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2533, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2533, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2536, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2536, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Chun, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2562, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2562, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2574, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2574, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Sakamoto, Iwase, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2575, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2575, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Sakamoto, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2576, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2576, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Chun, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2579, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2579, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2598, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2598, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Chun, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2607, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2607, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2621, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2621, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kawamoto, co-chairmen, Levin, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2655, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2655, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Taniguchi, Kanno, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2657, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2657, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Taniguchi, Kanno, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2666, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2666, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Kawamoto, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2692, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2692, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Chun, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2706, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2706, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Fukunaga, co-chairmen, Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 2711, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2711, S.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2716, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2716, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2717, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2717, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, co-chairmen, Ihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 2722, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2722, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, D. Ige, co-chairmen, Chun, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2725 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2725 and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chairman, Bunda, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2729, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2729, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Ihara as managers on the part of the Senate at such conference.

S.B. No. 2731, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2731, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2741 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2741 and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Inouye, Fukunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2745, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2745, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Kawamoto, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2766, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2766, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Tam, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

S.B. No. 2769 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2769 and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, chairman, Kanno, Chun, Slom as managers on the part of the Senate at such conference.

S.B. No. 2779, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2779, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, Levin, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2781, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2781, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, Levin, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2802, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2802, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Nakata as managers on the part of the Senate at such conference.

S.B. No. 2808 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2808 and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Hanabusa, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2819, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2819, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Ihara, Slom as managers on the part of the Senate at such conference.

S.B. No. 2837, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2837, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Nakata, Iwase, co-chairmen, Sakamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 2838, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2838, S.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators D. Ige, Sakamoto, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2843 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2843 and the request for a conference on the subject matter thereof, the President appointed Senators Hanabusa, Taniguchi, co-chairmen, Matsuura, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2850, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2850, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Chumbley, co-chairmen, Iwase, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2856, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2856, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Tam, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2859, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2859, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Levin, Fukunaga, co-chairmen, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 2863, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2863, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kawamoto, Chumbley, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2872, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2872, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Levin, Fukunaga, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2873, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2873, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2879, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2879, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Chun, Kawamoto, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2905 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2905 and the request for a conference on the subject matter thereof, the President appointed Senators Nakata, Fukunaga, co-chairmen, Chun, M. Ige as managers on the part of the Senate at such conference.

S.B. No. 2935, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2935, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2945, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2945, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2946, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2946, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2948, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2948, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, D. Ige, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2961, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2961, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Sakamoto, Iwase, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 2982, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2982, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2987, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2987, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Kawamoto, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2988, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2988, S.D. 2,



and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Fukunaga, co-chairmen, Chun, Anderson as managers on the part of the Senate at such conference.

S.B. No. 2993, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2993, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Nakata, Hanabusa, co-chairmen, as managers on the part of the Senate at such conference.

S.B. No. 3002, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3002, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3003, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3003, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Levin, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 3026, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3026, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Sakamoto, Fukunaga, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3032, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3032, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Fukunaga, Levin, Nakata, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3038, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3038, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Sakamoto, Chumbley, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3043, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3043, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 3045, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3045, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Levin, Matsunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 3073, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3073, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Buen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3079 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3079 and the request for a conference on the subject matter thereof, the President appointed Senators D. Ige, Sakamoto, Chumbley, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3123, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3123, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, D. Ige, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3125, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3125, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Matsunaga, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

S.B. No. 3129 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3129 and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3133, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3133, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Kawamoto, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

S.B. No. 3160, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3160, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Chun, co-chairmen, Matsuura, Anderson as managers on the part of the Senate at such conference.

S.B. No. 3179 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3179 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, Matsunaga, Chun, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3190, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3190, S.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Kanno, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3193, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3193, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Taniguchi, Fukunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 3194, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3194, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Chumbley, co-chairmen, Buen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 3199, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3199, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Inouye, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 3201, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3201, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Buen, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

H.B. No. 2154, H.D. 2 (S.D. 2):

The President appointed Senator Fukunaga as an additional co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2154, H.D. 2.

H.B. No. 2434, H.D. 1 (S.D. 1):

The President appointed Senator Kawamoto as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2434, H.D. 1.

#### ADJOURNMENT

At 12:22 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 19, 2000.

## FIFTY-THIRD DAY

Wednesday, April 19, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor David Yamashiro, Christ's Church at Kapolei, after which the Roll was called showing all Senators present with the exception of Senators Iwase, Levin and Tam who were excused.

The President announced that he had read and approved the Journal of the Fifty-Second Day.

At this time, the following introductions were made to the members of the Senate:

In commemoration of Medal of Honor Recipient U.S. Army Private First Class Herbert K. Pililaa for his heroic devotion and outstanding courage above and beyond the call of duty, and in acknowledging the U.S. Navy's recognition of his sacrifice by christening its newest roll-on/roll-off ship, the USNS Pililaa in New Orleans, Louisiana, on January 8, 2000, Senator Hanabusa introduced PFC Pililaa's sisters: Mercy Garcia and Agnes Kim; and brothers: Edward, Bobby and Melvin Pililaa, and extended heartfelt sympathy and appreciation for the service PFC Pililaa provided to his country. Senator Hanabusa also recognized an additional brother, Kama Pililaa, who was unable to attend.

Senator Matsuura, with the assistance of Senator Inouye, congratulated Waiakea High School's 2000 Electron Marathon Team on capturing the title of "Best of Show" at the 2000 Electron Marathon and introduced the following individuals: Derrick Kiyan, lead instructor; and team members: John Apao-Hepa, Aaron Buyuan, Joyce DeSilva, Reno Lau, Jason Perreira, Scott Shitabata, Jason Tanaka, Ryan Teanio and Danton Zimmerman.

At this time, President Mizuguchi recognized Senator Bunda and said:

"The Chair welcomes back the Senator from Waialua, Wahiawa and the North Shore -- welcome back, Senator Bunda." (Senator Bunda rose and received a resounding round of applause.)

Senator Bunda then commended Waialua High and Intermediate School's Robotics Team for receiving the Daimler Chrysler Team Spirit Award and for winning second place as part of a three-team alliance with McKinley High School and Hope Chapel Academy of Hermosa Beach, California, at the Western Regionals of the National FIRST (For Inspiration and Recognition of Science and Technology) Robotics Competition's NASA Ames Regional and introduced the following individuals: Aloha Coleman, principal of Waialua High and Intermediate School; Cody Ann Iwamoto, team captain; Shaun "Mickey" Woolley, robot driver; Stuart Nishimura, lead engineering mentor; and Terry Lopez, engineering mentor.

Senator Chun Oakland, on behalf of Senator Fukunaga, Senator Tam, Senator Taniguchi, and herself, recognized and congratulated the McKinley High School Robotics Team 2000 for winning second place as part of a three-team alliance with Waialua High and Intermediate School and Hope Chapel Academy of Hermosa Beach, California, at the Western Regionals of the National FIRST (For Inspiration and Recognition of Science and Technology) Robotics Competition's NASA Ames Regional and introduced the following individuals: Alan Ing, head engineering mentor; Roy Tom, machinist mentor; Tom Battisto, software programming mentor; Elaine Owens, robot arm and containment systems

operator and co-team captain; and Chris Orimoto, robot navigation operator and co-team captain.

Senator Matsunaga then recognized Ms. Ellen Masaki for being named the Music Teacher of the Year by the Music Teachers National Association, a 124-year old organization of independent and collegiate music teachers, and congratulated her on being the first recipient of that national recognition award. Accompanying Ms. Masaki was her mother, Margaret Kimura.

Senator Matsunaga also introduced and congratulated the Queen of the 48th Annual Cherry Blossom Festival, Vail Matsumoto, and her court: First Princess Neysa Park; Princess Sheri Sakagawa; and Princess and Miss Congeniality, Shirley Yamauchi. Senator Matsunaga also recognized Princess Vicky Toma and Miss Popularity Shelliann Kawamoto who were unable to attend.

At this time, the Chair appointed Senators Matsunaga, D. Ige and Anderson to escort Cherry Blossom Queen Vail Matsumoto to the podium to address the members of the Senate.

Queen Vail addressed the members of the Senate and their guests as follows:

"Good morning. On behalf of the Honolulu Japanese Junior Chamber of Commerce and the 48th Cherry Blossom Court, I'd like to thank you for allowing us to be here today. This is a wonderful opportunity for us. We're very excited to be here. I think the only people who are more excited are maybe my students, since they have a substitute today. They also wanted me to say 'hello' to Senator Kawamoto -- warm wishes come to you from Waipahu High School.

"Late Monday evening, we returned from our first official court trip. We returned from San Francisco where they truly treated us like royalty up there. But now it's back to reality and we're eager to begin some work, because as court members, we know that our first priority is to serve the community.

"We have many projects that we're thinking about doing. Some of them include visiting elementary, intermediate and high schools across the state to perpetuate the Japanese culture, as well as, perhaps, a book drive and a food drive.

"I'd like to mention that you have been very supportive, so if there's anything that the court can do to reciprocate that support in your community service projects (I know that most of you probably have many), please do not hesitate to call upon us.

"I think it's fitting that we're here today because I know all of you work very hard for the communities, and that's what we hope to do also. I'm sure our paths will cross again as we all work towards a better Hawaii.

"Thank you."

At 12:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:25 o'clock p.m.

At this time, Senator Chumbley introduced Senator Bunda's wife, Gail. (Mrs. Bunda, who was seated behind her husband on the Senate Floor, rose to be recognized.)

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 312, informing the Senate that on April 17, 2000, he signed the following bills into law:

House Bill No. 2020 as Act 18, entitled: "RELATING TO OBSOLETE LAWS";

House Bill No. 2457 as Act 19, entitled: "RELATING TO VETERANS LOANS"; and

House Bill No. 2495 as Act 20, entitled: "RELATING TO EDUCATION,"

was read by the Clerk and was placed on file.

### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 676 to 679) were read by the Clerk and were placed on file:

Hse. Com. No. 676, informing the Senate that the amendments proposed by the Senate to the following House bills were agreed to by the House, and said bills, as amended, passed Final Reading in the House of Representatives on April 17, 2000:

H.B. No. 1949, H.D. 2, S.D. 2;  
H.B. No. 2262, H.D. 2, S.D. 1;  
H.B. No. 2278, H.D. 2, S.D. 1;  
H.B. No. 2760, H.D. 2, S.D. 1; and  
H.B. No. 3001, H.D. 2, S.D. 1.

Hse. Com. No. 677, informing the Senate that the Speaker on April 17, 2000, made the following changes to the conferees on the following bills:

H.B. No. 1883, H.D. 2 (S.D. 3):

Discharged Representative Yamane as third co-chairman.  
Appointed Representative Goodenow as third co-chairman.

S.B. No. 873, S.D. 1 (H.D. 2):

Discharged Representative Whalen as a manager.  
Appointed Representative Marumoto as a manager.

S.B. No. 2151, S.D. 1 (H.D. 1):

Discharged Representative Auwae as a manager.  
Appointed Representative Whalen as a manager.

S.B. No. 2194, S.D. 1 (H.D. 1):

Discharged Representatives Kawakami and Suzuki as managers.  
Appointed Representatives Goodenow and Yamane as managers.

S.B. No. 2254, S.D. 1 (H.D. 2):

Appointed Representative Cachola as an additional manager.

S.B. No. 2287, S.D. 1 (H.D. 2):

Discharged Representative Moses as a manager.  
Appointed Representatives Kanoho and Marumoto as managers.

S.B. No. 2301, S.D. 2 (H.D. 1):

Discharged Representative Fox as a manager.  
Appointed Representative Meyer as a manager.

S.B. No. 2312, S.D. 1 (H.D. 1):

Discharged Representative Fox as a manager.  
Appointed Representative Moses as a manager.

S.B. No. 2467, S.D. 2 (H.D. 1):

Discharged Representative Whalen as a manager.  
Appointed Representative Marumoto as a manager.

S.B. No. 2657, S.D. 2 (H.D. 2):

Discharged Representative Whalen as a manager.  
Appointed Representative Marumoto as a manager.

S.B. No. 2692, S.D. 2 (H.D. 2):

Discharged Representative Meyer as a manager.  
Appointed Representative Auwae as a manager.

S.B. No. 2729, S.D. 1 (H.D. 2):

Discharged Representative Whalen as a manager.  
Appointed Representative Marumoto as a manager.

S.B. No. 2935, S.D. 1 (H.D. 2):

Discharged Representative Meyer as a manager.  
Appointed Representative Halford as a manager.

S.B. No. 2945, S.D. 1 (H.D. 3):

Discharged Representative Halford as a manager.  
Appointed Representatives Souki and Marumoto as managers.

S.B. No. 3002, S.D. 2 (H.D. 1):

Discharged Representative Moses as a manager.  
Appointed Representative Auwae as a manager.

Hse. Com. No. 678, informing the Senate that the Speaker on April 18, 2000, made the following changes to the conferees on the following bills:

H.B. No. 37, H.D. 1 (S.D. 2):

Discharged Representative Herkes as first co-chairman.

H.B. No. 353, H.D. 2 (S.D. 1):

Appointed Representative Souki as an additional manager.

H.B. No. 564, H.D. 2 (S.D. 2):

Appointed Representative Souki as an additional manager.

H.B. No. 1149, H.D. 1 (S.D. 1):

Appointed Representative Souki as an additional manager.

H.B. No. 2024, H.D. 1 (S.D. 2):

Appointed Representative Souki as an additional manager.

H.B. No. 2311, H.D. 1 (S.D. 1):

Discharged Representative Saiki as a manager.  
Appointed Representative Souki as a manager.

H.B. No. 2572, H.D. 1 (S.D. 2):

Discharged Representative Thielen as a manager.  
Appointed Representative Meyer as a manager.

H.B. No. 2727, H.D. 1 (S.D. 2):

Appointed Representative Souki as an additional manager.

S.B. No. 992, S.D. 2 (H.D. 2):

Appointed Representative Souki as an additional manager.

S.B. No. 2409, S.D. 1 (H.D. 2):

Appointed Representative Souki as an additional manager.

S.B. No. 2859, S.D. 1 (H.D. 1):

Appointed Representative Souki as an additional manager.

Hse. Com. No. 679, informing the Senate that the Speaker on April 19, 2000, made the following changes to the conferees on the following bills:

H.B. No. 2473, H.D. 1 (S.D. 1):

Appointed Representatives Souki, Yoshinaga and Meyer as additional managers.

S.B. No. 2843 (H.D. 2):

Appointed Representative Hamakawa as an additional manager.

### STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3503) recommending that the Senate advise and consent to the nominations of SUSAN K. FORBES, DRPH., MELODY S. FANNING, CRAIG KADOOKA, M.D., NOELLA J. KONG, ROSEMARY NELSON and PATRICK S. SAKA to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 229.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3503 and Gov. Msg. No. 229 was deferred until Thursday, April 20, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3504) recommending that the Senate advise and consent to the nominations of KATHLEEN DELAHANTY, PAMELA HINSDALE, ROBYN KAUFMAN, ANDREW W. CHAR, MARK TAYLOR, PATRICIA TOMPKINS and JAMES P. WALSH to the Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 230.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3504 and Gov. Msg. No. 230 was deferred until Thursday, April 20, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3505) recommending that the Senate advise and consent to the nominations of WENDY A. ABE, LEE ELLEN BUENCONSEJO, M.D., NELSON M. HIGA, C. MIKE KIDO and RICHARD F. KOLBE to the West Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 231.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3505 and Gov. Msg. No. 231 was deferred until Thursday, April 20, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3506) recommending that the Senate advise and consent to the nominations of JIM D. ALDRED, JOHN E. AOKI, M.D., AGNES E.P. CADIZ, LESLIE S. CHINEN and ANNETTE L. OSTREM to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 232.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3506 and Gov. Msg. No. 232 was deferred until Thursday, April 20, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3507) recommending that the Senate advise and consent to the nominations of ROBERTA M. CARTWRIGHT, SUSAN B. HUNT, JOHN MCNEIL, CLIFFORD K. MOTTA, IDA H. OTAKE, PAUL P. PAIVA, ALAN R. PARKER and BEVERLY JEAN WITHINGTON to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 233.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3507 and Gov. Msg. No. 233 was deferred until Thursday, April 20, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3508) recommending that the Senate advise and consent to the nominations of PETRA LOPEZ, DAVID PETERS, BELLE SHEPHERD, LILI BRYAN-CONANT, CESAR G. CADABES, CARMEN L. PANUI, ELIZABETH UBAY and KENNETH VILLABRILLE to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 234.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3508 and Gov. Msg. No. 234 was deferred until Thursday, April 20, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3509) recommending that the Senate advise and consent to the nomination of TIMOTHY T. SHIROMA to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 235.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3509 and Gov. Msg. No. 235 was deferred until Thursday, April 20, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3510) recommending that the Senate advise and consent to the nominations of GARRETT TOGUCHI, BARBARA FISCHLOWITZ-LEONG, RANDALL LICHTER and MARK T. OBATAKE to the Statewide Independent Living Council, in accordance with Gov. Msg. No. 237.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3510 and Gov. Msg. No. 237 was deferred until Thursday, April 20, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3511) recommending that H.C.R. No. 40, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 40, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF VETERANS AFFAIRS AND CONGRESSIONAL LEADERS TO WORK TOWARD ALLOWING FILIPINO-AMERICAN VETERANS TO BE INTERRED IN NATIONAL OR STATE VETERANS CEMETERIES," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3512) recommending that H.C.R. No. 55 be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO PROVIDE A STATUS REPORT ON THE RELOCATION OF THE CITY AND

COUNTY OF HONOLULU'S BASEYARD FACILITIES FROM THE KAKAOKO MAKAI AREA," was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3513) recommending that H.C.R. No. 132 be referred to the Committee on Ways and Means.

On motion by Senator Chun, Seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3514) recommending that H.C.R. No. 149, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 149, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO WORK WITH AREA RESIDENTS TO DEVELOP USE OPTIONS FOR THE STADIUM BOWL-O-DROME PROPERTY," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3515) recommending that H.C.R. No. 102, as amended in S.D. 1, be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 102, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING CONTINUED EFFORTS TOWARD THE POPULATION RECOVERY OF THE HAWAIIAN MONK SEALS AND REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MONITOR SUCH EFFORTS," was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3516) recommending that the Senate advise and consent to the nominations of VERNON D. INOSHITA, DONN T. FUKUDA, ARNOLD L. LUM, RAYMOND S. TABATA and PATRICIA TUMMONS to the Environmental Council, in accordance with Gov. Msg. No. 263.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3516 and Gov. Msg. No. 263 was deferred until Thursday, April 20, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3517) recommending that the Senate advise and consent to the nomination of DAVID LASSNER, PH.D., to the Board of Directors, High Technology Development Corporation, in accordance with Gov. Msg. No. 236.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3517 and Gov. Msg. No. 236 was deferred until Thursday, April 20, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3518) recommending that the Senate advise and consent to the nomination of HIN CHIU LAU to the Community-Based

Economic Development Advisory Council, in accordance with Gov. Msg. No. 225.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3518 and Gov. Msg. No. 225 was deferred until Thursday, April 20, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3519) recommending that the Senate advise and consent to the nominations of RICHARD L. KLEMM, CALVIN H. ODA and BLAKE VANCE, PH.D., to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 194.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3519 and Gov. Msg. No. 194 was deferred until Thursday, April 20, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3520) recommending that the Senate advise and consent to the nominations of BERT L. HATTON, LARRY G. JEFTS, DENIS C.H. KAM, CHRIS J. KANAZAWA, YUKIO KITAGAWA, DIANE L. LEY, ALLAN A. SMITH and ROBERT S. SUTHERLAND to the Board of Directors, Agribusiness Development Corporation, in accordance with Gov. Msg. No. 148.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3520 and Gov. Msg. No. 148 was deferred until Thursday, April 20, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3521) recommending that the Senate advise and consent to the nomination of NEIL N. NAKAMURA to the Board of Agriculture, in accordance with Gov. Msg. No. 260.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3521 and Gov. Msg. No. 260 was deferred until Thursday, April 20, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3522) recommending that the Senate advise and consent to the nominations of HOWARD C.O. LUM and RICK EGGED to the Barbers Point Naval Air Station Redevelopment Commission, in accordance with Gov. Msg. No. 273.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3522 and Gov. Msg. No. 273 was deferred until Thursday, April 20, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3523) recommending that the Senate advise and consent to the nominations of PERRY H. KEALOHA, K. KEALOHA PISCIOTTA, PEARL ULUNUI GARMON, J. KEOLALANI HANOA, E. NALEI PATE-KAHAKALAU and JOHN B. RAY to the Island Burial Council, Island of Hawaii, in accordance with Gov. Msg. No. 282.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3523 and Gov. Msg. No. 282 was deferred until Thursday, April 20, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3524) recommending that the Senate advise and consent to the nominations of GLENN RICHARDSON and MERCER K. VICENS to the Island Burial Council, Islands of Maui and Lanai, in accordance with Gov. Msg. No. 284.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3524 and Gov. Msg. No. 284 was deferred until Thursday, April 20, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3525) recommending that the Senate advise and consent to the nominations of ROBERT ALCAIN and WAYDE H. LEE to the Island Burial Council, Island of Molokai, in accordance with Gov. Msg. No. 285.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3525 and Gov. Msg. No. 285 was deferred until Thursday, April 20, 2000.

### ORDER OF THE DAY

#### RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The Chair re-referred the following House concurrent resolutions that were received:

House  
Concurrent  
Resolution

Referred to:

No. 41 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs

No. 62, H.D. 1 Committee on Ways and Means

No. 81, H.D. 1 Committee on Education and Technology

No. 101, H.D. 1 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 156, H.D. 1 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 190, H.D. 1 Committee on Ways and Means

No. 192 Committee on Ways and Means

Senator D. Ige, for the Committee on Education and Technology, requested a waiver pursuant to Senate Rule 20 for the following House concurrent resolutions:

H.C.R. No. 71;  
H.C.R. No. 81;  
H.C.R. No. 93;  
H.C.R. No. 157; and  
H.C.R. No. 158,

and the Chair granted the waiver.

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver pursuant to Senate Rule 20 for the following House concurrent resolutions:

H.C.R. No. 62;  
H.C.R. No. 89;  
H.C.R. No. 190; and  
H.C.R. No. 192,

and the Chair granted the waiver.

Senator Bunda rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, it's really a privilege to be able to stand here today and say that I'm really glad to be back. Furthermore, you can only watch Food TV, Emeril, and ESPN for a time -- after that it gets really old. (Laughter.)

"Mr. President, I'd like to say that four weeks ago, my surgery was a real spiritual experience. I feel like I've had a

second chance at life. Having this surgery, Mr. President, is really traumatic, but I'm really fortunate in many ways -- the problem was diagnosed in time; I had an excellent surgeon and great doctors who actually followed up with my care; the prognosis for this particular surgery is full and complete recovery; and my surgeon did tell me that I do have a young heart.

"So today, Mr. President, my heart is so full -- full of gratitude and full of love for my wife, my children, my family and friends. And I'd like to thank my staff who really did a good job in keeping me abreast in all of the things that were happening here. By the way, I felt like I had never left because I saw all of you on television every day. (Laughter.)

"It really feels good to be back here at the capitol among you, my colleagues, and it's been a wonderful, wonderful show of your concern to me and my family as you gave me all the best wishes for my recovery. I really appreciate it. And now, from the bottom of my heart -- actually an invigorated heart -- I really want to say to all of you, thank you and mahalo.

"Thank you, Mr. President."

At this time, Senator Chumbley, on behalf of the Senate, extended happy birthday wishes to Senator Ihara.

Senator Slom rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Today we're going to be welcoming a number of our guests to the capitol this afternoon, thousands of union workers. We all know about this, of course, because the union took out nearly a \$10,000 ad this morning to let us know. And when you take out an expensive ad with the Advertiser, it always guarantees that you'll get a front page story about the news. And then we heard the good Reverend mention the union rally three times in his invocation. So in case anybody missed that, the unions will be here this afternoon.

"I welcome them. I intend to be downstairs in the rotunda in between our many conference meetings. But Mr. President, I have to say that I'm very concerned. I'm very concerned about the message and the focus of this rally, because instead of one of unity, of bringing people together, at least the leaders of this rally are calling for defeat of needed legislation, reform, and changes. They're calling again for more divisiveness.

"I note that my colleagues often say, let's not play the blame game; let's not talk about who is responsible for this and that. And the photo that is used in this \$10,000 ad is a photo of the 1946 sugar strike. This is 2000. We're supposed to be moving on. We're supposed to be collaborative, cooperative, working together, finding those areas of improvement that we can all share and work on.

"But the message is the same. The message is -- give us money. The message is -- defeat civil service reform; don't touch collective bargaining; don't touch our benefits; don't do this; don't do that for us . . . for us, not for the rest of the people. Because when we're talking about working families, I'm a working family. My family works. I think all of my colleagues here are working families.

"And this idea of trying to be mutually exclusive, of trying to separate people, and to say that only people in labor unions, compulsory labor unions, can be concerned, I think is a misnomer. I have stood on this Senate floor and I have spoken against and voted against bills that were harmful to labor unions because I thought it was the right thing to do. I have spoken up for their rights, for their benefits, for promises that were made to union members, both active and retirees, to be honored. But the idea of the head of the HGEA coming forth and saying once again, we have to pay for more salary increases and in order to do it we've got to raise the odious general excise tax from 4 to

5.35 percent, and then if we don't do it, they'll remember in November. Catchy phrase, 'remember in November'; I remember enunciating that just two years ago at rallies here at the capitol in 1998.

"The problem here is, if in fact we have turned the economy around, 90 percent of the population isn't aware of it -- those who are still here; those who have not moved away; those who have not made plans to move away. People are still struggling. People are still going into bankruptcy. There are still foreclosures, and for this group to come here and say, 'Give us money or raise the taxes on everybody to pay for us,' when we are trying to make changes for the future, when we talk about the new economy and positioning ourselves . . . we should all be working together. There should not be this divisiveness. And yet there is. And why? One word. There's a TV series right now by that name; it's called 'Greed.' Greed and power. And I'm not talking about the rank and file union members. I'm talking about the union leaders, that all they know how to do is try to extort and hijack and get money from other people. That's got to end.

"We must have civil service and collective bargaining reform. We can do so without taking benefits and promises away from existing workers. But we've got to stand up and say, this is what's got to define this 2000 legislative session. Because if we don't, we will be a failure as a body, as a legislature, and we will fail all those children and all those families that we say we're concerned about.

"So I welcome our union brothers and sisters today, and I will be down at the rally and, God forbid, if they give me a microphone, I will speak to them. But I think that we've got to keep this in perspective. And I'm a little disappointed that I haven't heard any of my colleagues stand up and speak out against the very thought of raising taxes again, and particularly taxes for one single purpose -- to pay for pay raises when the vast majority of people are desperately trying to cling to the jobs that they have to try to take care of their families right now.

"So, welcome to our guests, Mr. President, but I will be there with a heavy heart that we still haven't learned the true meaning of collaboration and cooperation.

"Thank you."

#### **APPOINTMENT AND DISCHARGE OF CONFEREES**

S.B. No. 456, S.D. 2 (H.D. 1):

The President appointed Senator Anderson as a manager and discharged Senator Slom as a manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 456, S.D. 2.

S.B. No. 2533, S.D. 1 (H.D. 2):

The President appointed Senator Chun as a manager and discharged Senator Anderson as a manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2533, S.D. 1.

S.B. No. 2779, S.D. 1 (H.D. 2):

The President appointed Senator D. Ige as a co-chairman and discharged Senators Fukunaga and Levin as co-chairmen on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2779, S.D. 1.

S.B. No. 2837, S.D. 1 (H.D. 2):

The President appointed Senator Kawamoto as an additional manager on the part of the Senate at the conference to be held

for the consideration of amendments proposed by the House to S.B. No. 2837, S.D. 1.

H.B. No. 1632, H.D. 3 (S.D. 1):

The President appointed Senator Fukunaga as an additional co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1632, H.D. 3.

H.B. No. 2588, H.D. 1 (S.D. 1):

The President appointed Senator Chun as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2588, H.D. 1.

H.B. No. 2901, H.D. 2 (S.D. 2):

The President appointed Senator Levin as an additional co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2901, H.D. 2.

#### **ADJOURNMENT**

At 12:38 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 20, 2000.



## FIFTY-FOURTH DAY

Thursday, April 20, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Major Warren Dabis, Kauluwela Mission Corps, Salvation Army, after which the Roll was called showing all Senators present with the exception of Senator Matsuura who was excused.

The President announced that he had read and approved the Journal of the Fifty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Tam introduced Heidi Maeda, an eighth grade student at Kawanakoa Middle School, and congratulated her on winning the 2000 State Spelling Bee Championship. Accompanying Heidi were her parents, Jennifer and Willis Maeda, and Richard Anbe, principal of Kawanakoa Middle School.

Senator D. Ige, on behalf of President Mizuguchi and himself, introduced Glenn Shigetomi, an eighth grade student at Punahou School, and congratulated him on winning the Hawaii State Geography Bee. Accompanying Glenn were his parents Kenneth and Linda Shigetomi; his coach and social studies teacher at Punahou, John Saporito; and the State Geography Bee coordinator, Mary Frances Higuchi.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 o'clock p.m.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 680 to 682) were read by the Clerk and were placed of file:

Hse. Com. No. 680, informing the Senate that the Speaker on April 19, 2000, discharged Representative Meyer and appointed Representative Thielen as a manager on the part of the House at the conference on H.B. No. 2572, H.D. 1, S.D. 2.

Hse. Com. No. 681, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on April 19, 2000, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 2409, H.D. 1, S.D. 1; and  
H.B. No. 2537, S.D. 1.

Hse. Com. No. 682, informing the Senate that the Speaker on April 20, 2000, made the following changes to the conferees on the following House bills:

H.B. No. 2473, H.D. 1 (S.D. 1):

Discharged Representatives Souki, Yoshinaga and Meyer as managers.

H.B. No. 2476, H.D. 1 (S.D. 2):

Appointed Representative Yoshinaga as second co-chairman, and Representatives Souki and Meyer as additional managers.

H.B. No. 2906, H.D. 1 (S.D. 1):

Discharged Representatives Rath as a manager.  
Appointed Representative Auwae as a manager.

## STANDING COMMITTEE REPORTS

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3526) recommending that the Senate advise and consent to the nomination of LORRAINE HENDERSON to the Hawaii Teacher Standards Board, in accordance with Gov. Msg. No. 160.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3526 and Gov. Msg. No. 160 was deferred until Monday, April 24, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3527) recommending that the Senate advise and consent to the nominations of LYONS K. NAONE III, ERIC K. KEAWE, MARY LANI AKUI, LANE KAAIAI and CASINA K. WATERMAN to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 239.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3527 and Gov. Msg. No. 239 was deferred until Monday, April 24, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3528) recommending that the Senate advise and consent to the nominations of CHARLES T. ARAKI, ED.D., and DONALD S. KARIMOTO to the State Post-Secondary Education Commission, in accordance with Gov. Msg. No. 246.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3528 and Gov. Msg. No. 246 was deferred until Monday, April 24, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3529) recommending that the Senate advise and consent to the nomination of LYNN C. KINNEY to the Board of Directors, Research Corporation of the University of Hawaii, in accordance with Gov. Msg. No. 253.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3529 and Gov. Msg. No. 253 was deferred until Monday, April 24, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3530) recommending that the Senate advise and consent to the nominations of STANLEY S. GIMA and IAN L. MATTOCH to the State Foundation on Culture and the Arts Commission, in accordance with Gov. Msg. No. 261.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3530 and Gov. Msg. No. 261 was deferred until Monday, April 24, 2000.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3531) recommending that the Senate advise and consent to the nominations of WILLIAM K. MILLS, LINDA NISHIGAYA, PH.D., AGNES E. GRIFFIN, MICHIO KODAMA-NISHIMOTO and GAYLORD C. KUBOTA to the Hawaii Historic Places Review Board, in accordance with Gov. Msg. No. 280.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3531 and Gov. Msg. No. 280 was deferred until Monday, April 24, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3532) recommending that H.C.R. No. 37, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 37, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SUPPORT OF THE TWENTIETH LEGISLATURE OF THE STATE OF HAWAII FOR THE RESPONSIBLE USE OF AGRICULTURAL BIOTECHNOLOGY FOR THE BENEFIT OF HAWAII'S PEOPLE," was adopted.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3533) recommending that H.C.R. No. 24, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 24, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII FARMER'S MARKET," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3534) recommending that H.C.R. No. 96 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3535) recommending that H.C.R. No. 164, H.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 164, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ESTABLISH A TRANSITION PLAN TO TRANSFER THE FUNCTIONS AND RESPONSIBILITIES OF THE CONVENTION CENTER AUTHORITY TO THE HAWAII TOURISM AUTHORITY," was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Kawamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3536) recommending that H.C.R. No. 41, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 41, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FEDERAL RECOGNITION OF A NATIVE HAWAIIAN NATION," was adopted.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3537) recommending that H.C.R. No. 94, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R.

No. 94, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3538) recommending that H.C.R. No. 145, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 145, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE WHETHER MOTOR VEHICLE REFORM UNDER ACT 251, SESSION LAWS OF HAWAII 1997, HAS IMPACTED CONSUMER ACCESS TO MEDICALLY REASONABLE, NECESSARY, AND APPROPRIATE REFERRAL TO MASSAGE THERAPY AND PHYSICAL THERAPY, AND IF THIS HAS CONTRIBUTED TO CONSUMER COST SAVINGS UNDER THE ACT," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3539) recommending that H.C.R. No. 103, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 103, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT THAT COMMERCIAL MARINE MAMMAL WATCHING TOURS MAY HAVE ON COMMERCIAL FISHING IN WATERS OF THE WAIANAE COAST OF OAHU," was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3540) recommending that H.C.R. No. 165, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 165, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3541) recommending that H.C.R. No. 38, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 38, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW AND EVALUATE THE LICENSING REQUIREMENTS FOR PSYCHOLOGISTS," was adopted.

Senators Kanno and Taniguchi, jointly with Senator Kawamoto, for the Committee on Commerce and Consumer Protection and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3542) recommending that H.C.R. No. 65, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, Seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 65, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR REGULATING THE ALARM INDUSTRY," was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3543) recommending that H.C.R. No. 87 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION URGING LIBERTY NEWSPAPERS TO CONTINUE PUBLICATION OF THE HONOLULU STAR-BULLETIN AND TO ACTIVELY SEEK A BUYER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," was adopted.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3544) recommending that H.C.R. No. 184 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE BENEFITS AND FEASIBILITY OF COLLABORATIVE HEALTH CARE PURCHASING ARRANGEMENTS BETWEEN HAWAII QUEST AND THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3545) recommending that H.C.R. No. 7, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3546) recommending that H.C.R. No. 44, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 44, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE POTENTIAL NURSING SHORTAGE," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3547) recommending that H.C.R. No. 47 be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE

HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3548) recommending that H.C.R. No. 66, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 66, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3549) recommending that H.C.R. No. 75, H.D. 1, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 75, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO INCORPORATE INTO THE COUNTY BUILDING CODES PROVISIONS FOR DISABILITY ACCESSIBILITY," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3550) recommending that H.C.R. No. 77, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 77, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO DEVELOP A DEPARTMENTAL PUBLIC INFORMATION MEETING PROCESS FOR ANY PROPOSED UTILIZATION OF AN EXISTING STRUCTURE OR CONSTRUCTION OF A NEW STRUCTURE FOR ANY PURPOSE INVOLVING MENTAL HEALTH OR PUBLIC SAFETY IN A COMMUNITY," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3551) recommending that H.C.R. No. 86, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 86, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO CONDUCT A COMPREHENSIVE REVIEW OF ALL PROGRAMS IN THE STATE FOR, AND THE BENEFITS RECEIVED BY, HAWAII'S ELDERLY," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3552) recommending that H.C.R. No. 111, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 111, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO

CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3553) recommending that H.C.R. No. 196, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 196, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTING POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the majority of the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3554) recommending that H.C.R. No. 31, H.D. 2, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.C.R. No. 31, H.D. 2, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE CONSERVATION OF TWO PARCELS OF LAND ADJACENT TO LIMAHLI STREAM ON THE ISLAND OF KAUAI FOR THE PRESERVATION OF IMPORTANT CULTURAL RESOURCES," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3555) recommending that H.C.R. No. 101, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 101, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASCERTAIN THE FEASIBILITY OF AMENDING THE HAWAIIAN HOMES COMMISSION ACT TO ALLOW FOR DIRECT ELECTION OF MEMBERS," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3556) recommending that H.C.R. No. 120, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 120, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO CREATE A MASTER PLAN FOR FLOOD MITIGATION FOR WAIMANALO," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3557) recommending that H.C.R. No. 151, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A COMPREHENSIVE MASTER PLAN FOR KOKEE AND WAIMEA CANYON STATE PARKS," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3558) recommending that H.C.R. No. 156, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 156, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO COMMISSION A STUDY TO DETERMINE THE SECURITY OF THE 5(F) TRUST ASSETS IN LIGHT OF THE RICE V. CAYETANO U.S. SUPREME COURT RULING," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3559) recommending that H.C.R. No. 52, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE AND ASSIST EFFORTS TO STRENGTHEN AND EVALUATE EXISTING STUDENT LEADERSHIP PROGRAMS," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3560) recommending that H.C.R. No. 81, H.D. 1, be referred to the Committee on Ways and Means.

By unanimous consent, Stand. Com. Rep. No. 3560 and H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RESOLUTION DECLARING THE SECOND TUESDAY OF SEPTEMBER AS LEGISLATORS BACK-TO-SCHOOL DAY IN HAWAII," were recommitted to the Committee on Education and Technology.

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

Senator D. Ige, jointly with Senator Inouye, for the Committee on Education and Technology and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3561) recommending that H.C.R. No. 116, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, Seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 116, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY COUNCIL TO STUDY ISSUES RELATING TO ENCOURAGING AND ATTRACTING THE DEVELOPMENT OF PUBLIC AND PRIVATE HIGH TECHNOLOGY BIOSCIENCE RESEARCH IN THE STATE," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3562) recommending that H.C.R. No. 123, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 123, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF AGRICULTURE TO TAKE MEASURES TO MITIGATE THE INFESTATION OF FLIES, UNPLEASANT ODORS, INUNDATION BY DUST, AND SEVERE DRAINAGE PROBLEMS AT MAILI ELEMENTARY SCHOOL," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3563) recommending that H.C.R. No. 157, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 157, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ANALYSIS OF CURRENT AND COMPARATIVE PATTERNS OF PUBLIC SCHOOL FINANCING," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3564) recommending that H.C.R. No. 158 be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES INITIATE A COLLABORATIVE PARTNERSHIP TO IMPROVE SERVICES FOR ADULTS AND EXPAND OPPORTUNITIES FOR HIGH SCHOOL STUDENTS THAT WILL RESULT IN SUBSTANTIVE OUTCOMES FOR THE TWO ENTITIES," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3565) recommending that H.C.R. No. 163, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 163, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CPR TRAINING IN HIGH SCHOOLS," was referred to the Committee on Ways and Means.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3566) recommending that H.C.R. No. 188, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 188, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A RESEARCH INSTITUTE AND A MASTER OF ARTS PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA CENTER FOR HAWAIIAN STUDIES," was referred to the Committee on Ways and Means.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3567) recommending that the Senate advise and consent to the nomination of LESLIE Y. KURISAKI to the Rental Housing Trust Fund Advisory Commission, in accordance with Gov. Msg. No. 198.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3567 and Gov. Msg. No. 198 was deferred until Monday, April 24, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3568) recommending that the Senate advise and consent to the nomination of FRANK JAMES "JIM" LYON to the Board of Directors, Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 272.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3568 and Gov. Msg. No. 272 was deferred until Monday, April 24, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3569) recommending that the Senate advise and consent to the nomination of KEITH E. TANAKA to the Defender Council, in accordance with Gov. Msg. No. 274.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3569 and Gov. Msg. No. 274 was deferred until Monday, April 24, 2000.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 3503 (Gov. Msg. No. 229):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3503 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Statewide Health Coordinating Council of the following:

SUSAN K. FORBES, DRPH., term to expire June 30, 2001;

MELODY S. FANNING, term to expire June 30, 2003; and

CRAIG KADOOKA, M.D., NOELLA J. KONG, ROSEMARY NELSON and PATRICK S. SAKA, terms to expire June 30, 2004,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3504 (Gov. Msg. No. 230):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3504 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Honolulu Subarea Health Planning Council of the following:

KATHLEEN DELAHANTY, PAMELA HINSDALE and ROBYN KAUFMAN, terms to expire June 30, 2003; and

ANDREW W. CHAR, MARK TAYLOR, PATRICIA TOMPKINS and JAMES P. WALSH, terms to expire June 30, 2004,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3505 (Gov. Msg. No. 231):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3505 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of WENDY A. ABE, LEE ELLEN BUENCONSEJO, M.D., NELSON M. HIGA, C. MIKE KIDO and RICHARD F. KOLBE to the West Oahu Subarea Health Planning Council, terms to expire June 30, 2004, seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3506 (Gov. Msg. No. 232):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3506 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Windward Oahu Subarea Health Planning Council of the following:

JIM D. ALDRED, term to expire June 30, 2003; and

JOHN E. AOKI, M.D., AGNES E.P. CADIZ, LESLIE S. CHINEN and ANNETTE L. OSTREM, terms to expire June 30, 2004,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3507 (Gov. Msg. No. 233):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3507 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Hawaii County Subarea Health Planning Council of the following:

ROBERTA M. CARTWRIGHT and SUSAN B. HUNT, terms to expire June 30, 2003; and

JOHN MCNEIL, CLIFFORD K. MOTTA, IDA H. OTAKE, PAUL P. PAIVA, ALAN R. PARKER and BEVERLY JEAN WITHINGTON, terms to expire June 30, 2004,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3508 (Gov. Msg. No. 234):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3508 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Kauai County Subarea Health Planning Council of the following:

PETRA LOPEZ, DAVID PETERS and BELLE SHEPHERD terms to expire June 30, 2003; and

LILI BRYAN-CONANT, CESAR G. CADABES, CARMEN L. PANUI, ELIZABETH UBAY and KENNETH VILLABRILLE, terms to expire June 30, 2004,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3509 (Gov. Msg. No. 235):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3509 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of TIMOTHY T. SHIROMA to the Maui County Subarea Health Planning Council, term to expire June 30, 2004, seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3510 (Gov. Msg. No. 237):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3510 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Statewide Independent Living Council of the following:

GARRETT TOGUCHI, term to expire June 30, 2001; and

BARBARA FISCHLOWITZ-LEONG, RANDALL LICHTER and MARK T. OBATAKE, terms to expire June 30, 2003,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3516 (Gov. Msg. No. 263):

Senator Nakata moved that Stand. Com. Rep. No. 3516 be received and placed on file, seconded by Senator Chumbley and carried.

Senator Nakata then moved that the Senate advise and consent to the nominations to the Environmental Council of the following:

VERNON D. INOSHITA, term to expire June 30, 2002; and

DONN T. FUKUDA, ARNOLD L. LUM, RAYMOND S. TABATA and PATRICIA TUMMONS, terms to expire June 30, 2004,

seconded by Senator Chumbley.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3517 (Gov. Msg. No. 236):

Senator Inouye moved that Stand. Com. Rep. No. 3517 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of DAVID LASSNER, PH.D., to the Board of Directors, High Technology Development Corporation, term to expire June 30, 2001, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3518 (Gov. Msg. No. 225):

Senator Inouye moved that Stand. Com. Rep. No. 3518 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of HIN CHIU LAU to the Community-Based Economic Development Advisory Council, term to expire June 30, 2003, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3519 (Gov. Msg. No. 194):

Senator Inouye moved that Stand. Com. Rep. No. 3519 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations of RICHARD L. KLEMM, CALVIN H. ODA and BLAKE VANCE, PH.D., to the Advisory Committee on Pesticides, terms to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3520 (Gov. Msg. No. 148):

Senator Inouye moved that Stand. Com. Rep. No. 3520 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations of BERT L. HATTON, LARRY G. JEFTS, DENIS C.H. KAM, CHRIS J. KANAZAWA, YUKIO KITAGAWA, DIANE L. LEY, ALLAN A. SMITH and ROBERT S. SUTHERLAND to the Board of Directors, Agribusiness Development Corporation, terms to expire June 30, 2001, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3521 (Gov. Msg. No. 260):

Senator Inouye moved that Stand. Com. Rep. No. 3521 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of NEIL N. NAKAMURA to the Board of Agriculture, term to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3522 (Gov. Msg. No. 273):

Senator Hanabusa moved that Stand. Com. Rep. No. 3522 be received and placed on file, seconded by Senator Chun and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Barbers Point Naval Air Station Redevelopment Commission of the following:

HOWARD C.O. LUM, term to expire June 30, 2001; and

RICK EGGED, term to expire June 30, 2004,

seconded by Senator Chun.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3523 (Gov. Msg. No. 282):

Senator Hanabusa moved that Stand. Com. Rep. No. 3523 be received and placed on file, seconded by Senator Chun and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Island of Hawaii, of the following:

PERRY H. KEALOHA and K. KEALOHA PISCIOтта, terms to expire June 30, 2003; and

PEARL ULUNUI GARMON, J. KEOLALANI HANOA, E. NALEI PATE-KAHAKALAU and JOHN B. RAY, terms to expire June 30, 2004,

seconded by Senator Chun.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3524 (Gov. Msg. No. 284):

Senator Hanabusa moved that Stand. Com. Rep. No. 3524 be received and placed on file, seconded by Senator Chun and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Maui and Lanai, of the following:

GLENN RICHARDSON, term to expire June 30, 2003; and

MERCER K. VICENS, term to expire June 30, 2004,

seconded by Senator Chun.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

Stand. Com. Rep. No. 3525 (Gov. Msg. No. 285):

Senator Hanabusa moved that Stand. Com. Rep. No. 3525 be received and placed on file, seconded by Senator Chun and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Island of Molokai, of the following:

ROBERT ALCAIN, term to expire June 30, 2003; and

WAYDE H. LEE, term to expire June 30, 2004,

seconded by Senator Chun.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (M. Ige, Matsuura, Tanaka).

#### RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION

The Chair re-referred the following House concurrent resolution that was received:

House  
Concurrent  
Resolution

Referred to:

No. 93

Committee on Education and Technology

Senator Kawamoto rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, it gives me great honor and pleasure to announce that at 4:30 this afternoon we'll have the fireworks bill. I think we're going to have a bill. (Laughter.)

"I'd like to really thank our co-chairs -- the Senators from Maui and Kauai; and from Kahala and Palolo -- for their help. Also, the members -- Senators from Wahiawa, Waialua, and Sunset; from Waikiki and Kaimuki; from Waiālae and Hawaii Kai; from McCully, Moiliili and Manoa. I'd also like to thank you, Mr. President, from Kalihi Valley and Aiea; the TIA and Judiciary staff; the SMA staff, namely Susan, Rick, and Blake; and Richard and Bob.

"This is a bill that's been three years in the making and we're as close as we're ever going to be. So at 4:30 this afternoon, we hope to vote on a bill that's going to be proudly put forth as our fireworks bill.

"Thank you very much."

#### APPOINTMENT OF CONFEREES

S.B. No. 2843 (H.D. 2):

The President appointed Senator Kanno as a co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2779.

H.B. No. 2314, H.D. 1 (S.D. 2):

The President discharged Senator Chun as a co-chairman and appointed him as a manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2314, H.D. 1.

Senator Slom rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I'm really seriously disappointed that my union brethren and sisters did not invite me to speak yesterday at the rally. I took in all of the drums. I listened to all the music. I talked to all of the people. I was downstairs with all the folks. I'm sure it was nothing personal. I'm sure they just ran out of time, because after Congresswoman Mink was ranting and raving and Mr. Abercrombie, the lion of labor, was shouting and screaming and dividing us all, I'm sure they just ran out of time. But I was available to do that.

"Thank you very much, Mr. President."

#### ADJOURNMENT

At 12:14 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 24, 2000.



## FIFTY-FIFTH DAY

Monday, April 24, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Eigo Ikenaga, Honolulu Myohoji Mission, after which the Roll was called showing all Senators present with the exception of Senators Iwase and Matsuura who were excused.

The President announced that he had read and approved the Journal of the Fifty-Fourth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 313 to 316) were read by the Clerk and were placed on file:

Gov. Msg. No. 313, dated April 3, 2000, transmitting the Commission on Persons With Disabilities Annual Report, 1998-1999.

Gov. Msg. No. 314, dated April 3, 2000, transmitting the Annual Report of the Environmental Council, "Environmental Report Card, 1999, An Assessment of Hawaii's Environmental Health."

Gov. Msg. No. 315, dated April 5, 2000, transmitting the 2000 Report on Hawaii Workforce Development, prepared by the Department of Labor and Industrial Relations, Hawaii Workforce Development Council.

Gov. Msg. No. 316, informing the Senate that on April 19, 2000, he signed the following bills into law:

Senate Bill No. 2465 as Act 21, entitled: "RELATING TO PORNOGRAPHY";

Senate Bill No. 2527 as Act 22, entitled: "RELATING TO CONDOMINIUMS";

Senate Bill No. 2635 as Act 23, entitled: "RELATING TO HIGHWAYS";

Senate Bill No. 2814 as Act 24, entitled: "RELATING TO INSURANCE"; and

Senate Bill No. 2877 as Act 25, entitled: "RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH."

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 31, from the State Auditor dated April 3, 2000, transmitting a report, "Financial Audit of the Employees' Retirement System of the State of Hawaii," (Report No. 00-10), was read by the Clerk and was placed on file.

## HOUSE COMMUNICATION

Hse. Com. No. 683, informing the Senate that the Speaker on April 24, 2000, made the following changes to the conferees on the following House bills:

H.B. No. 1172, H.D. 2 (S.D. 1):

Discharged Representative Takamine as second co-chairman, and Representatives Kanoho, Kawakami and Moses as managers.

Appointed Representative Kanoho as second co-chairman, and Representatives Schatz and Meyer as managers.

H.B. No. 2901, H.D. 2 (S.D. 2):

Appointed Representatives Luke and Marumoto as additional managers,

was read by the Clerk and was placed on file.

## CONFERENCE COMMITTEE REPORTS

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2062, H.D. 2, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 2062, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and H.B. No. 2062, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2514, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 2514, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and H.B. No. 2514, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred for a period of 48 hours.

## STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3570) recommending that the Senate advise and consent to the nominations of R. KALANI FRONDA, MICHAEL H. FURUKAWA, BRUCE B. ROBINSON, DONNA KALIKA SANTOS, PRESLEY V. WANN, A. JAMES WRISTON III, LA FRANCE KAPAKA-ARBOLEDA and JOHN A.P. KRUSE to the Island Burial Council, Islands of Kauai and Niihau, in accordance with Gov. Msg. No. 283.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3570 and Gov. Msg. No. 283 was deferred until Tuesday, April 25, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3571) recommending that the Senate advise and consent to the nominations of A. VAN HORN DIAMOND, LURLINE NAONE SALVADOR, KALEI S. KINI, PETER K. APO, PHYLLIS COOCHIE CAYAN, CLARENCE DE LUDE and THOMAS T. SHIRAI, JR., to the Island Burial Council, Island of Oahu, in accordance with Gov. Msg. No. 286.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3571 and Gov. Msg. No. 286 was deferred until Tuesday, April 25, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3572) recommending that the Senate advise and consent to the nomination of RANDALL QUINONES to the Kaneohe Bay Regional Council, in accordance with Gov. Msg. No. 303.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3572 and Gov. Msg. No. 303 was deferred until Tuesday, April 25, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3573) recommending that H.C.R. No. 18, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 18, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF LEGISLATION FOR THE REGULATION OF THE PROFESSION OF CERTIFIED PUBLIC ACCOUNTANCY THAT IS CONSISTENT WITH THE STANDARDS OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS AND THE UNIFORM ACCOUNTANCY ACT AS RECOMMENDED BY THE NATIONAL ASSOCIATION OF STATE BOARDS OF ACCOUNTANCY," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3574) recommending that H.C.R. No. 93, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 93, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A CITY, STATE, AND COMMUNITY TASK FORCE TO DEVELOP A MASTER PLAN FOR IMPROVEMENTS TO ROOSEVELT HIGH SCHOOL COMPLEX," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3575) recommending that H.C.R. No. 62, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 62, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPILE DATA ON THE NUMBER AND PERCENTAGE OF EMPLOYEES OF PRIVATE COMPANIES ON CONTRACT WITH THE STATE WHO MAY BE AFFECTED BY THE IMPLEMENTATION OF A LIVING WAGE LAW," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3576) recommending that H.C.R. No. 89 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE ITS 1992 SUMMARY OF SPECIAL AND REVOLVING FUNDS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3577) recommending that H.C.R. No. 101, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 101, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASCERTAIN THE FEASIBILITY OF AMENDING THE HAWAIIAN HOMES COMMISSION ACT TO ALLOW FOR DIRECT ELECTION OF MEMBERS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3578) recommending that H.C.R. No. 111, H.D. 1, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R.

No. 111, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3579) recommending that H.C.R. No. 190, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 190, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO EXPLORE HOME OWNERSHIP OPTIONS AT THE STATE-OWNED AND OPERATED PALOLO HOMES I AND II AND OTHER STATE-OWNED AND OPERATED HOUSING PROJECTS," was adopted.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3580) recommending that H.C.R. No. 192 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION INTO THE ACQUISITION OF NO. 1 CAPITOL DISTRICT BY THE STATE," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3581) recommending that H.C.R. No. 81, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE SECOND TUESDAY OF SEPTEMBER AS LEGISLATORS BACK-TO- SCHOOL DAY IN HAWAII," was adopted.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 3526 (Gov. Msg. No. 160):

Senator Sakamoto moved that Stand. Com. Rep. No. 3526 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of LORRAINE HENDERSON to the Hawaii Teacher Standards Board, term to expire June 30, 2001, seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3527 (Gov. Msg. No. 239):

Senator Sakamoto moved that Stand. Com. Rep. No. 3527 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

LYONS K. NAONE III, term to expire June 30, 2001;

ERIC K. KEAWE, term to expire June 30, 2003; and

MARY LANI AKUI, LANE KAAIAI and CASINA K. WATERMAN, terms to expire June 30, 2004,

seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3528 (Gov. Msg. No. 246):

Senator Sakamoto moved that Stand. Com. Rep. No. 3528 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations of CHARLES T. ARAKI, ED.D., and DONALD S. KARIMOTO to the State Post-Secondary Education Commission, terms to expire June 30, 2004, seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3529 (Gov. Msg. No. 253):

Senator Sakamoto moved that Stand. Com. Rep. No. 3529 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of LYNN C. KINNEY to the Board of Directors, Research Corporation of the University of Hawaii, term to expire June 30, 2001, seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3530 (Gov. Msg. No. 261):

Senator Sakamoto moved that Stand. Com. Rep. No. 3530 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations of STANLEY S. GIMA and IAN L. MATTOCH to the State Foundation on Culture and the Arts Commission, terms to expire June 30, 2004, seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3531 (Gov. Msg. No. 280):

Senator Sakamoto moved that Stand. Com. Rep. No. 3531 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the Hawaii Historic Places Review Board of the following:

WILLIAM K. MILLS, term to expire June 30, 2002;

LINDA NISHIGAYA, PH.D., term to expire June 30, 2003; and

AGNES E. GRIFFIN, MICHIKO KODAMA-NISHIMOTO and GAYLORD C. KUBOTA, terms to expire June 30, 2004,

seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3567 (Gov. Msg. No. 198):

Senator Tam moved that Stand. Com. Rep. No. 3567 be received and placed on file, seconded by Senator Chun and carried.

Senator Tam then moved that the Senate advise and consent to the nomination of LESLIE Y. KURISAKI to the Rental Housing Trust Fund Advisory Commission, term to expire June 30, 2004, seconded by Senator Chun.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3568 (Gov. Msg. No. 272):

Senator Inouye moved that Stand. Com. Rep. No. 3568 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of FRANK JAMES "JIM" LYON to the Board of Directors, Aloha Tower Development Corporation, term to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3569 (Gov. Msg. No. 274):

Senator Chumbley moved that Stand. Com. Rep. No. 3569 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of KEITH E. TANAKA to the Defender Council, term to expire June 30, 2003, seconded by Senator Matsunaga.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

### ADOPTION OF RESOLUTIONS

H.C.R. No. 7, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 7, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

Senator Fukunaga moved that H.C.R. No. 7, H.D. 1, be adopted, seconded by Senator Levin.

Senator Anderson rose at this time on a point of information and said:

"I will vote for this measure, but I would like to share a point of information.

"A few years back, while in the House as Minority Floor Leader, we turned almost all rejected bills into resolutions. As the Minority Floor Leader, I voted against them because of the very high cost. I had to follow it to prove my point. It cost the taxpayers over \$600,000 to turn those bills into resolutions because they had to be printed; they had to be sent out to all the different people. And just for your information, it was a very costly decision.

"So when we introduce and urge passing of resolutions, I would hope that they are pertinent, informative, and going to be used for good reasons, not just for campaign purposes.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN," was adopted.

H.C.R. No. 24, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 24, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 24, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII FARMER'S MARKET," was adopted.

H.C.R. No. 44, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 44, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 44, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE POTENTIAL NURSING SHORTAGE," was adopted.

H.C.R. No. 52, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 52, H.D. 1, to the

Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE AND ASSIST EFFORTS TO STRENGTHEN AND EVALUATE EXISTING STUDENT LEADERSHIP PROGRAMS," was adopted.

H.C.R. No. 65, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 65, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 65, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR REGULATING THE ALARM INDUSTRY," was adopted.

H.C.R. No. 66, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 66, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 66, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVEY A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was adopted.

H.C.R. No. 96:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 96, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was adopted.

H.C.R. No. 103, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 103, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 103, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT THAT COMMERCIAL MARINE MAMMAL WATCHING TOURS MAY HAVE ON COMMERCIAL FISHING IN WATERS OF THE WAIANAE COAST OF OAHU," was adopted.

H.C.R. No. 120, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 120, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 120, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO CREATE A MASTER PLAN FOR FLOOD MITIGATION FOR WAIMANALO," was adopted.

H.C.R. No. 123, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 123, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 123, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF AGRICULTURE TO TAKE MEASURES TO MITIGATE THE INFESTATION OF FLIES, UNPLEASANT ODORS, INUNDATION BY DUST, AND SEVERE DRAINAGE PROBLEMS AT MAILI ELEMENTARY SCHOOL," was adopted.

H.C.R. No. 126, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 126, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 126, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF THE GOLF COURSE INDUSTRY IN HAWAII AND DESIGNATING THE EWA PLAINS/KAPOLEI REGION THE GOLF CAPITAL OF OAHU," was adopted.

H.C.R. No. 132:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 132, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," was adopted.

H.C.R. No. 145, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 145, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 145, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE WHETHER MOTOR VEHICLE REFORM UNDER ACT 251, SESSION LAWS OF HAWAII 1997, HAS IMPACTED CONSUMER ACCESS TO MEDICALLY REASONABLE, NECESSARY, AND APPROPRIATE REFERRAL TO MASSAGE THERAPY AND PHYSICAL THERAPY, AND IF THIS HAS CONTRIBUTED TO CONSUMER COST SAVINGS UNDER THE ACT," was adopted.

H.C.R. No. 151:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 151, to the Committee

on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A COMPREHENSIVE MASTER PLAN FOR KOKEE AND WAIMEA CANYON STATE PARKS," was adopted.

H.C.R. No. 156, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 156, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 156, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO COMMISSION A STUDY TO DETERMINE THE SECURITY OF THE 5(F) TRUST ASSETS IN LIGHT OF THE RICE V. CAYETANO U.S. SUPREME COURT RULING," was adopted.

H.C.R. No. 158:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 158, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES INITIATE A COLLABORATIVE PARTNERSHIP TO IMPROVE SERVICES FOR ADULTS AND EXPAND OPPORTUNITIES FOR HIGH SCHOOL STUDENTS THAT WILL RESULT IN SUBSTANTIVE OUTCOMES FOR THE TWO ENTITIES," was adopted.

H.C.R. No. 163, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 163, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 163, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CPR TRAINING IN HIGH SCHOOLS," was adopted.

H.C.R. No. 164, H.D. 2:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 164, H.D. 2, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 164, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ESTABLISH A TRANSITION PLAN TO TRANSFER THE FUNCTIONS AND RESPONSIBILITIES OF THE CONVENTION CENTER AUTHORITY TO THE HAWAII TOURISM AUTHORITY," was adopted.

H.C.R. No. 165, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 165, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 165, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," was adopted.

H.C.R. No. 184:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 184, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE BENEFITS AND FEASIBILITY OF COLLABORATIVE HEALTH CARE PURCHASING ARRANGEMENTS BETWEEN HAWAII QUEST AND THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was adopted.

H.C.R. No. 188, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 188, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 188, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A RESEARCH INSTITUTE AND A MASTER OF ARTS PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA CENTER FOR HAWAIIAN STUDIES," was adopted.

H.C.R. No. 196, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 196, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 196, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTING POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE," was adopted.

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 1095 (H.D. 2):

Senator Inouye moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 1095, seconded by Senator Chumbley and carried.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 1095, seconded by Senator Chumbley.

Senator Inouye noted:

"Mr. President, S.B. No. 1095 gives DLNR an additional two years to allow adequate time to implement and evaluate the effect of hand gun hunting."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1095 and S.B. No. 1095, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," was placed on the calendar for Final Reading on Tuesday, April 25, 2000.

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

S.B. No. 862, S.D. 2 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 862, S.D. 2, seconded by Senator Chumbley and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 862, S.D. 2, seconded by Senator Chumbley.

Senator Chun Oakland then noted:

"Mr. President, S.B. No. 862, S.D. 2, H.D. 1, would allow for the possession and use of marijuana for medical purposes. In reviewing the House amendments, provisions relating to the amount of medical marijuana allowed to be possessed have been tightened up, and the registration of the physician and the patients with the Department of Public Safety and aspects of enforcement have been clarified.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 862, S.D. 2, and S.B. No. 862, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA," was placed on the calendar for Final Reading on Tuesday, April 25, 2000.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"While I'm sure we all enjoyed a nice weekend and Easter, there was an event that took place and overshadowed all of this, and of course this was the continuation of the Elian Gonzalez saga that's lasted for more than five months now. It is a complicated issue. There are many factors involved.

"I certainly am a strong supporter of returning the son to his father. However, Mr. President, I am extremely disturbed about a growing and continuing trend that we're seeing by the federal government using naked force against citizens and civilians of this country. And I wonder where the civil libertarians are. I don't hear them speaking up.

"The break-in by the INS on early Saturday morning in Miami is just a continuation of things that occurred at Ruby Ridge, things that occurred at Waco, Texas, things that have occurred across the country with DEA agents looking for drugs or looking for other people and finding the wrong people and the wrong households. The one common denominator is the tremendous show of force and guns by the federal government at the same time while many in Congress and in states such as ours are continually debating removing guns or the right to defend one's self and their home and their family from law abiding citizens.

"I'm sorry, but I have no respect for the Attorney General of the United States, Ms. Reno. It is my understanding at the time that the raid took place, early Saturday morning, the reason that there were very few protesters around is because they had been assured that negotiations were continuing with the federal government. The FBI, it is also my understanding, was in opposition to this kind of action by the INS or any other agency. And so I think that we should be very careful when we're debating civil rights and we're debating the issue of taking away defense from law abiding citizens in this country and in our state, when the prime example -- the federal government, the INS, the ATF, the DEA, and the FBI -- have shown over the last several years a wanton disregard for the rights and the privacy of individuals in this country.

"Thank you, Mr. President."

#### **ADOPTION OF RESOLUTION**

H.C.R. No. 149, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 149, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 149, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO WORK WITH AREA RESIDENTS TO DEVELOP USE OPTIONS FOR THE STADIUM BOWL-O-DROME PROPERTY," was adopted.

#### **APPOINTMENT OF CONFEREES**

H.B. No. 2024, H.D. 1 (S.D. 2):

The President appointed Senator D. Ige as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 2024, H.D. 1.

#### **ADJOURNMENT**

At 12:14 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 25, 2000.

## FIFTY-SIXTH DAY

Tuesday, April 25, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Very Reverend Joseph Grimaldi, JCL, Judicial Vicar, Diocese of Honolulu, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Fifth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 317 and 318) were read by the Clerk and were placed on file:

Gov. Msg. No. 317, informing the Senate that on April 20, 2000, he signed the following bills into law:

Senate Bill No. 2088 as Act 26, entitled: "RELATING TO SHORT-TERM INVESTMENT OF STATE MONEYS";

Senate Bill No. 2289 as Act 27, entitled: "RELATING TO PREPAID TELEPHONE CALLING SERVICE";

Senate Bill No. 2542 as Act 28, entitled: "RELATING TO STATE BONDS";

Senate Bill No. 2563 as Act 29, entitled: "RELATING TO INSURANCE";

Senate Bill No. 2742 as Act 30, entitled: "RELATING TO PORK";

Senate Bill No. 2830 as Act 31, entitled: "RELATING TO EMPLOYMENT OF SCHOOL PRINCIPALS AND VICE PRINCIPALS";

Senate Bill No. 2858 as Act 32, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM";

Senate Bill No. 2942 as Act 33, entitled: "RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES";

Senate Bill No. 2947 as Act 34, entitled: "RELATING TO DISCLOSURE OF TAX INFORMATION";

Senate Bill No. 3117 as Act 35, entitled: "RELATING TO MOTOR VEHICLES"; and

Senate Bill No. 3192 as Act 36, entitled: "RELATING TO CAPTIVE INSURANCE."

Gov. Msg. No. 318, letter dated April 24, 2000, informing the Senate that S.B. No. 2941, which proposes a constitutional amendment, was filed with the Office of the Lieutenant Governor on April 24, 2000.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 684 to 713) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 684, returning S.C.R. No. 12, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 685, returning S.C.R. No. 14, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 686, returning S.C.R. No. 18, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 687, returning S.C.R. No. 26, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 688, returning S.C.R. No. 47, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 689, returning S.C.R. No. 57, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 690, returning S.C.R. No. 59, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 691, returning S.C.R. No. 73, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 692, returning S.C.R. No. 89, S.D. 2, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 693, returning S.C.R. No. 102, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 694, returning S.C.R. No. 116, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 695, returning S.C.R. No. 122, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 696, returning S.C.R. No. 125, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 697, returning S.C.R. No. 131, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 698, returning S.C.R. No. 141, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 699, returning S.C.R. No. 166, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 700, returning S.C.R. No. 176, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 701, returning S.C.R. No. 183, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 702, returning S.C.R. No. 196, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.



Hse. Com. No. 703, returning S.C.R. No. 210, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, was placed on file.

Hse. Com. No. 704, returning S.C.R. No. 60, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 60, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 705, returning S.C.R. No. 74, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 74, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 706, returning S.C.R. No. 77, which was adopted by the House of Representatives on April 24, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 77 and requested a conference on the subject matter thereof.

Hse. Com. No. 707, returning S.C.R. No. 123, which was adopted by the House of Representatives on April 24, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 123 and requested a conference on the subject matter thereof.

Hse. Com. No. 708, returning S.C.R. No. 129, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 129, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

Hse. Com. No. 709, returning S.C.R. No. 143, which was adopted by the House of Representatives on April 24, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 143 and requested a conference on the subject matter thereof.

Hse. Com. No. 710, returning S.C.R. No. 173, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 173, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 711, returning S.C.R. No. 179, S.D. 1, which was adopted by the House of Representatives on April 24, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 179, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 712, returning S.C.R. No. 204, which was adopted by the House of Representatives on April 24, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 204 and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Kanno, Taniguchi, co-chairmen, Slom as managers on the part of the Senate at such conference.

Hse. Com. No. 713, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 2066, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 2066, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 24, 2000, was placed on file.

### CONFERENCE COMMITTEE REPORTS

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1955, H.D. 2, presented a report (Conf. Com. Rep. No. 3) recommending that H.B. No. 1955, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and H.B. No. 1955, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2513, S.D. 1, presented a report (Conf. Com. Rep. No. 51) recommending that S.B. No. 2513, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51 and S.B. No. 2513, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred for a period of 48 hours.

### STANDING COMMITTEE REPORTS

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3582) recommending that the Senate advise and consent to the nomination of RANDALL Y. IWASE to the Labor and Industrial Relations Appeals Board, in accordance with Gov. Msg. No. 221.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3582 and Gov. Msg. No. 221 was deferred until Wednesday, April 26, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3583) recommending that the Senate consent to the nomination of KARL K. SAKAMOTO to the office of Judge, 1st Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 310.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3583 and Gov. Msg. No. 310 was deferred until Wednesday, April 26, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3584) recommending that the Senate consent to the nomination of SIMEON R. ACOBA, JR., to the office of Associate Justice, State Supreme Court, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 311.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3584 and Gov. Msg. No. 311 was deferred until Wednesday, April 26, 2000.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 3570 (Gov. Msg. No. 283):

Senator Hanabusa moved that Stand. Com. Rep. No. 3570 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Kauai and Niihau, of the following:

R. KALANI FRONDA, MICHAEL H. FURUKAWA, BRUCE B. ROBINSON, DONNA KALIKO SANTOS, PRESLEY V. WANN and A. JAMES WRISTON III, terms to expire June 30, 2003; and

LA FRANCE KAPAKA-ARBOLEDA and JOHN A.P. KRUSE, terms to expire June 30, 2004,

seconded by Senator Tanaka.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (D. Ige).

Stand. Com. Rep. No. 3571 (Gov. Msg. No. 286):

Senator Hanabusa moved that Stand. Com. Rep. No. 3571 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nominations to the Island Burial Council, Island of Oahu, of the following:

A. VAN HORN DIAMOND and LURLINE NAONE SALVADOR, terms to expire June 30, 2002;

KALEI S. KINI, term to expire June 30, 2003; and

PETER K. APO, PHYLLIS COOCHIE CAYAN, CLARENCE DE LUDE and THOMAS T. SHIRAI, JR., terms to expire June 30, 2004,

seconded by Senator Tanaka.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (D. Ige).

Stand. Com. Rep. No. 3572 (Gov. Msg. No. 303):

Senator Hanabusa moved that Stand. Com. Rep. No. 3572 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of RANDALL QUINONES to the Kaneohe Bay Regional Council, term to expire June 30, 2003, seconded by Senator Tanaka.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (D. Ige).

## FINAL READING

S.B. No. 862, S.D. 2, H.D. 1:

Senator Chun Oakland moved that S.B. No. 862, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Chun Oakland rose in support of the measure and stated:

"I rise to speak in support of S.B. No. 862.

"Your Committee on Health passed out this bill during the 1999 session. Your Committee heard poignant and convincing testimony from patients and caregivers that marijuana indeed provides significant relief from many of the debilitating effects of cancer chemotherapy, symptoms of HIV disease -- including AIDS Wasting Syndrome -- and can provide relief from severe pain. Other patients submitted anonymous testimony or were afraid to testify for fear of arrest or job loss. Your chair, in fact, had many concerns initially about this issue, but was convinced to support it by the compelling testimony presented during the almost seven hours of the hearing.

"Perhaps the most important part of this bill would be to break down the current wall of silence between patients who currently use or would like to try marijuana to alleviate their symptoms and their doctors. This bill will protect from arrest both the patient who might find relief from marijuana and the doctor who might recommend its use and enable discussion between doctor and patient.

"This measure is narrowly drawn and would only permit patients who meet very specific medical criteria to use marijuana. A physician must provide the patient with written certification, and the doctor must have a bona fide relationship with the patient. All other laws against cannabis remain in place. Any diversion would be punished and smoking outside of one's home would not be permitted.

"One of the concerns that has been raised in the past is the concern that it might send the wrong message to our children. I share that concern and I wanted to reiterate what we really should be teaching our children -- children can and should be taught the difference between medicine and drug abuse. There are no substances in the entire Physician's Desk Reference that children should use for fun. If anything, the use of marijuana by seriously ill people should de-glamorize it for children.

"Some of you may have heard that some medical organizations oppose the medicinal use of marijuana. While some do, there are scores of health and medical organizations and other prominent associations which do support access to medicinal marijuana including the American Academy of Family Physicians; the American Public Health Association; The New England Journal of Medicine; the AIDS Action Council; National Nurses Society on Addictions; Lymphoma Foundation of America; National Association of People With AIDS; the California and Florida Medical Associations; the California Society of Addiction Medicine; California Pharmacists Association; British Medical Association; Consumer Reports magazine; the nurses associations of New York, California, Virginia, Mississippi, Colorado and numerous other health and medical groups.

"Many health organizations in Hawaii also support this legislation: the Hawaii Nurses' Association representing Hawaii's 2,500 Registered Nurses, the Hawaii Public Health Association, AIDS organizations such as The Governor's Committee on HIV/AIDS, the Life Foundation, the Maui AIDS Foundation, the Big Island AIDS Project, Kauai's Malama Pono, the AIDS Community Care Team, and senior organizations such as the Kokua Council have also testified in support. The Department of Health has also supported this measure.

"I ask you now to think of your friends and relatives who are afflicted with cancer or other serious illnesses. We know that marijuana can ease their suffering. Our sister states in the West have all approved similar measures and a poll conducted this February by QMark Research and Polling found that 77 percent of Hawaii voters support the Legislature taking action on medical marijuana this year.

"In closing, I would like to acknowledge Hawaii's historic leadership in public health issues. We have been in the forefront in approving progressive legislation to guarantee our residents insurance coverage, confidentiality, and access to care. We take pride in being the Health State and have a growing reputation as a center for wellness. Hawaii has always been a place where aloha and caring for the less fortunate are a way of life.

"I now ask for your support of this carefully drafted measure to remove the threat of arrest from the severely ill people who currently benefit from the medical use of marijuana -- and for those who might use it in the future to alleviate their suffering.

"Thank you, Mr. President."

Senator Sakamoto rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this measure.

"Mr. President, some people want the legalization of marijuana in all forms, and I believe those advocates are pushing for bills like hemp, last year; bills like this, this year, and this will not be the end of it. They will continue to push. But I'm not here to speak against that. Certainly, that's a debate.

"Let me address this bill that we have before us. The previous speaker commented that this is a carefully drafted measure. I respectfully beg to disagree, and I'll go through it, Mr. President, being that we had no Conference Committee and no opportunity to look at how we can make bills better. We in this body take pride in not passing something that's defective. We in this body take pride in making sure that what we say and what we vote on is correct. Speakers before, here, argued many times that we shouldn't pass something that's flawed. Each of you in the respective areas that you look at, you choose not to pass something that is 'maybe not okay' and defer it to the next year. I don't understand why some of you feel we need to pass this bill that is definitely not drafted carefully.

"Page 1: 'modern medical research has discovered a beneficial use of marijuana in treating or alleviating the pain.' I don't know this part about treatment . . . certainly, alleviating or makes you feel better -- if you want to pass a feel good bill for some people -- but there's no claim and I don't see the research that it treats. Palliative, feel better -- if you should call that treatment -- but it's not curative. There's a big problem and there's a big difference -- it's not curative.

"Line 8: 'Legislature is aware of legal problems.' When else do we pass measures that we're aware of legal problems. Our job is not to pass measures that we are aware there are legal problems. Our job is to make sure there are no legal problems. This is the bill . . . 'federal law expressly prohibits the use . . . ' So who are we? Are we going to join the sovereign nation and

ignore federal laws? And that's just in the first few lines. 'A number of states are taking the initiative . . . Voter initiatives permitting the medical use . . . California, Arizona' etc. Voter initiatives, big difference. As elected officials, those bodies had to pass something because their voter initiative said that.

"People claim there's a QMark poll. I haven't seen the questions. Have you? Who's against helping somebody who's ill? Maybe the question is, Are you against helping somebody who's ill whom marijuana may help them? No, we're not against that. But did the bill say 'and let you grow your own'? I mean the poll. Did the poll say it's okay for your neighbor to grow his own three mature plants? I don't think so.

"Yes, we're the health state . . . 'intends to join this initiative for health and welfare of its citizens.' It may help some citizens, but what about the rest? ' . . . does not in any way diminish the legislature's strong public policy and laws against illegal drug use.' Give me a break! We're approving something that the federal government said is illegal. How can we, in the same breath, say 'does not in any way diminish'? The 'medical use of marijuana would likely outweigh the health risks for the qualifying patient.' When do we say something would likely do something and we make it such an important policy statement that we ignore the police?

"Further down on page 2: 'necessary to assure the uninterrupted availability.' When do we assure an uninterrupted availability of anything else? And why this curious substance must we assure that? And here it admits, alleviating the symptoms, nothing about treatment. And certainly, 'three mature plants, four immature plants and one ounce of usable per each mature plant' . . . who controls the potency? Who agreed that this is a good thing? Some areas . . . well how big can a mature plant be? Can it be tall as this? Can it? Certainly, I've seen pictures of green harvest where the plants are darn tall. That doesn't make sense. If we want to pass something good, let's pass something good.

"Then 'debilitating medical condition.' People talk different things, but the bill says, 'one or more of the following' and one of them -- '(B) Severe pain; (C) Severe nausea' -- severe pain, I've had medical severe pain. I've had migraine headaches. Maybe some of you, and you go to the doctor and say 'I've got severe pain, Dr. Tanaka. Why don't you dispense some of this to me?' The bill says he can. That's ridiculous. Severe nausea -- women get pregnant; women get airsick; men get airsick; some get severe nausea -- is it okay to prescribe medical marijuana? Because the bill says you can. And the bill doesn't say it's the medicine of last resort. It doesn't say take Tylenol, take Aspirin, take Aleve. It doesn't say anything of that sort. It just says you can take it for these things.

"Medical use . . . in the common sense, use is when you use it. But in this sense, 'use means the acquisition, possession, cultivation, use, distribution, or transportation of marijuana or paraphernalia.' So in this use, acquisition. So for the person who can use it, acquisition means he or she can buy it. The bill doesn't say he or she can't buy it because it says they can use it. Including means acquisition. Distribution -- the bill says they can distribute. It didn't say distribute to themselves. The bill says medical use means you can distribute -- means you can sell. That's what the bill says. Tell me about it.

"Primary caregiver: for people under 18 years of age you can have your primary caregiver agree to undertake the responsibility. What are the qualifications of this primary caregiver?

"I know many families where the kids suffer because one of the parents is a drug abuser. And in many of these families the children are not well. So now, this bill says that's okay if a parent is a drug abuser; the kid is sick; parent can acquire, possess, cultivate all of this stuff for their younger than 18-year-old. And who's to say we should even offer this to the under-

18-year-olds. You hear sad stories about the old people, but why are we even allowing it for the under-18-year-olds?

"Again, written certification, professional opinion 'likely would outweigh' . . . ugh! That means everything is problematic. The Judiciary chairs are usually very thorough. They have their staff check out every sentence, every jot and tittle. Not in this case. The primary caregiver now can give their . . . they can determine the dosage and the frequency, and they don't even know the dosage of the plant that they're growing. Nobody said you had to be tested. I'm not a user, but I hear stories -- weaker, stronger, strongest, watch out how much you take -- but not for these people.

"'Endangers the health or well-being' . . . crazy. Certainly, it would endanger. Now, here we're talking about anti-smoking campaigns. No smoking. Just smoke this stuff. Even the under-18-year-olds too. Is that right? Obviously not. (Sigh.)

"The fee, \$25 -- that's not enough to cover it. What do they have to do? Check out everybody, make cards, make registrations. Obviously, other things . . . oh, do you have funding for the mechanism? Maybe we should make sure how much money they need. Where is the funding? Where is the special fund? Where, where? Where, oh where?

"Now here, 'No person shall be subject to arrest or prosecution for simply being in the presence or vicinity of medical use of marijuana.' So what happens? What happens to enforcement? 'Hey braddah, you get some? Eh, medical yeah? Medical, yeah?' We're being ridiculous. And you can say I'm just putting this on; but I'm saying think about it. How is HPD going to enforce anybody? 'Oh, I thought was medical.' 'He said he had sore back. Worker's comp, you know. He had sore back. Medical.' Ha? And no, the bill doesn't say you only can smoke it in your house. You can smoke it in braddah's house. It doesn't say you can't. Maybe Sam's house. It doesn't say you can't. Right?

"Now, one part of the bill calls for urgency, 'returned immediately.' Now, calling for some certainty, you got to return this thing immediately. Misdemeanor . . . other parts of the law talk about felonies. What if they got a pound of it? Oh, misdemeanor, oh shucks. On and on . . . Violations of Chapter 329, Uniform Controlled Substances Act or any rule thereof, bla, bla, bla . . . except this is the only exception. This is the only exception -- a flawed exception -- medical marijuana, and all of these things that physicians can do. Mr. President, and on and on.

"I hope some of you read in one of our papers, marijuana is not a safe drug. This family physician with special interest in addiction treatment says, 'Marijuana is a gateway drug that has enabled millions of Americans to proceed toward a miserable lifetime of drug addiction and suffer many severe health consequences. It is not harmless.'

"This study -- 1998 Hawaii Student Alcohol and Drug Use Study -- sadly, half of our seniors in the schools that responded to this study, sadly, half of them have tried marijuana.

"Lastly, Mr. President, helping people is a good thing. This bill doesn't help people, Mr. President. This bill, Mr. President, is full of holes. We've had many measures before that I may not have agreed on, but I wouldn't say they were full of holes. I may not have agreed on sometimes the direction, but this bill, Mr. President, as I stated in some examples just on a cursory reading, is full of holes, Mr. President.

"And why would we want to foist on our population the temptation, that somebody may be in need, but his family members, his neighbor, the kids down the street, anybody else can get imperiled, far more imperiled than they, Mr. President? If you are in a hospital, you can't use it. If you're on oxygen, try and use it. You'll go quick.

"Mr. President, it's not worth the temptation in spite of the good for some people. This will do great damage, Mr. President. Fix it up."

Senator Slom rose in support of the measure as follows:

"Mr. President, I rise to speak in support of the measure, although it's very difficult after the highly animated, colorful, and passionate remarks of my colleague from Moanalua.

"I think that's part of the problem. I think this issue has been overshadowed by emotion rather than rationality and fact. I think that the opponents, basically, have talked in terms of fear rather than in terms of hope. And the comments that we should not be passing defective, non-carefully drafted bills, of course, is something that I echo with the good Senator. I wish it were so. I wish the hundreds of bills that we have passed that were defective, or blank, or in some way unconstitutional, or unenforceable, or whatever, had more care, but they didn't. Otherwise, we would have created massive unemployment with the attorneys in our community. So from that standpoint, they're good economic bills.

"I think compassion enters into this debate and into this bill. And it saddens me that again for the second year in a row and the second time this year that this will be the closest vote that this legislative body takes. Nobody gets so impassioned about restrictions on their civil rights that apply to everyone! Nobody gets so impassioned about taxes! Nobody gets impassioned about laws and regulations and taxes and fees that will put more small business women and men out of business! Nobody gets so impassioned about the things that we have done and haven't done that have forced our neighbors and friends to move away from this state because they can't pay to take care of themselves and their children and their families! Nobody gets so impassioned about that, but they do get impassioned about trying to relieve the pain and suffering from individuals!

"Those of us that have lived with, in our families, that pain and suffering, know all too well that we're not talking about simple nausea or backache or headache or upset stomachs or anything else. And for the good Senator and others, let me assure him that the passage of this bill will not force anybody to use marijuana, medically or for any other reason, or any other thing that they don't want to use. It will not force any doctor or physician to prescribe the medical use of marijuana. What it does, however, is to allow the use in those certain medical circumstances where everything else including morphine has been tried and does not relieve the pain and suffering.

"And lest we be very quick to say we don't want to pass any bills that affect just some of the people, we do that all the time. Almost all of the legislation that we pass here have an impact on some of the people and have a different impact on other people. So what we're saying in this point with this bill is no, it's not perfect; we don't do perfect work here. Lots of times we don't even do good work. But sometimes we have to do what's right. And what's right is to provide an option and an alternative, not compulsion; not force; not mandate, like 95 percent of the measures that we pass here where people don't have a choice -- they can't say yes; they can't say no. This bill allows that choice.

"So Mr. President and colleagues, while I do not ever seek to be the poster boy for this legislation (laughter), somehow it's thrust upon me. My constituents have told me that they want this measure passed. Young people, older people, sick people, well people, they have said that they believe in this measure as an option, not as a panacea. And I don't see them becoming drug addicts or dealers or users or abusers. And that's why I support this measure, Mr. President.

"Thank you."

Senator Kawamoto rose in opposition to the measure and stated:

"Mr. President, I rise in opposition of this bill.

"I'm not as articulate as the previous two speakers. I'm just wondering if we're doing the right thing, doing 'pono' by our people.

"Last year I fought against hemp. I said this is again an opportunity for illegal drugs to come in. We mentioned medical marijuana last year, and we mentioned the possibility of legalization of marijuana. Now we're here, another year, and we're in medical marijuana.

"Before this bill is even decked, we hear the rumblings of legalization of marijuana. What's next? Cocaine? Ice? This permissive attitude that we've had this past 15-20 years has created turmoil in our community. We've spent millions of dollars on Green Harvest. We've spent millions of dollars trying to teach our young people, our keiki to 'Say No to Drugs' -- the DARE program. I've been to about ten marches on 'Say No to Drugs.' How can I tell fifth graders, third graders to say no to drugs, except for. How can we say that? Will they understand that? Some of us are grandparents; some are the parents of young people. This permissive attitude will go on. This permissive attitude will provide the opportunity of things that's going to hurt us. And you cannot say it will not because it's happening. It's happening. People out there are saying legalize marijuana; it's not as bad as we think it is.

"I've been to Bobby Benson. I've been to different places where we see young people, 17, 18 year old young people whose brains are fried. They're going to be this way for the rest of their lives -- the rest of their lives. They haven't had a chance to experience the good things of life.

"Yes, there are people in pain, but the good Lord made us human beings, gave pain to us to understand that there is pain out there. Maybe it's for a reason.

"What we're saying is think about the young people, our kids, our grand-kids. This permissive attitude that we've taken has gone afoul. Join us and stop the war on drugs. It's going to cost us. It's already cost us -- 95 percent of the people that are incarcerated right now are due to drugs. That never happened 15, 20 years ago. We never heard of AIDS; we never heard of HIV. But we do hear it now.

"So I ask you, Mr. President and colleagues, think of what we're doing. I'm proud to be a Senator in this 20th Legislative Session. Are we going to pass something here that's going to mark this legislative session as the start of legalizing marijuana and drugs? Our permissive attitude is going to allow this to happen. And I will take my last ounce of blood that I have yet to spill to stop drugs, to protect our young people, and to allow them to grow and enjoy life to its fullest.

"That's the reason, Mr. President, I'm voting 'no' on this bill, and I request a roll call vote. Thank you."

Senator Tam rose to speak against the measure and stated:

"Mr. President and fellow colleagues, I'm voting in opposition to this bill.

"The issue for me is not whether marijuana should be approved as a remedy for pain due to one's health problems. The issue is how to make marijuana legal for medical use. This morning I had the opportunity to talk to Dr. Jon Van Dyke, who is a constitutional attorney teaching constitutional law at the University of Hawaii's Richardson School of Law. Dr. Van Dyke stated that there is NO clear way of legalizing marijuana when the federal government deems it as illegal.

"If this bill becomes law in Hawaii, how do I explain to medical patients who use marijuana that the federal government claims jurisdiction over the State of Hawaii in the legalization

of marijuana as it now stands and we, the state government, ignore the federal government's jurisdiction?

"I asked the proponents for the medical use of marijuana to give me a letter from the federal government, specifically from Steven Alm, the U.S. Attorney here in Hawaii, stating that the federal government would not prosecute individuals should they be prescribed marijuana for medical purposes. No such letter has been received by me at this time.

"Thank you."

Senator Anderson rose to speak with reservations on the measure and said:

"Mr. President, I'm going to vote for the bill with reservations, and everybody will probably say there he goes again.

"Members of the Senate worked very hard. Opponents to this bill could have worked to have this bill amended. We're not legalizing the limitless and unrestricted use of marijuana. We're giving the option for some people to use marijuana solely for medical purposes.

"My issue with this bill is enforcement. That's what this bill does not properly address. If you are so afraid of our children -- because I happen to be a father and grandfather -- being addicted to something, then you, members of the Democratic caucus, should have amended this bill to make sure that not everybody and his brother will be allowed to grow marijuana, if that's what you were worried about. Previously, I had asked if each island would have someone designated that the physicians could refer patients to. But members sit here and say this is a bad bill because it's going to send the wrong message to our children. What we've done is send the wrong message because we didn't try to work on this particular bill, and it's our fault. This bill should have been amended. It should have been written so the law enforcement agents can do their job; but we didn't do that. The opponents to this measure should have pushed for this bill to be amended.

"When I have something that I'm really interested in, I run to the other side and try to work with the House people. I try to work with the Senate people, the chairmen. But you don't wait until the last moment and then look at it and say, 'Well, you and Sam should do this.' There are 23 Democrat members, and if it's going to be a close vote, it's because you didn't work with one another. You didn't look at trying to fix this bill to make it workable.

"So it's our fault, ladies and gentlemen. That's all I have to say, Mr. President."

Senator Chumbley rose to support the measure and said:

"Mr. President, first I want to start out by thanking the good Senator from Moanalua for his comments about my co-chair and myself and for the good work in the Judiciary Committee. However, this issue is not quite as transparent as he may claim it to be. Just a couple of points of rebuttal and then I'd like to make a statement.

"There was a statement made that this bill does not require medical marijuana to be the last resort. Mr. President, no other substance is required to be the best choice in order to be legal. No one only has access to Advil, if Aspirin or Tylenol proves effective. Medical marijuana should be held to the same standards as any other medicine -- not higher standards.

"There was a comment about the medical value, and I won't go into detail about the volumes of studies that have been done over this issue over the past decades. I want to just bring up one, however. In March of 1999 there was a 207 page Institute of Medicine report that said: 'Marijuana and Medicine: Assessing the Science Base,' commissioned by the Clinton

Administration and drug czar Barry McCaffrey, and this is their conclusion -- 'there are some limited circumstances in which we recommend smoking marijuana for medical use.' Both the government and the scientists speaking in support of medical marijuana in one blow.

"There are those who have said that medical marijuana is advocated by those who support the legalization of drugs. Many who support medical marijuana do not advocate other reforms of drug laws. Patients should not be punished just to spite drug reform supporters, and each law should be judged on its own merits. Medical marijuana does not lead to the legalization of non-medical uses any more than the legalization of knives leads to murder.

"There was a statement about what's next -- cocaine, ice. Well, the answer to those statements are 'No.' We will not legalize cocaine. We will not legalize morphine. We will not legalize speed. We will not legalize marijuana for recreational uses. That is just simply not the case.

"The legalization of medical marijuana is a divisive topic. People of equal intelligence and equal thoughtfulness can have difficulty seeing eye to eye on this issue. The opinions that people have on this issue often seem to be irreconcilable. Do we protect our rights or do we protect our children? Shall we have mercy or shall we have justice? I stand here today to tell you that these positions are not as diametrically opposed as they seem. Yes, I declare that it is possible to have your magic brownie and eat it too.

"Do we protect our rights or our children? Unfortunately for those who would divide us with fears, we can do both. Children can and children should be taught the difference between medicine and recreational drugs. Doctors can legally prescribe cocaine, morphine, and speed. We still explain to children that using these substances recreationally is wrong and can be dangerous. We don't tell children that if you recreationally use cocaine that it's right. We tell them that it's wrong. In fact, the use of marijuana by old people and dying patients might make pot less appealing to children. Who wants to use a substance that makes you gain weight and disconnects you from your body's nifty sensations? What teenager wants to be as cool as a dying AIDS patient? When marijuana is viewed as a substance only for sick people, both the rights of the sick and the well being of the children can be protected.

"Shall Hawaii support justice or mercy? Unfortunately for those who would divide us with slippery slopes, we can have both. There are those who claim that allowing medicinal marijuana would open a floodgate to people who are not ill. I strongly deny this allegation. As co-chairs of the Judiciary Committee, the Senator from Palolo and I deal with our state's law enforcement coalition, prosecuting attorneys, and judges. To imply that these fine state officials are not capable of telling a sick person in need, from someone who is simply out partying, is an insult to these outstanding individuals. Our state's fine judicial system is more than adequate to mete out justice to the few troublemakers who would try to take advantage of the state's mercy and the situation.

"This bill does not conflict with federal laws. It does not in any way stop or prohibit the federal government from prosecuting law breaking recreational users, or even patients, for that matter. This bill simply states that Hawaii refuses to use its own resources to arrest and prosecute sick people who are using marijuana as medicine.

"Mr. President and my fellow Senators, I stand before you today to urge that you listen to your hearts, listen to your minds, and listen to the facts. Those who want to divide this body will fail when they are faced with Senators acting out of clarity and compassion. Medical marijuana is a frightening proposition, and it might make us shake a little to take such a bold step. But let us remember that the shaking of fear is also the shiver of excitement, that the flip-flopping of a position is also the

courage to reconsider when facing new facts, and that the apprehension of not knowing the public's response is also the freedom to listen to your own conscience. Medical marijuana is the compassionate choice; it is the conscientious choice; and today, it is the correct choice.

"Thank you, Mr. President."

Senator Iwase rose in opposition to the measure as follows:

"Mr. President, I'm rising to speak in opposition.

"First of all, Mr. President, let me express my thanks to the co-chairs of the Judiciary Committee and the chair of the Health and Human Services Committee for their work on this.

"This is a very difficult and a very emotional issue as demonstrated by the debate today. It is also one, as the Senator from Hawaii Kai points out, that has been a very close vote. We're dealing here with marijuana, and I guess if you're from the '60s you look upon that substance with some degree of fond memories. But this is not the '60s. This is today, and we are sitting here in this body, in this Legislature having to make very important decisions about the use of drugs.

"When we deal with drugs, and I agree with the Senator from Hawaii Kai, emotionalism is always here, but we must act with more rationality, and for good reasons -- we're talking about public health and safety. And for better or for worse, the government has a role to play in attempting to protect public health and safety, particularly when it comes to drug use and medical treatment. We have a whole range of laws -- for example, the professional licensing law for pharmacists; the laws to insure that doctors are well trained. We have a process to insure that drugs which are put on the market are safe for the public. It is not always successful. Thalidomide from the '60s is an example of a failure, but also the danger of putting on the market a drug which has adverse effect when applied to the broad public. It may be helpful to a few, but when applied to the broad public it could be harmful.

"So we have all of this in place, this process. When it comes to drugs, you go to the FDA and they have a process. It is cumbersome. It is long. But marijuana is not the only drug that this country prohibits from use, despite the fact that the drugs that are prohibited and used in Europe or Japan may have medical value and does help those who are suffering. This country does not necessarily approve those drugs because they work in Europe or because they work in Mexico or because they work in Latin America or because they work in Japan or China or elsewhere.

"We have this process, and it is a process designed for one purpose. It is not designed to respond to emotionalism. It is not designed to respond to money. It is not designed to respond to lobbyists. It has one purpose -- to protect the public's health and safety. And in this case, my reluctance here and my reason for voting 'no' is, one would hope and expect that if we are going to approve the use of medical marijuana, that the FDA has approved it; that there is consensus with the federal government; that it will no longer be criminal for someone to prescribe it. And that is not true today. That is why we do not ask the physician to prescribe. We say primary caregiver, whomever that might be.

"I don't know if we're necessarily protecting the public's health and safety by this bill. When you look at this medical treatment process, normally, a doctor will prescribe. Normally, a doctor will ask the patient to come back and check. Normally, the drugs you ingest are produced and manufactured by companies licensed by the government and issued by pharmacists licensed by the government. In this case, the manufacturer is someone who is not licensed by the government, need not be. The person who prescribes the treatment, the dosage, the quality of the medicine is not one licensed by the government. The frequency of treatment is not

prescribed. This is not medical. This is not something that is consistent with medical treatment, and it's perhaps because there is no agreement. The process has not been adhered to. For better or for worse, the process has failed. The process is time consuming. The process causes delay. The process causes drugs that may be helpful, to not be used in the United States, causing people to have to go to Mexico or Europe or Latin America for treatment. But that's the law that we have for one purpose -- the public health and safety. And we are not meeting that today.

"In closing, Mr. President, I don't think that the process says that we will approve a drug because a few find that it is helpful to them. Because when we do, just on that basis, we forget that when we approve the use of a drug, we are approving it for use for a broader cross-section of our public, for all of the public. And for that reason, we must be careful and circumspect and follow the process. And I don't think we have that here. We have a law or are attempting to pass a law that I think in the long run . . . not in the long run, as we sit here today and pass it, is one which has not been approved by the FDA for medical treatment. It is one which has not been decriminalized by the federal government. It is not one which will protect the medical treater, the physician, or a pharmacist from protection of our criminal laws. And certainly, while it may help a few -- a few -- I don't think it will help the many.

"Thank you, Mr. President."

Senator M. Ige also rose in opposition to the measure and said:

"Mr. President, I stand in opposition to this bill.

"One of my reasons for not supporting Senator Iwase on his nomination is that I want him to stay in the Senate. One of my big reasons -- we need his brain, we need his mind, we need how he interprets and evaluates all the different bills; we need the Senator in the Senate. And that was the reason why some of us banded together a couple of years back and formed a group that many called the dissidents. And Senator Iwase was certainly one of our leaders at that time.

"Mr. President, in the TV commercial B-A-L-O-N, is that E-Y or just Y -- baloney -- B-A . . . Oscar Meyer Wiener Baloney. You know, Mr. President, I think everybody who stands on this floor and talks about sensitivity and caring about this measure is full of B-A-L-O-N-E-Y. You cannot sugar-coat the fact that this bill is a vote for drugs -- you support drugs, plain and simple.

"In our ECD hearing, Economic Development, there was a resolution talking about the possibility of developing a sister-state relationship with a province in China called Yunnan which has tremendous potential -- agriculture, precious metals, but more importantly, herbal, and relating to, I guess, the types of agricultural projects on the Big Island. And it had tremendous potential there. Unfortunately, it was brought up by the Senator from Waipahu that it's possible that there may be some drug problems. Why? Because it bordered three major drug countries -- Burma, Vietnam, and Thailand. And I wasn't aware that this was called the 'Golden Triangle.' But just the hint of drugs sent our ECD Committee for cover -- cover in the sense that we all stood up and said this is wrong because we know that drugs are a problem in our society that rips apart our communities, that affects many lives right here in our neighborhoods today, as we speak.

"Mr. Sakai from the Corrections Division comes before us, talks about his budget and where we're going to spend these millions of dollars from the tobacco settlement money -- millions of dollars. And you know, we have 186 women prisoners out in Kailua and only 12 slots for drug abuse treatment -- 12. Mr. President, that's shameful. But it's okay. It's okay. We'll go vote for drugs.

"Alcohol in our high schools, in my opinion, is rampant, and the state has failed its responsibility regarding alcohol. What have we done for that? Is this bill a precursor to marijuana?

"Yes, Mr. President, I'm angry. A month ago someone dropped off four marijuana plants in my yard. I called the police immediately. There was a report in the newspaper. It made it seem as though I was growing it.

"Mr. President, if this bill passes, next year legalized marijuana. A year ago it was hemp; this year it's medical; next year, what?

"I challenge any community. Looking at our resources on the Windward side -- our water, our greenery -- I tell you what, you put marijuana plants in the Windward side and we will be the capitol of the world. We will probably grow the most potent marijuana plants known throughout the world, with no question. Because that is the essence of the Windward side. That was the reason we had all the lo'i and the taro, the most extensive lo'i in this whole state -- the Luluku Lo'i system.

"And four plants were dropped off at my gate about a month ago. The police came. It met a certain weight. They had to bring a certain van and get it out. And I reported it. And that was a day after I addressed Mr. Sakai about our drug problem and incarcerated prisoners and not providing enough support to these women who have children.

"Mr. President, this bill supports drugs. I ask you to walk the talk. Lead by example. Because, Mr. President, there's absolutely, trust me, there's absolutely no hope in dope.

"Thank you."

Senator Chun added his remarks in opposition and said:

"Mr. President, I rise in opposition to the bill.

"Mr. President, I agree with a lot of the comments made today by both the supporters and the opponents of the bill. In fact I stand up here today, really out of respect for a lot of the chairmen, both the Judiciary and the Human Services, because I want them to know that I'm voting not against them but against the rationale on the bill, because I do recognize that reasonable minds can differ. I'm going to try to keep my comments straight to the facts as the Senator from Hawaii Kai has asked me to.

"Let's look at the facts. I agree that there was a report done by Drug Czar McCaffrey which basically tended to indicate that there was some medical benefits of marijuana. I recognize that and I think it's something worthwhile looking at. But what bothers me about this bill is the fact that it attempts to go beyond what the scientific studies have shown to be medical benefits from the use of marijuana and goes into areas where no proof is shown. For example, the same report which the Senator from the Judiciary Committee has indicated, clearly indicated that for diseases such as Parkinson's disease, Huntington's disease, migraines (i.e. headaches), epilepsy, and Alzheimer's, medical use of marijuana doesn't support these claims; medical marijuana does not help these conditions.

"Yet, in our own bill, the bill that we're being asked to vote on today, on page 3, lines 11 and 12 specifically authorizes the medical use of marijuana for epilepsy, a condition which the report specifically states it does not help. Why are we doing that? Why are we not just limiting ourselves to conditions which medical reports have indicated marijuana can be useful? Why are we going out of our way to say whatever the advocates for legalization of marijuana want to say, that we're going to give them everything without any further study.

"Mr. President, I know that we disagree on a lot of things. There are very few times that we agree. I think members of the public realize that and respect that. I think what we all are

asking for, even the public, is that we should be consistent in our actions, that we know that we will have a standard that we will follow.

"Mr. President, just a few months ago we had another very hotly debated issue in front of us about the use of another drug and whether that drug should be placed into our water system to help our children strengthen their teeth and their bones so they can grow up to be healthy individuals. We heard scientific testimony from both sides, one indicating that the long term and short term effects are beneficial. And yet at the same time we heard testimony from the other side saying no, the long term and short term effects of that drug is harmful. And yet, based upon that conflicting testimony we decided to take the conservative route, the reasoned route, and say let's take a look at this further.

"And I thought that was a reasonable thing for the Senate to do at that point in time, even though it's controversial, even though we were going to take a lot of hits and a lot of criticism for that kind of position, even though the administration really wanted it. We felt that the fact there was conflicting testimony required us to study it more. We did not want to take that kind of leap.

"We have a similar situation here. We have an administration bill that asks us to legalize, and it's a very limited basis, medical use of marijuana. We also have conflicting testimony from different sides saying that marijuana use is not going to be beneficial. It has long term and short term negative impacts. We have reports on the other hand saying yes, it will have medical benefits. But what do we do? Rather than take the cautious approach, which we did last time, we say no, let's just go ahead and pass it. So the question I ask is why do we pass it? Why on one hand are we taking the cautious approach and another hand we just throw caution to the wind? The only explanation I've heard on that is we want to have mercy. That's not one that's based on fact. Again, the advocates are saying let's just throw everything to the wind and have mercy.

"On mercy, then, on that kind of issue, I have problems. I have problems of accepting a bill based upon mercy, whether it feels good, whether it's going to benefit my special interest or not. For example, on one hand we're saying that drug use is bad, and hemp in fact is bad and then we passed a bill which allowed the cultivation of hemp on the Big Island, which I gather now is in Wahiawa. But in that one we realized that hemp has less of a THC, an active component. We realized that it doesn't grow the same way as it grows with hallucinogenic marijuana. But we recognized the dangers and we put these huge fences and barriers about that because we proceed cautiously.

"And yet on THC, marijuana, that has the most psychoactive ingredients in it, we don't proceed cautiously. We don't have any provisions here about fences around the marijuana plants. We don't have any provisions here regarding inspections. We don't have any provisions regarding reports.

"And again, I'm confused. Why are we not being consistent in our handling of this issue? Mercy, that's the only thing it comes down to. And if that's the only thing it comes down to, Mr. President, I'm going to have to say that mercy without standards, mercy without direction will lead to chaos. And I don't think that's something the Senate stands for. I don't think that as a Legislature the voters want us to have chaos. They've come to us to ask for direction in their life. They've come to us to ask for a plan on how to approach things logically. They didn't come to us to make happenstance decisions based upon who can lobby the best, or who yells the loudest, or who cries for mercy the most.

"Mr. President, I am not against mercy, but I am only willing to give that if I know that mercy will be controlled and that mercy is the only last resort and that there are standards that

we'll be using. So Mr. President, I must reluctantly state that I'm going to have to vote against this bill, and I hope that the proponents of this bill will heed these words and go forward from here, and even though this bill passes, that they decide to strengthen it and to act consistently so that we can give some kind of direction to our people.

"Thank you, Mr. President."

Senator Slom rose again and said:

"Mr. President, if I may, a few words of rebuttal to some of the things that have been said since I spoke last.

"First of all, the argument that we knew that if we approved industrialized hemp on a project pilot program last year that it would lead to legalization of drugs and the call for medical marijuana . . . first of all, the call for medical marijuana has been going on for quite some time. This is not new. It didn't just occur over the last 12 months. What has occurred, I think, has been a realization by more people, more information, more studies, more decisions by individuals who can adequately separate a solution or an option for pain and suffering from recreational use of drugs; a realization that people can, in fact, talk to people whether they be young adults, children or older people, and explain the differences between medical uses of prescribed substances and recreational uses. So I think that's a major point to be concerned about.

"However, my good friend the colleague from the Garden Island has just raised the issue of consistency and caution, and he used as an example our action in fluoridation of the water supply. And he said that he looked around for any explanation and the only explanation he could find was mercy. I guess he must have been distracted and wasn't listening to my words earlier. I know he usually listens to every word. And one of the major points that I made was that this bill, unlike so many bills that we pass in this body, does not force or mandate everyone to do something. I remind the good Senator and my colleagues that that was one of the primary issues about fluoridation -- you didn't have a choice! We stuck it in your water and you were going to get it. And we didn't worry about dosages, whether you drank 16 glasses a day or not. We didn't worry about that. We were going to tell you everybody was going to take it. We were saying fluoridation was to help our keiki of a certain limited age because of dental caries, but then we said everybody was going to have to have the impact. This bill does not do that.

"So, aside from any question or issue of compassion and mercy, there is a very clear distinction. Had this bill said everyone must take marijuana, I would have been the first one to stand up and to have spoken and voted against it. But it does just the opposite. It allows choice, and that is part of mercy, as well.

"Thank you, Mr. President."

Senator Inouye rose to oppose the measure and said:

"Mr. President, I wish to register my 'no' vote on this particular bill.

"Mr. President, much has been said with regards to the bill before us, and I wish to enter the concerns of the Senator from Moanalua and the Senator from Waipahu into the Journal as if they were my own.

"Yes, this bill is flawed. If you look on page 2, 'Medical Use of Marijuana' under 'definitions' it talks about the adequate supply. I just wanted to add that where are the provisions for cultivation, for growing? Where are the plants to come from? Perhaps considering using the airlines to send the plants over from the Big Island or from Kauai or wherever. That's a great concern.



"We are putting a lot of pressure and placing a lot of burden on our enforcement agencies.

"Thank you, Mr. President."

Senator Sakamoto rose again and said:

"Mr. President, just to follow-up on some of the comments made.

"Actually, some of the comments made by the proponents I'd almost say that they should be in the Journal because for mine . . . maybe I'm confused, but I heard the Senator from Judiciary say that they should be held to the same standards as any other product. I guess he was implying not higher standards, but certainly I would agree, should be held to the same standards as other medical products, period. And I heard those words, and I would agree strongly. This bill does not do that.

"I heard words from the Senator from Hawaii Kai saying, after everything else has been tried. I agree, after everything else has been tried this might be an option, but this bill does not do that. The bill should have. The Senator from Waimanalo saying maybe we could have fixed it. I'm sure that there are many proponents and opponents who had discussions, but unfortunately the bill was not fixed. It still has all of those holes. If I keep reading it, there might be more holes.

"And yes, as the Senator from Kauai mentioned, all of this security for the hemp -- alarms, fences, research, let's study this thing, keep it under lock and key -- but as the Senator from the Windward side was talking, now imagine . . . I've hiked with the boy scouts through those areas and I can see what could happen. And let's say you see marijuana plants growing as you hike down a street. Who's to say for the passerby, HPD, or anybody else if that was medical?

"There's no signs in here saying if you're cultivating it you should even have to protect it; you should even have to label it. Certainly, those things should have and could have been done if that's the intent. But furthermore, on the health concerns as the Senator from Mililani points out, we could have -- we could have -- taken a bold step in authorizing our university, our cancer research center, etc., to have done a controlled program, which would have been a good thing. We can still do that.

"We should still do something to help the people who need help, but do it in the proper manner, controlled manner.

"Thank you, Mr. President."

Senator Matsunaga rose to support the measure as follows:

"Mr. President, I rise in support of this measure.

"First of all, I want to acknowledge the thanks from the Senator from Kauai, the Senator from Moanalua, and the Senator from Mililani for our work on this measure. Never before have I received so much thanks from so many people voting against my bill. (Laughter.)

"Second of all, unlike the Senator from Kaneohe, I want to assure the Senator from Mililani that I am supporting him for his appointed position (more laughter) and it's not because I want to get rid of him from the Senate. It's because he is qualified for the position.

"Mr. President, much has been said and we've debated this measure before. I just want to clarify and re-focus on what this bill is really all about. The core issue of this bill is simply the removal of state criminal penalties for patients who use medical marijuana. As we all know, current federal and many state laws subject seriously ill patients to arrest and imprisonment for using marijuana. Should seriously ill patients be arrested and sent to prison for using marijuana with their doctor's approval? I don't think anybody on this floor thinks so.

"Number two, the goal is to protect from arrest and imprisonment the tens of thousands of patients who are already using marijuana, as well as the doctors who are recommending such usage.

"And finally, number three, Mr. President, patients for whom the standard legal drugs are not safe or effective are left with two untenable choices -- continue to suffer, or use marijuana illegally and risk criminal consequences.

"I also heard the concern that individuals who are caught growing marijuana for recreational use will now try to use this bill as an excuse. Let me assure my colleagues that this bill has a number of safeguards to insure that it will not be misused in this manner. For example, the amount of marijuana that may be legally possessed for medical purposes is clearly indicated. Number two, debilitating medical condition is defined and limited, and medical use is clearly defined. A patient must have written certification from a licensed physician indicating that medical use of marijuana is appropriate for that individual. The qualifying patient must register with and provide a copy of the written certification to the state Department of Public Safety. The department will issue a registration certificate to the individual, which can be shown to inquiring law enforcement officers. And finally, Mr. President, those who try to fraudulently use this law will be subject to fines and criminal charges.

"Mr. President, the Senator from Waipahu eloquently stated that the Good Lord gave us pain for a reason. But, Mr. President, the Good Lord also gave us a heart for a reason -- that reason is for compassion.

"Thank you, Mr. President."

At 12:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:56 o'clock p.m.

Senator Chun rose again and said:

"The last rebuttal, Mr. President, hopefully it's the last.

"Mr. President, even though I recognize the Honorable Senator from Hawaii Kai's position that he did not support fluorination because it didn't provide for choice, I know that was a Minority position. But the main fact is that we did not support fluorination because we did not know the true impact of that drug upon the human body, both long term and short term. We did not know.

"Similarly in marijuana, there are more than 400 active components in marijuana which we don't know the impact. Marijuana as we are calling it today is not a single chemical. It is not a single substance. It is a combination of hundreds of chemicals, cannabinoids, I gather it's called, some of which have never been studied, and some of which already have been determined after studies that it is harmful to the human body. And that's what I'm trying to bring out. We need to identify within this complex plant what active ingredients will really help, and which ones will hurt. And without that kind of specific type of research, without that kind of specific type of analysis, we are going to be in danger of hurting people more than helping them.

"And I note that this bill states that marijuana will only be used upon the 'permission,' or some kind of permission, by the physician. That's a fancy word for saying that the physician himself doesn't have to take responsibility for prescribing the medicine. The prescription authority under our laws has some very certain things that the physician must know and must agree to before he gives his authority to use that drug. That kind of analysis, that kind of thought, that kind of standards are not contained in the more permissive 'permission' that the

physician can give. It's a fancy way of saying I'm not responsible; I'll let you use it, but I'm not responsible for what happens to you.

"I think what we're standing for this session is that we want to encourage responsibility. We want to encourage accountability. This bill does not do it. And that's another reason why I do not support it.

"Thank you, Mr. President."

Senator Bunda then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, and Roll Call vote having been requested, S.B. No. 862, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Buen, Chun, D. Ige, M. Ige, Inouye, Iwase, Kawamoto, Matsuura, Sakamoto, Tam).

S.B. No. 1095, H.D. 2:

On motion by Senator Inouye, seconded by Senator Chumbley and carried, S.B. No. 1095, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### MISCELLANEOUS COMMUNICATION

Misc. Com. No. 12, from the Honolulu Community Action Program, Inc., dated April 18, 2000, transmitting the HCAP Annual Report for Fiscal Year 1998-1999, was read by the Clerk and was placed on file.

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2849 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2849, seconded by Senator Chumbley and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 2849, seconded by Senator Chumbley.

Senator Chun Oakland noted:

"Mr. President, S.B. No. 2849, H.D. 1, had only one technical non-substantive amendment to this draft.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2849 and S.B. No. 2849, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS," was placed on the calendar for Final Reading on Wednesday, April 26, 2000.

S.B. No. 2930, S.D. 2 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2930, S.D. 2, seconded by Senator Chumbley and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 2930, S.D. 2, seconded by Senator Chumbley.

Senator Chun Oakland then said:

"Mr. President, S.B. 2930, H.D. 1, reflects more accurately what the Controlled Substances Division had wanted in the bill with regards to the itemizing of the various controlled substances.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2930, S.D. 2, and S.B. No. 2930, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was placed on the calendar for Final Reading on Wednesday, April 26, 2000.

#### APPOINTMENT OF CONFEREES

H.B. No. 2418 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2418, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2648, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2648, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2653, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2653, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Levin, co-chairmen, Anderson as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 1:04 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 26, 2000.

## FIFTY-SEVENTH DAY

**Wednesday, April 26, 2000**

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Owen Tanoue, Kalihi Union Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Sixth Day.

#### MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 319, informing the Senate that on April 24, 2000, he signed into law House Bill No. 2537 as Act 37, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION," was read by the Clerk and was placed on file.

#### DEPARTMENTAL COMMUNICATION

Dept. Com. No. 32, from the State Auditor dated April 24, 2000, transmitting a report, "Financial Audit of the Department of Land and Natural Resources," (Report No. 00-11), was read by the Clerk and was placed on file.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 714 and 715) were read by the Clerk and were placed on file:

Hse. Com. No. 714, returning S.C.R. No. 16, which was adopted by the House of Representatives on April 25, 2000.

Hse. Com. No. 715, informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to the following Senate concurrent resolutions and the request for a conference on the subject matter of said amendments, the Speaker on April 25, 2000, appointed managers on the part of the House for the consideration of said amendments:

S.C.R. No. 129, S.D. 1 (H.D. 1):

Representatives Morita, Schatz, co-chairmen, Fox.

S.C.R. No. 204 (H.D. 1):

Representatives Morita, Schatz, co-chairmen, Fox.

#### CONFERENCE COMMITTEE REPORTS

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1947, H.D. 2, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 1947, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and H.B. No. 1947, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2530, H.D. 1, presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 2530, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and H.B. No. 2530, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2406, H.D. 1, presented a report (Conf. Com. Rep. No. 6) recommending that H.B. No. 2406, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and H.B. No. 2406, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2411, S.D. 1, presented a report (Conf. Com. Rep. No. 52) recommending that S.B. No. 2411, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52 and S.B. No. 2411, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2530, S.D. 1, presented a report (Conf. Com. Rep. No. 53) recommending that S.B. No. 2530, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53 and S.B. No. 2530, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 185, S.D. 2, presented a report (Conf. Com. Rep. No. 54) recommending that S.B. No. 185, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54 and S.B. No. 185, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2837, S.D. 1, presented a report (Conf. Com. Rep. No. 55) recommending that S.B. No. 2837, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55 and S.B. No. 2837, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3585) recommending that the Senate advise and consent to the

nomination of CAROL RAE BAPTISTA to the Board of Taxation Review, First Taxation District (Oahu), in accordance with Gov. Msg. No. 200.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3585 and Gov. Msg. No. 200 was deferred until Thursday, April 27, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3586) recommending that the Senate advise and consent to the nominations of ALAN K. BERNALDO and RANDOLPH R. CABANILLA to the Board of Taxation Review, Second Taxation District (Maui County), in accordance with Gov. Msg. No. 201.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3586 and Gov. Msg. No. 201 was deferred until Thursday, April 27, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3587) recommending that the Senate advise and consent to the nominations of BRADLEY T. KINOSHITA, GORDON Y. INABA and RICHARD G. WITHINGTON to the Board of Taxation Review, Third Taxation District (Hawaii), in accordance with Gov. Msg. No. 202.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3587 and Gov. Msg. No. 202 was deferred until Thursday, April 27, 2000.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3588) recommending that the Senate advise and consent to the nomination of SANDRA I. KLUTKE to the Board of Taxation Review, Fourth Taxation District (Kauai), in accordance with Gov. Msg. No. 203.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3588 and Gov. Msg. No. 203 was deferred until Thursday, April 27, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3589) recommending that the Senate advise and consent to the nominations of ANGIE CONNOR, M.D., CANDICE CULLINPAYNE, WILLIAM AUSTIN BURWELL, ELLEN M. CHING, MARTHA GUINAN, GARY A. OKAMOTO, M.D., HEATHER PROUD, LAURA ROBERTSON, BETSY WHITNEY and ANITA YUSKAUSKAS, PH.D., to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 276.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3589 and Gov. Msg. No. 276 was deferred until Thursday, April 27, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3590) recommending that the Senate advise and consent to the nominations of KENNETH C.C. CHANG, JAN LORI FRIED, AARON S. FUJII, GRETCHEN S. LAWSON, MARK B. MACANAS, RONALD K. AWA, HAROLD R. DE COSTA, DEAN M. GEORGIEV, STEPHEN G. LARACUENTE, DONALD A. MEDEIROS, CHRISTINA M. PILKINGTON, ANTHONY S. AKAMINE, RICHARD R. CHAVES, FRANCINE M.L. AONA KENYON, LUCY MILLER, PH.D., PATRICIA M. NIELSEN and OSCAR C. PAEZ, JR., to the Disability and Communication Access Board, in accordance with Gov. Msg. No. 277.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3590 and Gov. Msg. No. 277 was deferred until Thursday, April 27, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3591) recommending that the Senate advise and consent to the nominations of JAMES P. EPURE, M.D., and STEPHEN K. MIYASATO, M.D., to the Drug Product Selection Board, in accordance with Gov. Msg. No. 278.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3591 and Gov. Msg. No. 278 was deferred until Thursday, April 27, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3592) recommending that the Senate advise and consent to the nominations of DAVID WILLIAM MAY, TEOFILO PHIL TACBIAN, DOUG CONNORS, ED.D, PATRICIA S. JONES, MILTON C. MARTIN, CATHY STEVENS, ANGELA M. TEXEIRA and JOSEPH W. TURBAN, M.D., to the Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 279.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3592 and Gov. Msg. No. 279 was deferred until Thursday, April 27, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3593) recommending that the Senate advise and consent to the nomination of ELROY K. MALO to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 299.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3593 and Gov. Msg. No. 299 was deferred until Thursday, April 27, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3594) recommending that the Senate advise and consent to the nomination of STANLEY G. YATES to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 302.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3594 and Gov. Msg. No. 302 was deferred until Thursday, April 27, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 3595) recommending that the Senate advise and consent to the nominations of PAULINE D. ARELLANO, VICKY M. FOLLOWELL, ALBERT HAUOLA PEREZ, GORDON M. BRONSON, LONIA BURROUGHS, SALLY J. CROVO, DEBRA T. FARMER, WILLIAM C. LENNOX, JR., HOWARD A. LESSER, JAMES M. MIHALKE, SHARON ROSE NOBRIGA and SHARON P. YOKOTE to the State Council on Mental Health, in accordance with Gov. Msg. No. 304.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3595 and Gov. Msg. No. 304 was deferred until Thursday, April 27, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3596) recommending that the Senate advise and consent to the nominations of BRIAN K. NAKAMURA and KATHLEEN RACUYA-MARKRICH to the Hawaii Labor Relations Board, in accordance with Gov. Msg. No. 300.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3596 and Gov. Msg. No. 300 was deferred until Thursday, April 27, 2000.

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 3582 (Gov. Msg. No. 221):

Senator Nakata moved that Stand. Com. Rep. No. 3582 be received and placed on file, seconded by Senator Chumbley and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of RANDALL Y. IWASE to the Labor and Industrial Relations Appeals Board, term to expire June 30, 2010, seconded by Senator Chumbley.

Senator Nakata rose in support of the nominee and said:

"Mr. President, it is my privilege to present to this body the nomination of Randall Y. Iwase to the Labor and Industrial Relations Appeals Board and recommend advise and consent to his nomination.

"In the confirmation hearing that we held, he was given overwhelming support and recognition that, although he may lack some of the experience in labor management and medical matters, he is a quick study. This was mentioned over and over again and I believe that to be true.

"Like many of us, Randy's strengths are his weaknesses. And I say that because one of the qualities I see in him is a measure of impatience, but that also means that he will want to move things quickly. One of the criticisms of the board now, is that it doesn't make decisions quickly. So I think that quality in him is important.

"My observation of him is also that he does have an analytical and incisive mind, that he quickly sizes up situations. I believe he works hard and he has said that he will study this area diligently before he takes office and learn from the experiences that he will have in the office. He is very much action oriented. Again, a good quality for someone serving on this board. His various experiences in public office will also stand him in good stead. On this board, which is small, I believe that he will have much influence on the operations of the board. In our political context here, his energies have been scattered over many, many areas. But when they are focused on a narrow spectrum, I believe they will be sharpened and enhanced.

"I believe that this nominee will do a good job for this state, for the people of this state, so I urge my colleagues to vote in favor of this nomination. Thank you."

Senator Tanaka also rose in support of the nominee and stated:

"Mr. President, I rise in support of Gov. Msg. No. 221."

"Mr. President and members, you know I very seldom stand and speak in favor of anybody. In fact, I think this is the first time I'm doing it. (Laughter.) I would rather sing karaoke. (More laughter.) Randy is a very special person, and I do it only for someone who does outstanding things for the state, the community, or an outstanding person. And I think Randy is a very special person and he's a good friend of mine.

"Mr. President, members, I'm not an eloquent speaker like the Senator from Hawaii Kai or the Senator from South Maui, and I'm not as witty or humorous as the Senator from Kahala, and I don't quote poetry or recite lines like the Kaneohe Senator, and I'm not as emotional as the Senator to my right (laughter), and I've been told that I'm not as good looking as the Senator from God's country -- so just be patient with me.

"Being a small businessman, I said, How am I going to present Randy Iwase? He's a very dull person. It's very difficult to do anything for him. (Laughter.) So I made a balance sheet -- as a small businessman would -- and I know Sam will agree with me, because the legislature and the administration just don't treat us right. The Senator from Waimanalo wants to know what a balance sheet is, so I'll tell you.

"In front of you, you have a Randy Iwase balance sheet. Anything on the left is what we call assets -- that's the good things about Randy, the plus side. Anything on the right is a liability -- the bad side about Randy, the negatives. Then the bottom line is the net profit. So, what we see in the assets are a whole bunch of good things about Randy, so I'll just mention a few. Randy spent about 26 years in public service -- that's all his adult life -- and he's only 39 years old I heard. (Laughter.) He was deputy AG for 11 years; he spent one term on the City Council; he worked at Aloha Tower Development Corp for two years; and he's been in the Senate for 10 years -- that's 26 years. And if we do confirm him, that's another 10 years that he's obligated to serve in public service. I think that's a lot of time for a person to do it. Aside from you, Mr. President, nobody has those years.

"Let's see the liability side -- it says here, lack of experience in the area of labor management and medicine. But then let's go to the asset side and you have honesty, reliable, personable, intelligent. Yesterday, the Senator from Kaneohe said that Randy was such an intelligent guy, he wanted to keep him here in the Senate . . . not me -- I want him out! (Laughter.) So, with his intelligence, it will balance the negative.

"The other liability I see is the lack of hair. (Laughter.) I don't know if Randy is listening, but Randy, you're on your own on this one. When we look at the asset side we see he's a good father, he's a good brother, he's a good husband. Maybe a good sense of humor would balance the lack of hair.

"This is the way I show to you, Mr. President and members, the worth of Randy Iwase. He's a very special person. I said if confirmed, the bottom line -- this is your net profit -- the bottom line would be the State of Hawaii and its people, because Randy will serve in his capacity as a very good labor appeals board member.

"So with that, I ask for your support. Please vote for Randy so we can send him out of here. (Laughter.) Thank you very much."

Senator Kawamoto rose to speak in favor of the nomination and said:

"Mr. President, I rise in favor of the nominee.

"Mr. President, I've known the nominee for more than 18 years now. He was the 'akamai' guy, and I was the guy who didn't know anything about politics. But we all, collectively, ran together for a special election, and somehow he got more people there than I did and he won the nomination for the election to the City Council back when Toraki lost his seat to a recall. From there, we continued to be involved in politics, and since 1994, he's become my neighboring Senator.

"All of his life, he's been trying to work for the good of the state and the good of the people in central Oahu and the Waipahu community. He sometimes says he's not a Senator from the Waipahu area, but he does have a few spots in Waipahu, like most of Gentry in Waipahu.

"All I can say is that both he and Jan are just good people and he deserves this appointment. He's worked hard and he'll do good for the State of Hawaii. So I urge all of my colleagues to vote 'aye' on this nominee.

"Thank you."

Senator Slom also rose in favor of the nominee as follows:

"Mr. President, I rise to speak in favor of the nominee.

"First thing though, Mr. President, I would ask my colleagues if we could please have the legislative auditor check the balance sheet and audit that very carefully. (Laughter.)

"I have known Randy Iwase since the time he had hair. (Laughter.) I've known him from the days at the City Council and from the days in the state Attorney General's Office. I've known Randy Iwase since the time he was a dissident . . . come to think of it, several of us still are dissidents.

"I've always found him to be fair and open and receptive to new ideas, usually to be energetic, and a person who's been able to support different people and different ideas. I think the interesting thing is, during the early part of the confirmation process, people were accusing him of being pro-business and all the labor unions showed up to support him. People have said, in many ways, he's more like a Republican -- but all the Democrats came to support him. So he's been able to bridge the gap, been able to bring people together -- Republicans and Democrats; business people and labor organizations; and so forth. I think that is part of the talent and the expertise and the experience that he will be bringing to the labor board.

"We all expect a great deal from him. We expect to see that he's going to be able to speed up the process and to be able to make changes there, as he sought to make changes here in the State Legislature and the State Senate.

"You know, Mr. President, it's always good to see one of our own go on to other areas other than jail. (Laughter.) So I think that from this standpoint, we can all stand by and support the confirmation of Senator Randy Iwase.

"Thank you, Mr. President."

Senator Chumbley rose to speak in support of the nomination and said:

"Mr. President, I rise to speak in support of the nomination.

"Mr. President, today when I came down to the Floor, I tried to put myself in the nominee's shoes and said, What would Randy Iwase be thinking about? We all know that two of his favorite things are the Beatles and John Fitzgerald Kennedy, so I dug deep into the history books to find a couple of quotes that I thought were appropriate. Unlike the good Senator from Central Maui, I won't sing the Beatles' song, I'll just recite the words. There's a song called 'Yesterday' by John Lennon and Paul McCartney that came to mind and I'm sure that Randy, somewhere today, is reciting these words:

'Yesterday, all my troubles seemed so far away  
Now it looks as though they're here to stay  
Oh, I believe in yesterday

Suddenly, I'm not half the man I used to be  
There's a shadow hanging over me  
Oh, yesterday came suddenly'

I'm sure that he's thinking today, that he wishes that it was yesterday.

"I then looked at some of the quotes from John Fitzgerald Kennedy and came up with two that I thought were appropriate. The first one, Mr. President, is something that I hope is not accurate but we've heard rumors that it may be the case and this is a quote from President Kennedy:

'When we got into office, the things that surprised me the most was to find that the things were just as bad as we were saying they were.'

"I hope that the Labor and Industrial Relations Appeals Board is not as bad as they have said they are.

"Lastly, Mr. President, I'd like to say, in memory of Randy Iwase's mother who recently passed away -- 'Mothers all want their sons to grow up to be presidents, but they don't want them to become politicians in the process.' With that in mind, we now hope that the governor will choose this nominee to be the chairperson of the Labor Relations Board and no longer a politician.

"I ask all my colleagues to support this nomination. Thank you."

Senator Chun rose to speak in support of the nominee with reservations as follows:

"Mr. President, I rise in support of the nominee with reservations.

"Mr. President, I've worked with Randy not only in my capacity as a Senator but I served with him and worked with him when he was a member of the City Council. I also worked with him while he was a State Senator and I was just a lowly deputy corporation counsel for the city and for the county of Kauai. In my dealings with him, he's always been very fair, honest, and extremely intelligent in the areas that he's worked on, so I have no problems in terms of the nominee and his intelligence and his quick learning.

"I am confident that as a member of the Labor and Industrial Relations Appeals Board he will be able to understand and grasp the legal issues that confront him as a member on a day to day basis. However, I must speak with reservations on this nomination because I feel that even with his intelligence and his abilities, it is extremely important that the chair of the Labor and Industrial Relations Appeals Board has an intimate knowledge of all the issues confronting that board, more than the nominee has right now. The chair makes the decisions on evidentiary hearings; he makes the decisions whether to accept any evidence in or not accept it in; he makes the decision, oftentimes, that would break any tie votes; he makes the decisions as far as administering other departments and whether or not the directions they go are going to lead to a quicker hearing. All these things add up, Mr. President, that the chair's position is extremely important in the running of that department.

"Mr. President, the nominee admittedly does not have the kind of experience needed to be the chair. I have asked the attorney general for an opinion whether or not our action today will result in the nominee serving as the chair of the board or as a member. The attorney general's opinion was very clear that the Senate only has the confirmation power to confirm the nominee as a member of the board and that the designation of the chair is a matter solely left to the power of the governor, pursuant to the statute. Based upon that, we're acting to confirm the nominee as a member. I would have no problems confirming him as a member and I will support that. And I would ask the governor that when he decides to appoint any of the members to serve as the chair, that he take into consideration the relative lack of experience that the nominee has and that he chooses a chair that has experience, that he chooses a chair that knows the system well, and he chooses a chair that can begin to address the hard questions and the hard issues that confront the board on a daily basis and not take time to learn about what needs to be done or what needs to be improved.

"Mr. President, I guess what I'm saying is that we will have to trust the governor, pursuant to his powers, that he will do the

right thing and appoint a chair that will be able to step right in rather than learn on the job.

"And one more thing, Mr. President, I'm going over the balance sheet of the honorable Senator from Maui and I must disagree with him to a certain extent on the liability, lack of hair. Rather than be on the liability side, it should be on the asset side, because as we all know, the lack of hair shows the increase of intelligence." (Laughter.)

Senator Hanabusa rose in opposition to the nominee and stated:

"Mr. President, I rise to speak in opposition to the nominee.

"Unlike my good colleague from Kauai, who's been able to look at the requirements of this position and say that he can go with reservation, I cannot. Mr. President, I'm not saying that my colleague should follow my concerns, but I do have them, and I believe my colleague from Kauai and I may be the only ones who have actually practiced before the Labor and Industrial Relations Appeals Board. I have done cases which I refer to as a Mitchell case, which is a stress related case. I have done fraud cases before them.

"What troubles me is, as I listened to the confirmation, I heard testimony over and over again that nobody's an expert on everything. The fact that Senator Iwase would quickly learn the law, I do not take any dispute with. I believe that he will.

"There was a statement made by one testifier that this is a situation where attorneys try the case and basically you're sitting there as a judge and as a hearings officer. Mr. President, that is what I have the most problem with. When you read the Senate Journal and the standing committee reports which address the basis of 371-4 when it was enacted, the statement was made very clear by our former colleagues who preceded us, that unlike a judge, who is not expected to be a specialist in the subject matter of every case that is tried before him and necessarily must rely primarily on parties to develop facts for him, the members of the board are expected to be and should be specialists in the matter before them. That is the trouble that I have.

"I do not have any trouble with my colleague, Senator Iwase. It's a very difficult matter, as evidenced by all the speakers before me, to speak about one's colleague and to speak in opposition to one's colleague. However, I cannot get over what the standing committee report has said as to the requirement of that provision of the law and what is expected. Even my good colleague from Maui -- the best vice chair anyone could ever have in a committee -- even under the liability section he places, lacks experience of the area of labor management and medicine. But anyway, that's not the requirement. The requirement is in workers' compensation. And every testifier that I listened to, and I listened to it over the television, no one came forward and said that he had the necessary experience which I believe is clearly the intent of this provision of the law. And for that reason, I cannot vote in favor of this nominee, because I believe that it goes contrary to what the intent of this section of the law intended.

"Thank you, Mr. President."

Senator M. Ige also rose in opposition and said:

"Mr. President, I, too, rise in opposition.

"Mr. President, before I do that, I need to ask a point of parliamentary inquiry to the previous speaker from Kauai. I have the governor's message here on the remarks in succeeding Frank Yap . . . Labor and Industrial Relations Appeals Board . . . March 9. The question I have for the Senator from Kauai is, Was the AG's opinion in writing or was it verbal via telephone? Because it's my understanding, via this message, that it's to succeed Frank Yap."

Senator Chun responded:

"Mr. President, in response to the question from the Senator from Kaneohe, the response was in writing and was transmitted to both the nominee and also to the chairman of the labor committee."

Senator M. Ige continued:

"Then I guess I have a question to the chair from Kahaluu -- Was that circulated to the members?"

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 o'clock p.m.

Senator M. Ige rose and said:

"Mr. President, I withdraw my request. It seems to be causing some problems.

"I hate to rain on anybody's parade . . . I don't like that, but I would appreciate the diligence of my colleagues in letting me express some of my thoughts on this appointment. I don't take this negative vote lightly -- I take it very seriously.

"Mr. President, I'm just concerned, basically, on two points: number one, the term 'inefficiency,' and of course, Senator Iwase's qualifications, but I won't get into that too much. Let me just talk a few minutes about the term 'inefficiency.' When you look at the law, Mr. President, as the vice chairman of the committee on labor, the law is very specific that because cumulative experience and continuity in office are essential to proper handling of appeals on the workers' compensation law and other labor laws, it is hereby declared to be in the public interest to continue board members in office as long as efficiency is demonstrated. So I guess, Mr. President, the question I have is, when I looked under the term efficiency or inefficiency, they talked about waste of time, waste of energy, incapable, incompetent. And when we looked at the labor relations board, way back in January during the budget briefings, it was very clear that this panel was very important to the working people of Hawaii.

"Some of the questions that we had raised were, How many cases did they receive? In '94 they had 859 cases; in '95, 800 cases; in '96, 766 cases; in '97, 650 cases. They disposed of in '94, 700 cases; 800 cases in '95; 700 cases in '96; and 700 cases in '97. So it appears that the amount of cases they received yearly was being disposed of within the 12-month frame. In terms of OSHA cases, the amount of cases received in '96 was 56, and 52 in '97. Disposed of cases was 50 in '96, and 55 in '97. I guess one of the things that shocked me was that, of the total amount of cases -- in the thousands, Mr. President -- there were only 19 appeals to the Supreme Court in '96 -- only 19. In '97, only 12.

"What does this say about the office? In my opinion, my argument is that, as the vice chairman of that committee, it's being run efficiently. It's making decisions that are independent of the thinking of the moment, based on facts. And I think that's important for the legislature to consider. Was this department ever given any type of evaluation to prove in fact if it wasn't an efficient operation? And we have literature or we have documentation from the director saying there was never any performance based criteria on the measurement of this office being efficient or not. And I think that's really sad, Mr. President. I think that's very, very sad.

"Senator Iwase mentioned during his nomination, something to the effect that there were several cases that were years old, years old. In doing the research, there was one case in '95 and two cases in '96. And all three cases have gone to trial. The parties involved have asked that no decision be made at this

time, for whatever reason. There have been four cases in OSHA. The oldest case went to trial 11-20-98. And based on their attorneys, they are in the process of issuing a decision as it is currently in the hands of their staff attorneys who are doing the drafting. So I think when Senator mentioned these four cases, I beg to differ that it was because of some delay or some inefficiency in the office of the appeals panel.

"Mr. President, in conclusion, I believe that this office is being run efficiently. And as a result, this nomination should not be before us, because the statute is very clear about that. It is in the public interest to continue. But what bothers me, Mr. President, is that, if you take the spirit of the statute literally and inefficiency is not demonstrated, then what is that saying about us? What is that saying about this Senate when we can take a program, or the governor can take a program and willy-nilly lop off programs with no rhyme or reason, with no justification?"

"I think what's sad is that there's one real shiny example, which is the Office of Community Services, that we wrestled with. We're going to move a little office from the Department of Labor to the Department of Human Services, and nobody knows why. Until Tuesday night at Conference, the chair decided to kill the bill. What does that say about us as Democrats? What we fought for, what we believe in, the importance of our working people in Hawaii . . . there needs to be some criteria, Mr. President, to move one person to another place or even termination. Let's at least go back to what is important to who we are and what we stand for. And that is not the case with this particular office, Mr. President. I believe what we did with the community services bill is shameful. It should have never gotten this far. I just hope that there are no compromises made with the department to satisfy some of their service providers. That is the rumor out there right now, and I hope that it ends.

"Mr. President, this board must be independent. This board must make decisions based on fact -- what is before them -- not who is the governor at this time, what is the philosophy, or government restructuring. We're talking about injured workers, for goodness' sake. We're talking about people who got injured on the job. What about them? That is why this person is there for ten years. Mr. Yap has not proved inefficiency. Do we want him to make rules in 30 days? In 60 days? Nowhere in the statutes does it say that. If that's what we want, make that a goal. Make that a part of PPB. Don't just go back and say, well, philosophically, he's not with me. Mr. President, I beg to differ. This office was not set up to be a political of any governor, any legislature. This office was set up for working people in Hawaii to make sure that they get just compensation for injuries that they receive on the job. Mr. Yap has done that. I do not believe that it is appropriate to even consider Senator Iwase's nomination without first defining whether or not that office was efficient or inefficient.

"Senator Hanabusa read the concern that she had about Senator Iwase not being qualified, and I was going to talk about that statute or that standing committee report, which was brought up in the hearing.

"Mr. President, I just need for you to know that Senator Iwase and I go back some time -- with Senator Tanaka -- and we sat in his office many a time -- with Senator Bunda, as well -- and we had the profile of President Kennedy in the background, and it was a smoke-filled room. We didn't have the hammer or the power to make decisions at that time -- this was three years ago when you were the President -- but you know what? I remember those days and I remember how bright he is, how sharp he is. I don't agree with Senator Tanaka that he's handsome, but I do remember those stories and the jokes that we told amongst each other. In fact, we even met in this Minority caucus room on a Sunday afternoon.

"He is bright; he is capable -- but, Mr. President, not for this office. I will support him for any department, any commission, any board -- even, at one time, the presidency of the Senate

(laughter) -- but, Mr. President, not for this position. It is inappropriate . . . inappropriate.

"Mr. President, based on my two concerns regarding the inefficiency of the office as well as the qualifications that should go along with that office, I do not believe Senator Iwase is qualified for that position. So, with a heavy heart, I cannot support this nomination.

"Members and Mr. President, thank you for the time."

Senator Sakamoto rose in support of the nomination and said:

"Mr. President, I rise in support of the nominee, and since he's not on the floor to respond to some of the comments, I'd like to respond to some of them.

"The Senator from Kauai pointed out, yes, it's the governor's choice. So that's the choice the governor makes. When you're governor or if you're governor, you can make the choices as well. I believe that's clear.

"In regard to the comment about being a specialist . . . people can interpret committee reports differently. I believe at the time, changing the term to ten years created a specialist who was allowed to stay in a position for a long time to become a specialist, had he or she not been a specialist prior. I believe relating to being a specialist as compared to judges and other people who do mediation, when you center on Chapter 386, a specific chapter as opposed to all of the HRS, you have an opportunity and, in fact, will become a specialist. So I believe you can look at the term specialist in the committee report to read such that the position does relate to Chapter 386 and other chapters, but specifically workers' comp, and ten years, specifically, as opposed to three years or some other shorter term, Mr. President.

"I think the debate is not about how efficient one party was or isn't. My question would be for the party in office. The current holder could have done an efficiency assessment. It's not for an incumbent to say how inefficient it was and it's the governor's choice. I think for efficiency's sake, when I heard that there were 19 appeals to the Supreme Court in one year and 12 in another year, for me, as a person in business, I would question how efficient that was if there were that many cases. If indeed there were hundreds, why should any be appealed to the Supreme Court from a body that would purport to be specialists in workers' comp?

"A couple more issues. From the media reports and from hearsay, I heard that the governor was moving towards consolidating some boards to create efficiency and that was rebuffed. So I think there are concerns related to efficiency and not against the current person in the office. But I believe there were efforts to become more efficient and those were not accomplished.

"Knowing Senator Iwase and the comments made on his demeanor in moving things forward, certainly there would be quick action. With his intelligence, I know they'll be correct actions, Mr. President.

"Thank you."

Senator Tam rose in opposition and said:

"Mr. President and fellow colleagues, I wish to register my vote as a 'no' vote.

"I usually state my reasons so that people can understand. And the reason for my 'no' vote is because I'm very familiar with the labor laws, being that it was my former occupation, and I believe at this time, with due respect to Senator Iwase, that he does not have the qualifications in the labor area.



"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hanabusa, M. Ige, Tam). Excused, 1 (Iwase).

Stand. Com. Rep. No. 3583 (Gov. Msg. No. 310):

Senator Chumbley moved that Stand. Com. Rep. No. 3583 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of KARL K. SAKAMOTO as Judge of the 1st Division, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nominee and said:

"Mr. President, I rise to speak in support of this nomination.

"Mr. President and colleagues, Karl Sakamoto holds a B.A. degree in psychology from the University of Hawaii and a J.D. degree from the University of Hawaii's Richardson School of Law. Mr. Sakamoto's legal career includes serving as a deputy public defender, an associate in the civil litigation section of a private law firm, and most recently as senior attorney and deputy executive director for the state Civil Rights Commission. In addition to his professional career, Mr. Sakamoto has made time for several professional and community organizations which include the National Employment Lawyers Association Hawaii Chapter, and the Japanese American Citizens League, just to name a few.

"During the Senate Judiciary Committee hearing, the Committee heard his thoughts on the creation of special classes of criminal offenses, how to address substance abuse offenses, and whether his civil rights experience would bias his opinions as a judge on the bench. The Committee also heard from the Hawaii Civil Rights Commission; the Office of the Public Defender; the National Employment Lawyers Association Hawaii Chapter; and twenty private individuals and members of the legal community voice their support for Mr. Sakamoto. In summary, the testimony indicated that Mr. Sakamoto possesses the necessary temperament and legal ability to serve as a jurist. Additionally, testifiers indicated that he is well prepared, willing to make decisions, and is a fair-minded person with good listening skills.

"I am confident that Mr. Sakamoto will be an asset to the judiciary in his capacity as a Circuit Court Judge. I urge my colleagues to consent to this nomination.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Chumbley introduced Judge Sakamoto to the members of the Senate. (Judge Sakamoto, who was seated in the gallery with family and friends, rose to be recognized.)

Stand. Com. Rep. No. 3584 (Gov. Msg. No. 311):

Senator Chumbley moved that Stand. Com. Rep. No. 3584 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of SIMEON R. ACOBA, JR., to the office of Associate Justice, State Supreme Court, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Matsunaga rose to support the nomination as follows:

"Mr. President, I rise in support.

"Mr. President, Simeon Acoba, Jr., has served as a state jurist since 1979, having first been appointed as a per diem judge for the District Court of the First Circuit, and subsequently serving as a judge in the Circuit Court of the First Circuit, and most recently as an Associate Judge for the Intermediate Court of Appeals. His legal experience prior to his service as a judge included positions as legal counsel for several governmental agencies and a private law practice which included both civil and criminal litigation. In addition to his professional career, Judge Acoba has made time for numerous professional and community organizations.

"During the Senate Judiciary Committee hearing, the Committee diligently questioned the nominee regarding his legal background and philosophies, his rulings, and his opinions of several recent Hawaii Supreme Court decisions. Further, your Committee requested his thoughts and views on the privacy provision of the Hawaii Constitution, the need for an evaluation process for jurists sitting at the appeals level courts, the need for constitutional rights for crime victims, and the constitution as a 'living' document.

"Mr. President, the Committee also heard from several members of the legal community and over 80 private citizens all overwhelmingly voicing their support for Judge Acoba. In summary, the testimony indicated that Judge Acoba is viewed as a fair, unbiased deliberator who makes his decisions based upon the facts of the case and the current law. Additional comments mentioned his sense of efficiency and proficiency in ensuring that his rulings and opinions were issued in a timely manner. Finally, many individuals who have worked for and argued before Judge Acoba acknowledge his diligent work ethic and strong sense of ensuring that justice is served upon all who come before him.

"Mr. President, this appointment comes with great support and is well-deserved. I am confident that Judge Acoba is committed to excellence in judicial performance and will serve our State Supreme Court well. I urge my colleagues to consent to his nomination.

"Thank you."

Senator Kawamoto also rose to support the nominee and said:

"Mr. President, I rise in favor of this nominee.

"Mr. President, I hate to say how long I've known this nominee, but back in 1962 he was a pledge for my fraternity at the university -- that's almost 40 years ago. At that time, his work habits and his integrity were above reproach.

"I've admired his climb in the courts from afar and from here. And again, like the Senator from Waiālae indicated, he's earned and is deserving to sit on the highest court of the state, the Hawaii Supreme Court, and I urge my colleagues to vote 'aye' on this nominee.

"Thank you."

Senator Chun added his support as follows:

"Mr. President, I rise in support of the nominee.

"Mr. President, I have appeared numerous times before the judge while he was a circuit court judge, and although he has not always ruled in my favor, I've always found that his rulings were articulate and well-reasoned. I believe that this ability and this thought process will serve him well in the Supreme Court.

"I was also at his confirmation hearing and his answers to the questions (and they were very excellent questions by the Judiciary Committee) were very well thought out and reasoned, and it shows a very clear respect and understanding of the lines between the judiciary, legislative, and executive branches. I feel that his expertise and his knowledge would serve all the people of Hawaii well."

Senator Hanabusa rose to speak in favor of the nomination and said:

"Mr. President, I rise to speak in favor of this nominee.

"Mr. President, I believe that I've been one of the very fortunate young lawyers who was able to train under Judge Acoba, and I use the word train. Back when I began practicing law, we had what we called the 'three kings' -- we jokingly referred to them as that -- and they were Judge Acoba, former Justice Klein, and former Judge Yim. Each of them had their strengths, and if we were fortunate enough to appear before them, we experienced it all. For example, Judge Yim would grill you on evidentiary objections like there was no tomorrow; Judge Klein would just argue with you until you just wanted to say 'Okay, I give up'; but Judge Acoba was special -- he is by far the best settlement judge that I have ever had the opportunity to appear before. This is because Judge Acoba expected us to be prepared, to be candid, and he was always fair.

"You wouldn't believe it, but it's been a while since we were all young lawyers sitting outside the various courtrooms commenting, 'Gee it's not fair; all these guys have all their friends who are judges.' And now, it's come that my friends and my colleagues are now judges. I spoke to one, a female judge, and the reason I raise this is because there's been a lot of news about gender equity in the courts. I spoke to her because I have a great deal of respect for her, and I said, 'Are you considering putting in for the Supreme Court?' And she said, 'Do you remember how we used to sit outside of Judge Acoba's court?' And I said 'Yes.' She said, 'I'd never do it because Judge Acoba is the most deserving, and you and I both know it.' And I said 'that's true,' and I agreed with her. And she said it was Judge Acoba and appearing before him, and his fairness, and his hard work, and his knowledge, and his respect for the law that encouraged her to be a judge. She has told me that she looks forward to one day maybe making it up to the high court and to be able to sit alongside Judge Acoba and continue the learning process with him.

"My fellow colleagues, that is one of the highest praises I believe anyone can give to another, and that is why I ask that you all support Judge Acoba. Those of us who have had the pleasure and the honor of working with him know that he will be a great addition to the Hawaii Supreme Court.

"Thank you."

Senator Taniguchi also supported the nominee and said:

"Mr. President, I rise to support the nominee.

"Mr. President, Judge Acoba was my first year seminar professor at the University of Hawaii law school. Although that was less than 40 years ago -- although it seems like it was 40 years ago (laughter) -- at that time he made the law relevant to me and he really kept me going when law school seemed overwhelming.

"I believe he is an excellent choice and will make a great justice. I ask my colleagues to support his nomination.

"Thank you."

Senator Slom added his comments in support of the nominee with reservations as follows:

"Mr. President, I rise to support the nomination with reservations.

"First of all, my reservations are not based on the nominee's qualifications, integrity, or character. My reservations, instead, have to deal with the nature of certain rulings that were made. I, too, heard the questions that were asked. I'm just not as satisfied with some of the answers that were provided.

"Secondarily, I'm also very concerned about the judicial selection process in this state, the politicization of this process, and the fact that in many ways we discourage people from applying because the perception has been that it is who you know rather than what you know.

"So I will support the nomination with those reservations. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Matsunaga introduced Associate Justice Acoba to the members of the Senate. (Justice Acoba, who was seated in the gallery with his family and friends, rose to be recognized.)

At 12:41 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:42 o'clock p.m.

### FINAL READING

S.B. No. 2849, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2849 and S.B. No. 2849, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 2930, S.D. 2, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2930, S.D. 2, and S.B. No. 2930, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 1 (H.B. No. 2062, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 1 and H.B. No. 2062, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 2 (H.B. No. 2514, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 2 and H.B. No. 2514, S.D. 2, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Tuesday, May 2, 2000.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, 24 hours have gone by since this body voted to approve S.B. No. 862, medical marijuana, and so far the earth has not fallen, although I do see our ceiling has fallen which to me is a sign that we better not extend, better not have any Special Session, we better get out on time. But one thing I was bothered about last night was that I saw some of the national coverage of our events and all, and I kept hearing the impassioned pleas from the good Senator from Moanalua and I kept seeing holes in bills and things like that. I was very disturbed. But then I remembered a remark he also made yesterday, and part of the remark was, How do we know that the people support these things? How do we have the direct response from the people? And then I remembered, doggone it, that's right, it's been the Republicans that have been introducing initiative, referendum, and recall -- year, after year, after year, after year, after year!

"We don't even get hearings on bills that allow the public to let us know directly how they feel or to approve the actions that we take. And then of course we have a constitutional convention election and we make sure that we come up with a cockamamie idea that blank ballots are 'no' votes so that we can defeat that idea. And that's why all of the other states that approve these measures, they were approved because the people initiated them or the people approved them directly. But we don't trust the people enough to do that. And that is why we don't have referendum, and that is why we don't have statewide initiative. And maybe, Mr. President, that's some of the things that we should consider so that we can talk about other issues as was brought up by the Majority Floor Leader yesterday, such as fluoridation or other issues that the public seems to want.

"So I'm very happy and content with the action that we took under the circumstances, but again I'm derelict in not bringing that up yesterday in responding to the good Senator.

"Thank you."

Senator Sakamoto also rose on a point of personal privilege and said:

"Mr. President, a brief response.

"My point on the initiative and referendum was that all of the other states did this by initiative and it wasn't the legislature that initiated the action. So it was my objection for us as legislators to be the first to initiate this action. I was not in favor . . . I didn't speak that I was in favor of initiative and referendum, just to clarify that point.

"My point related to initiative and referendum is that many times they're good and worthy issues, just as in the proposed poll on this medical marijuana issue when you ask the question, Who would be against that? It's hard for people to say 'I wouldn't support someone who's ailing and needs help.' The problem, which I was pointing out yesterday, is the mechanism to do it isn't what it should be.

"Thank you."

Senator Slom rose again and said:

"Just a brief response to that, Mr. President, just to make sure that we're all clear on this.

"The reason that the other people and the other states use the mechanism is because they possess that mechanism. The reason that the people in the State of Hawaii don't have the

opportunity is because we have not allowed them to have those mechanisms. So I would be very happy to have the good Senator from Moanalua join hands with me in a bipartisan effort to really allow the people of this state to exercise their free will on this and other issues.

"Thank you, Mr. President."

## ADJOURNMENT

At 12:47 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 6:30 o'clock p.m., Thursday, April 27, 2000.

## FIFTY-EIGHTH DAY

Thursday, April 27, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 6:44 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Most Reverend Father Daniel of Mount Carmel, Archangel Sanctuary of Waikiki, The Inclusive Orthodox Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Seventh Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 320 and 321) were read by the Clerk and were placed on file:

Gov. Msg. No. 320, dated April 24, 2000, transmitting his statement of objections to House Bill No. 2021 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 20, 2000

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2021

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2021, entitled 'A Bill for an Act Relating to Act 316, Session Laws of Hawaii 1993, as Amended by Act 157, Session Laws of Hawaii 1995; and to Act 278, Session Laws of Hawaii 1999.'

The purpose of this bill is to amend Act 316, Session Laws of Hawaii 1993, and Act 278, Session Laws to Hawaii 1999, to add reenactment provisions to restore the prior language of the Hawaii Revised Statutes sections amended by those act when those acts are repealed on July 1, 2001. Act 316 amended sections 706-621 and 706-623, Hawaii Revised Statutes, to make amendments relating to an expedited sentencing program. Act 278 amended section 351-62.5(d), Hawaii Revised Statutes, the statute governing the use of the Crime Victim Compensation Special Fund, to temporarily delete the percentage limitation on the use of the fund's moneys for operating expenses. These acts are two separate, distinct, and unrelated session laws.

Section 14 of article III of the State Constitution requires that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' This provision 'is mandatory and a violation thereof would render an enactment nugatory.' *Schwab v. Ariyoshi*, 58 Haw. 25, 31 (1997). This bill embraces two subjects, Act 316, Session Laws of Hawaii 1993, and Act 278, Session Laws of Hawaii 1999, both of which are expressed in the bill's title. Consequently, this bill violates the single-subject requirement of section 14 of article III of the State Constitution.

For the foregoing reason, I am returning House Bill No. 2021 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 321, informing the Senate that on April 26, 2000, he signed the following bills into law:

House Bill No. 1691 as Act 38, entitled: "RELATING TO TAXATION"; and

Senate Bill No. 2333 as Act 39, entitled: "RELATING TO CONDOMINIUMS PROPERTY REGIMES."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 716 to 720) were read by the Clerk and were placed on file:

Hse. Com. No. 716, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on April 26, 2000, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 1491, H.D. 1, S.D. 1;  
H.B. No. 2129, H.D. 1, S.D. 1;  
H.B. No. 2471, H.D. 1, S.D. 1; and  
H.B. No. 2649, H.D. 1, S.D. 1.

Hse. Com. No. 717, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 2485, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 2485, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 26, 2000.

Hse. Com. No. 718, informing the Senate that the following House concurrent resolutions have been adopted in Final form by the House of Representatives on April 26, 2000:

H.C.R. No. 27, S.D. 1; and  
H.C.R. No. 41, S.D. 1.

Hse. Com. No. 719, informing the Senate that the Speaker on April 27, 2000, appointed Representative Luke as third co-chairman on the part of the House at the conference on H.B. No. 2098, H.D. 2, S.D. 1.

Hse. Com. No. 720, returning S.C.R. No. 21, which was adopted by the House of Representatives on April 26, 2000.

## CONFERENCE COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1902, H.D. 1, presented a report (Conf. Com. Rep. No. 7) recommending that H.B. No. 1902, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and H.B. No. 1902, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1773, H.D. 1, presented a report (Conf. Com. Rep. No. 8) recommending that H.B. No. 1773, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and

H.B. No. 1773, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2521, presented a report (Conf. Com. Rep. No. 9) recommending that H.B. No. 2521, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and H.B. No. 2521, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2469, H.D. 1, presented a report (Conf. Com. Rep. No. 10) recommending that H.B. No. 2469, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10 and H.B. No. 2469, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2183, H.D. 1, presented a report (Conf. Com. Rep. No. 11) recommending that H.B. No. 2183, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11 and H.B. No. 2183, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2701, H.D. 3, presented a report (Conf. Com. Rep. No. 12) recommending that H.B. No. 2701, H.D. 3, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12 and H.B. No. 2701, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1984, H.D. 1, presented a report (Conf. Com. Rep. No. 13) recommending that H.B. No. 1984, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13 and H.B. No. 1984, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2480, H.D. 1, presented a report (Conf. Com. Rep. No. 14) recommending that H.B. No. 2480, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14 and H.B. No. 2480, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2484, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 2484, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15 and H.B. No. 2484, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATIONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2797, H.D. 1, presented a report (Conf. Com. Rep. No. 16) recommending that H.B. No. 2797, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 16 and H.B. No. 2797, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 284, H.D. 1, presented a report (Conf. Com. Rep. No. 17) recommending that H.B. No. 284, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 17 and H.B. No. 284, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2092, presented a report (Conf. Com. Rep. No. 18) recommending that H.B. No. 2092, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 18 and H.B. No. 2092, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2095, presented a report (Conf. Com. Rep. No. 19) recommending that H.B. No. 2095, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 19 and H.B. No. 2095, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2490, H.D. 1, presented a report (Conf. Com. Rep. No. 20) recommending that H.B. No. 2490, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 20 and H.B. No. 2490, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2491, H.D. 1, presented a report (Conf. Com. Rep. No. 21) recommending that H.B. No. 2491, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 21 and H.B. No. 2491, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2480, S.D. 1, presented a report (Conf. Com. Rep. No. 56) recommending that S.B. No. 2480, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56 and S.B. No. 2480, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3073, S.D. 2, presented a report (Conf. Com. Rep. No. 57) recommending that S.B. No. 3073, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57 and S.B. No. 3073, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3038, S.D. 1, presented a report (Conf. Com. Rep. No. 58) recommending that S.B. No. 3038, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58 and S.B. No. 3038, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3597) recommending that the Senate advise and consent to the nomination of ROEN K. HIROSE to the State Board of Public Accountancy, in accordance with Gov. Msg. No. 223.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3597 and Gov. Msg. No. 223 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3598) recommending that the Senate advise and consent to the nominations of HOWARD A. OKITA, MORRIE STOEBSNER and ROBERT K. TIRRELL to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 241.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3598 and Gov. Msg. No. 241 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3599) recommending that the Senate advise and

consent to the nominations of STEPHEN G. DUBEY, N.D., and DIANA JOY OSTROFF, N.D., to the Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 243.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3599 and Gov. Msg. No. 243 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3600) recommending that the Senate advise and consent to the nomination of CHERILYN S.L. LAI, O.D., to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 244.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3600 and Gov. Msg. No. 244 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3601) recommending that the Senate advise and consent to the nominations of MICHAEL E. KRUPNICK, HENRY L. GUERRERO SR., and GORDON M. MACHADO to the Pest Control Board, in accordance with Gov. Msg. No. 245.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3601 and Gov. Msg. No. 245 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3602) recommending that the Senate advise and consent to the nomination of ALBERT K.P. AH NEE to the Radiologic Technology Board, in accordance with Gov. Msg. No. 247.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3602 and Gov. Msg. No. 247 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3603) recommending that the Senate advise and consent to the nominations of DEBORAH E. LICHOTA, RDH, JILL TSUCHITORI, RONALD L. YOUNG, D.M.D., WALLACE F. CHONG, JR., D.D.S., and ROGER H. YOKOYAMA, D.D.S., to the Board of Dental Examiners, in accordance with Gov. Msg. No. 275.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3603 and Gov. Msg. No. 275 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3604) recommending that the Senate advise and consent to the nomination of GREGORY M. SATO to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 281.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3604 and Gov. Msg. No. 281 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3605) recommending that the Senate advise and consent to the nomination of GREGORY G.Y. PAI, PH.D., to the Public Utilities Commission, in accordance with Gov. Msg. No. 169.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3605 and Gov. Msg. No. 169 was deferred until Friday, April 28, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3606) recommending that the Senate advise and consent to the nominations of MAMO P. CUMMINGS, NORM BAKER, EUGENE BAL III, CLAYTON W. DELA CRUZ, MORRIS A. GRAHAM, PH.D., ROCHELLE LEE GREGSON, RUTHANN QUITQUIT, MYLES SHIBATA, RICHARD W. SMITH and JAMES G. WESTLAKE to the Hawaii Workforce Development Council, in accordance with Gov. Msg. No. 309.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3606 and Gov. Msg. No. 309 was deferred until Friday, April 28, 2000.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3607) recommending that the Senate advise and consent to the nominations of DAVID LEONG, WINIFRED M. ODO, GREG KING and PHYLLIS M. KOIKE to the Procurement Policy Board, in accordance with Gov. Msg. No. 288.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3607 and Gov. Msg. No. 288 was deferred until Friday, April 28, 2000.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3608) recommending that S.R. No. 11, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 11, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND EVALUATION OF AIR CONDITIONING MAINTENANCE SERVICE OF ALL STATE FACILITIES," was referred to the Committee on Ways and Means.

At 6:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:57 o'clock p.m.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 3585 (Gov. Msg. No. 200):

Senator Fukunaga moved that Stand. Com. Rep. No. 3585 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of CAROL RAE BAPTISTA to the Board of Taxation Review, First Taxation District (Oahu), term to expire June 30, 2004, seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3586 (Gov. Msg. No. 201):

Senator Fukunaga moved that Stand. Com. Rep. No. 3586 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, Second Taxation District (Maui County) of the following:

ALAN K. BERNALDO, terms to expire June 30, 2000, and June 30, 2004; and

RANDOLPH R. CABANILLA, term to expire June 30, 2004,

seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3587 (Gov. Msg. No. 202):

Senator Fukunaga moved that Stand. Com. Rep. No. 3587 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, Third Taxation District (Hawaii) of the following:

BRADLEY T. KINOSHITA, term to expire June 30, 2003; and

GORDON Y. INABA and RICHARD G. WITHINGTON, terms to expire June 30, 2004,

seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3588 (Gov. Msg. No. 203):

Senator Fukunaga moved that Stand. Com. Rep. No. 3588 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of SANDRA I. KLUTKE to the Board of Taxation Review, Fourth Taxation District (Kauai), term to expire June 30, 2004, seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3589 (Gov. Msg. No. 276):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3589 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Planning Council on Developmental Disabilities of the following:

ANGIE CONNOR, M.D., and CANDICE CULLIN-PAYNE, terms to expire June 30, 2003; and

WILLIAM AUSTIN BURWELL, ELLEN M. CHING, MARTHA GUINAN, GARY A. OKAMOTO, M.D., HEATHER PROUD, LAURA ROBERTSON, BETSY WHITNEY and ANITA YUSKAUSKAS, PH.D., terms to expire June 30, 2004,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3590 (Gov. Msg. No. 277):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3590 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

KENNETH C.C. CHANG, JAN LORI FRIED, AARON S. FUJII, GRETCHEN S. LAWSON and MARK B. MACANAS, terms to expire June 30, 2001;

RONALD K. AWA, HAROLD R. DECOSTA, DEAN M. GEORGIEV, STEPHEN G. LARACUENTE, DONALD A. MEDEIROS and CHRISTINA M. PILKINGTON, terms to expire June 30, 2002; and

ANTHONY S. AKAMINE, RICHARD R. CHAVES, FRANCINE M.L. AONA KENYON, LUCY MILLER, PH.D., PATRICIA M. NIELSEN and OSCAR C. PAEZ, JR., terms to expire June 30, 2003,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3591 (Gov. Msg. No. 278):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3591 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of JAMES P. EPURE, M.D., and STEPHEN K. MIYASATO, M.D., to the Drug Product Selection Board, terms to expire June 30, 2004, seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3592 (Gov. Msg. No. 279):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3592 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Emergency Medical Services Advisory Committee of the following:

DAVID WILLIAM MAY, term to expire June 30, 2002;

TEOFILO PHIL TACBIAN, term to expire June 30, 2003; and

DOUG CONNORS, ED.D, PATRICIA S. JONES, MILTON C. MARTIN, CATHY STEVENS, ANGELA M. TEXEIRA and JOSEPH W. TURBAN, M.D., terms to expire June 30, 2004,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3593 (Gov. Msg. No. 299):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3593 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of ELROY K. MALO to the State Planning Council on Developmental Disabilities, term to expire June 30, 2004, seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3594 (Gov. Msg. No. 302):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3594 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of STANLEY G. YATES to the Kauai County Subarea Health Planning Council, term to expire June 30, 2003, seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3595 (Gov. Msg. No. 304):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3595 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

PAULINE D. ARELLANO, VICKY M. FOLLOWELL and ALBERT HAUOLA PEREZ, terms to expire June 30, 2001; and

GORDON M. BRONSON, LONIA BURROUGHS, SALLY J. CROVO, DEBRA T. FARMER, WILLIAM C. LENNOX, JR., HOWARD A. LESSER, JAMES M. MIHALKE, SHARON ROSE NOBRIGA and SHARON P. YOKOTE, terms to expire June 30, 2004,

seconded by Senator Iwase.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3596 (Gov. Msg. No. 300):

Senator Nakata moved that Stand. Com. Rep. No. 3596 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nominations of BRIAN K. NAKAMURA and



KATHLEEN RACUYA-MARKRICH to the Hawaii Labor Relations Board, terms to expire June 30, 2006, seconded by Senator M. Ige.

Senator M. Ige rose for a conflict ruling from the Chair as follows:

"Mr. President, could I declare a potential conflict?"

The Chair responded:

"Please state your potential conflict."

Senator M. Ige continued:

"Mr. President, Mr. Nakamura served as the attorney who gave me advice during this so-called campaign investigation by the attorney general. Mr. Nakamura gave me advice and the attorney general turned around and charged me with certain things that he gave me advice on. I plan to use him as my key witness to address some of the charges that the attorney general has brought before me."

The Chair stated:

"Yes, I understand your situation. The Chair rules no conflict. You may vote on this particular confirmation."

Senator Nakata rose in support of as follows:

"Mr. President, I rise to speak in favor of Mr. Brian Nakamura's confirmation to the Hawaii Labor Relations Board.

"Mr. Nakamura has been a member of the Hawaii Bar since 1981. He is currently in private practice. His employment credentials include the Hawaii State Campaign Spending Commission, the Senate Judiciary Committee, the United States Senate Sergeant-at-Arms, and the office of United States Senator Daniel K. Inouye. In addition, he has served as project manager for the Pacific International Center for High Technology, executive officer for the Hawaii Natural Energy Institute, and executive assistant/staff attorney for the office of the Lieutenant Governor.

"In the confirmation hearing there was overwhelming support for Mr. Nakamura for his intelligence, for his ability to learn quickly, to be fair, a man of integrity and other important attributes. I therefore recommend that the Senate advise and consent to the nomination of Mr. Brian Nakamura to the Hawaii Labor Relations Board.

"Thank you."

Senator Hanabusa rose in support with reservations and stated:

"Mr. President, I rise to speak in favor of the nomination of Brian Nakamura, but with reservations.

"Mr. President, just so that it's clear, the Governor's Message is on two nominees, Brian Nakamura and Kathleen Racuya-Markrich. I have no reservations as to Ms. Markrich's nomination. The reason that I rise with reservations as to Mr. Nakamura is because of the position that he's taken. I have spoken to Ms. Markrich and I do know that she does have labor experience. She's appeared before the Hawaii Labor Relations Boards. Mr. Nakamura, however, in reviewing his resume, has none.

"Unlike the Labor Appeals Board, which has very similar kinds of language in terms of the composition of the Hawaii Labor Relations Board, we do not have the committee reports of years past to basically guide us into what exactly was intended by people who hold this position. Nonetheless, I read an attorney general's opinion, which I think was sent to the good Senator from Maui, which said that in determining

qualifications, it's like a sliding scale, and the Hawaii Labor Relations Board sits as a quasi judicial body. They're really the determiner of administrative procedures under Chapter 89 and Chapter 377.

"The problem that I have is that this Senate, especially the Labor Committee, has toiled very long, very hard on S.B. No. 2859, which we all know is the Civil Service Reform. If the bill that ultimately makes it through looks anything like what S.B. No. 2859, S.D. 1, looks like, then what we will be enacting into law is a bright line between civil service and collective bargaining or Chapter 89. When that happens and different types of decisions are being given to the Hawaii Labor Relations Board, that body must then become very active, and those that are sitting at its helm must understand labor law.

"Mr. President and colleagues, the most comparable system is the National Labor Relations Board, and in the National Labor Relations Board you will find that those who head the board have extensive training in labor before they even rise to the position of a sub-region head, not even a regional head, a sub-region head. A lot of them have masters degrees in law specializing in the labor area and in fact have spent many years, usually beginning at the advise section in Washington, D.C., which is the home of the National Labor Relations Board, and then moving their way out to the various regions. That is the level and the quality of people that we should be looking for.

"We all know that when it comes to collective bargaining, we must have that decision. And if the hard work of the Senate Committee on Labor comes to fruition and we do have a bill that does make that distinction and more is place in collective bargaining, we need a Hawaii Labor Relations Board that can act quickly and that can understand the nuances of the labor law. And that is what I find lacking in Mr. Nakamura's resume and the reason why I can only support his nomination with reservations.

"Thank you, Mr. President."

Senator M. Ige, rising in support, then said:

"Mr. President, I rise to support the message, specifically Mr. Nakamura.

"Mr. President, on August 4th I was summoned by the Attorney General's Office regarding some Bishop Estate investigation, and I made some statements. Immediately following, calling Mr. Nakamura at the Campaign Spending Commission and working together, I amended my campaign spending report. And on August 10th, actually on August 18th I went back to the Attorney General's Office and they could not believe that I had made this change, that I had said 'Hey, it was a mistake. We didn't know about it and we worked with the Campaign Spending Commission and made the change.' Then on the 25th, Mr. Nakamura and I, as my attorney I guess, worked on new language because we felt we made a mistake. It wasn't really in kind contribution; it was more like a loan. It was like a loan. So working with him, we came out with this decision and we tried to correct what we did wrong. And as you know, everything else is history. The Attorney General came after me based on the recommendations of Mr. Nakamura.

"So Mr. President, I will be using Mr. Nakamura as a key witness for me. But I think, Mr. President, these are the kinds of individuals that we need in government, people who don't look around them for advice or approval. They go on record and tell it like it is. They go on record and tell you whether you're right or whether you're wrong.

"The other thing that I like about Mr. Nakamura is that he's not a grandstander. He's not out there to gain points or to take people's money from their campaigns. He's out there doing his job and it's not an easy job being a member of the legal portion or the legal arm of the Campaign Spending Commission. But

he's out there doing his job. He understands campaign law. He's sensitive to its history. And I'm just hopeful that with this kind of insight and this kind of caring for the elected officials of this state, that he will do the same kind of job and bring the same kind of confidence and integrity to this Labor Relations Board.

"So, for those reasons, Mr. President, I support this nomination. Thank you."

Senator Nakata, again rising in support, then said:

"Mr. President, I wish to rise and speak in favor of Ms. Kathleen Racuya-Markrich's confirmation to the Hawaii Labor Relations Board.

"Ms. Racuya-Markrich received her law degree from the U.H. Richardson School of Law. For eight years she represented the state and its agencies in labor and employment litigation as a deputy attorney general. Besides being legal counsel of record for various boards and commissions, Ms. Racuya-Markrich represented the state in arbitration proceedings concerning denial of sabbatical, sexual harassment procedure, and termination. Since January of 1995, she has been press secretary to the governor.

"She is a person of action. She is someone who is decisive, qualities that I think are important to this office to which we are confirming her. I therefore recommend that the Senate advise and consent to the nomination of Ms. Kathleen Racuya-Markrich to the Hawaii Labor Relations Board.

"Thank you."

Senator Chun rose with reservations and said:

"Mr. President, I rise in favor of the nominations with reservations.

"Mr. President, I rise in favor of the nomination for Kathleen Racuya-Markrich with no reservations, to make it clear. After talking with her and looking at her resume, it is eminently clear that she has the necessary experience and knowledge to serve well on the Hawaii Labor Relations Board.

"However, my concern is on Mr. Nakamura, and I would echo the concerns of the Senator from Waianae. Even more so, I would say that in this, one of the big issues that we have in front of us -- the Civil Service Reform bill -- we all know in our own committee meetings one of the controversial issues within that bill is, How do we handle situations where the parties, the union and the employer, are at an impasse? And we had a controversial provision that says the impasse is going to be implemented immediately by the employer, and we're still working on the language to clarify that.

"But if those things are happening, the impasse will always go down to the Hawaii Labor Relations Board, and it is imperative that these impasses be resolved quickly and fairly by the board. In order to do that, we need to have people who are experienced and knowledgeable in the area. Yes, the Hawaii Labor Relations Board uses Hawaii law, but it also must take into consideration the labor laws of the United States and also from other states because we borrow very heavily from them. Somebody who has not worked in that area will find the myriad number and conflicting opinions within the State and the United States to be confusing, and it will be a shame that decisions are held up because they're still trying to learn that area of the law.

"I have no problems in terms of Mr. Nakamura being able to do that in time. His resume is very impressive in terms of his knowledge, his quick learning ability and his integrity, and I have no problems with that. I'm very sure that those characteristics will serve him well. But I'm concerned about the potential danger of putting a person that will eventually be

the chair or could be the chair of that committee of having to learn on the job, and the impact it might have on essential decisions that might need to be made very quickly.

"Another instance is in essential workers. If we are going to preserve the right to strike in certain employees, we will have to have an essential worker provision in there to make sure that essential workers are kept on the job while the other employees of that union are on strike. Those are also very complicated and cumbersome procedures which the HLRB has already been criticized severely as being too slow in making their decisions.

"Mr. President, the members of the board right now are all experienced labor law lawyers and also have worked in that area, and if they have been criticized for being slow, I shudder to think in terms of people who have no labor experience being confronted with those issues.

"The bottom line, Mr. President, is we're trying to make sure that Hawaii Labor Relations Board functions quickly. It is true that that board has a lot of decisions that's been pending and they take a long time in making decisions. And I'm not quite sure how our goal of making decisions move faster will be served by appointing a person who needs to learn on the job. Like I said before, I know Mr. Nakamura will be able to learn on the job. I think he is intelligent enough to do that. His experience in the United States Senate has shown that he has the capacity to do so. But again I must say, is that the direction we're going in terms of having people learn on the job, versus appointing people who know the area.

"Thank you, Mr. President."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

### FINAL READING

Conf. Com. Rep. No. 3 (H.B. No. 1955, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 3 and H.B. No. 1955, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 51 (S.B. No. 2513, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 51 and S.B. No. 2513, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred until Tuesday, May 2, 2000.

### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 915, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 915, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 915, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 915, S.D. 1, and S.B. No. 915, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE VACANCIES," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2535 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2535, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2535, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2535 and S.B. No. 2535, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2667 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2667, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2667, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2667 and S.B. No. 2667, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2670 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2670, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2670, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2670 and S.B. No. 2670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2758, S.D. 1 (H.D. 2):

Senator Chumbley moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2758, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2758, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2758, S.D. 1, and S.B. No. 2758, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2924, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 11, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2924, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2924, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2924, S.D. 1, and S.B. No. 2924, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2301, S.D. 2 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2301, S.D. 2, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2301, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Kawamoto, Hanabusa, Levin, Slom). Noes, none. Excused, 1 (Bunda).

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 2301, S.D. 2, seconded by Senator Chun.

Senator Kawamoto noted:

"Mr. President, S.B. No. 2301, S.D. 2, H.D. 1, describes and establishes the definition of maritime lands. Also it requires that Piers 1 and 2 at Fort Armstrong shall be limited to maritime use.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2301, S.D. 2, and S.B. No. 2301, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2311, S.D. 1 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2311, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2311, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Kawamoto, Anderson). Noes, 1 (Matsunaga). Excused, 2 (Bunda, Buen).

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 2311, S.D. 1, seconded by Senator Chun.

Senator Kawamoto explained:

"Mr. President, S.B. No. 2311, S.D. 1, H.D. 1, increases the fine from \$20 to \$40 for each violation of the mandatory seatbelt use and requires that back seat passengers between the ages of 4 and 17 use seatbelts.

"Just a personal note, Mr. President, this is called the 'Tanya Bill,' and this bill has given life to the Shirai family. Myles Shirai hasn't worked since his daughter passed away in an accident, and today he was all smiles. Again it's a great feeling that we were able to not only save lives with seatbelts but also to bring life back into a family that had a great loss.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2311, S.D. 1, and S.B. No. 2311, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY USE OF SEATBELTS," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2766, S.D. 1 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 11, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2766, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the

Senate agree to the amendments proposed by the House to S.B. No. 2766, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Kawamoto, Tam, Slom). Noes, none. Excused, 1 (Bunda).

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 2766, S.D. 1, seconded by Senator Chun.

Senator Kawamoto noted:

"Mr. President, on S.B. No. 2766 the description clarifies that projects created as condominium property regimes under Chapter 5114A are subject to county zoning and other county building and development ordinances and rules.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2766, S.D. 1, and S.B. No. 2766, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 3201, S.D. 1 (H.D. 2):

Senator Kawamoto moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 3201, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 3201, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Kawamoto, Buen, Slom). Noes, none. Excused, 1 (Bunda).

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 3201, S.D. 1, seconded by Senator Chun.

Senator Kawamoto explained:

"Mr. President, S.B. No. 3201, relating to a scenic highway system, the bill directs the Department of Transportation to establish new design guidelines to govern new construction, reconstruction, resurfacing, restoration, rehabilitation of bridges, principals, minor arterial roads, collector and local roads and streets."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3201, S.D. 1, and S.B. No. 3201, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SCENIC HIGHWAYS SYSTEM," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 568, S.D. 2 (H.D. 3):

Senator Hanabusa moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 568, S.D. 2, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 568, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Hanabusa, Nakata, Tanaka, Anderson). Noes, none. Excused, 1 (Matsuura).

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 568, S.D. 2, seconded by Senator Chun.

Senator Hanabusa noted:

"Mr. President, this bill established a burial site program within DLNR to assist island burial councils with their mandated responsibilities.

"Mr. President, the Committee on Water, Land, and Hawaiian Affairs has recently confirmed and the Senate has also confirmed the various burial councils throughout the islands. We believe that with this bill it will provide the burial councils the opportunity to go forward and to define important issues such as heiau.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 568, S.D. 2, and S.B. No. 568, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2745, S.D. 1 (H.D. 2):

Senator Inouye moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2745, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2745, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Inouye, Kawamoto, Buen, Slom). Noes, none. Excused, none.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 2745, S.D. 1, seconded by Senator Chun.

Senator Inouye noted:

"Mr. President, this bill is relating to aquaculture and this authorizes the Department of Agriculture to establish and assess fees for aquatic animal and plant health diagnostic services as well as purchase items and forest services relating to aquaculture planning, disease management, and the marketing of seafood products.

"We are in agreement that this bill also establishes the aquaculture development special fund.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2745, S.D. 1, and S.B. No. 2745, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 278, S.D. 2 (H.D. 1):

Senator Sakamoto moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 278, S.D. 2, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 278, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (D. Ige, Fukunaga, Sakamoto). Noes, none. Excused, none.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 278, S.D. 2, seconded by Senator Chun.

Senator Sakamoto noted:

"Mr. President, on S.B. No. 278 the bill related to adjusting the composition of the RCUH board of directors, and the House made amendments to clarify the administration's members that were basically nonsubstantive.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 278, S.D. 2, and S.B. No. 278, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2574, S.D. 1 (H.D. 1):

Senator Sakamoto moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2574, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2574, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (D. Ige, Sakamoto, Iwase, Slom). Noes, none. Excused, none.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 2574, S.D. 1, seconded by Senator Chun.

Senator Sakamoto noted:

"Mr. President, S.B. No. 2574 authorizes the University of Hawaii Community Colleges to deposit their special fund revenues into a system special fund, and there were technical amendments made to that bill.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2574, S.D. 1, and S.B. No. 2574, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 3079 (H.D. 1):

Senator Sakamoto moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 3079, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the

Senate agree to the amendments proposed by the House to S.B. No. 3079 on the following showing of Ayes and Noes:

Ayes, 4 (D. Ige, Sakamoto, Chumley, Slom). Noes, none. Excused, none.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 3079, seconded by Senator Chun.

Senator Sakamoto noted:

"Mr. President, S.B. No. 3079 dealt with criminal trespass in schools, and the House amended it to limit it to the hours of 10:00 p.m. to 5:00 a.m.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3079 and S.B. No. 3079, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2293 (H.D. 1):

Senator Kanno moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2293, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2293 on the following showing of Ayes and Noes:

Ayes, 3 (Taniguchi, Kanno, Nakata). Noes, none. Excused, 2 (M. Ige, Slom).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2293, seconded by Senator Chun.

Senator Kanno then explained:

"Mr. President, S.B. No. 2293, H.D. 1, deems a request for approval granted if the insurance commissioner takes no action on the request within 30 calendar days and eliminates the public hearing requirement for workers' compensation rate filings. House amendments were technical and nonsubstantive.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2293 and S.B. No. 2293, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2369, S.D. 1 (H.D. 1):

Senator Kanno moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2369, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2369, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Kanno, Taniguchi, Levin, Slom). Noes, none. Excused, none.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2369, S.D. 1, seconded by Senator Chun.

Senator Kanno noted:

"Mr. President, S.B. No. 2369, S.D. 1, H.D. 1, allows a contributory member to withdraw for one time only the member's contribution for financial hardship. The House amendments made the process more restrictive.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2369, S.D. 1, and S.B. No. 2369, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2419, S.D. 1 (H.D. 1):

Senator Kanno moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2419, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2419, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Taniguchi, Kanno, Slom). Noes, none. Excused, none.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2419, S.D. 1, seconded by Senator Chun.

Senator Kanno explained:

"Mr. President, S.B. No. 2419, S.D. 1, H.D. 1, establishes a capital access program in DBEDT. House amendments were technical and nonsubstantive.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2419, S.D. 1, and S.B. No. 2419, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL ACCESS PROGRAM," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2731, S.D. 1 (H.D. 2):

Senator Kanno moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2731, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2731, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Taniguchi, Kanno). Noes, none. Excused, 1 (Slom).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2731, S.D. 1, seconded by Senator Chun.

Senator Kanno explained:

"Mr. President, S.B. No. 2731, S.D. 1, H.D. 2, requires tax refunds in error to be paid out of the general fund rather than the insurance regulation fund. The House amendments were technical and nonsubstantive.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2731, S.D. 1, and S.B. No. 2731, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2808 (H.D. 2):

Senator Kanno moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2808, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2808 on the following showing of Ayes and Noes:

Ayes, 3 (Kanno, Taniguchi, Hanabusa). Noes, none. Excused, 1 (Slom).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2808, seconded by Senator Chun.

Senator Kanno then noted:

"Mr. President, S.B. No. 2808, H.D. 2, allows the consumer advocate to hire its own legal counsel. Amendments were technical and nonsubstantive.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2808 and S.B. No. 2808, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 3129 (H.D. 2):

Senator Kanno moved that the Senate reconsider its action taken on April 11, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 3129, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 3129 on the following showing of Ayes and Noes:

Ayes, 3 (Kanno, Taniguchi, Slom). Noes, none. Excused, none.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 3129, seconded by Senator Chun.

Senator Kanno then explained:

"Mr. President, S.B. No. 3129, H.D. 2, extends the sunset date from July 1, 2000, to July 1, 2002, for traditional Hawaiian

healing practices. Amendments were technical and nonsubstantive.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3129 and S.B. No. 3129, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HEALING PRACTICES," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

At 7:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:27 o'clock p.m.

S.B. No. 2607, S.D. 1 (H.D. 3):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2607, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2607, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Chun Oakland, Fukunaga, Anderson). Noes, none. Excused, none.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 2607, S.D. 1, seconded by Senator Chun.

Senator Chun Oakland then noted:

"Senator President, S.B. No. 2607 establishes a trust fund for the Commission on the Status of Women and amends provisions of the statutes relating to the Commission. There was a change in the House version basically eliminating the provision that would enable the Commission on the Status of Women to hire civil service exempt staff, as well as language eliminating the establishment of the Hawaii non-profit organization of the Commission.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2607, S.D. 1, and S.B. No. 2607, S.D. 1, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2621, S.D. 1 (H.D. 2):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2621, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2621, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Chun Oakland, Kawamoto, Levin, Anderson). Noes, none. Excused, none.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 2621, S.D. 1, seconded by Senator Chun.

Senator Chun Oakland then noted:

"Mr. President, S.B. No. 2621 requires health care facilities to report all incidents of injuries and fatalities caused by fireworks to the Department of Health and the Police Department of the county in which the person was attended to or treated. The amendments made by the House were primarily stylistic and technical in nature.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2621, S.D. 1, and S.B. No. 2621, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

At 7:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:32 o'clock p.m.

### RECOMMITTAL OF A BILL

Conf. Com. Rep. No. 1 (H.B. No. 2062, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 1 and H.B. No. 2062, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were recommitted to the Committee on Conference.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"We're down to the end now. We're down to the wire. Two minutes ago we started the Senate Conference Committee on the bill that was supposed to be the hallmark of this legislative session -- civil service reform. I worked on that Committee; I worked on that bill. I've been on the Conference Committees; I will be there in a few minutes.

"I'm very unhappy, however, that we have not maintained the position -- the very strong position and the very strong bill -- that the Senate has taken from the beginning. It's one of the few times where we have taken a much stronger position from the House and maintained it, explained it. Publicly, the perception was that we were doing the right thing . . . but then a funny thing happened -- we had a period of about a month-and-a-half with total inactivity. The only activity was coming from the outside, from special interest groups, particularly public service employee unions. We've all been bombarded with lobbying efforts, with pleadings, and, in some cases, political threats. A lot of people misunderstand the idea and the importance of why we need to change this system; why we need to reform both the civil service and the collective bargaining process.

"Our bill that was hammered out after many, many, many hours with all parties concerned was a good bill, but I don't feel that we have pushed that bill and pushed that position and maintained our position. And I think that's a shame. We still have some time to do it and I hope that we will do it. And I hope that my colleagues will support this position because, as I said earlier in this session, this is the one issue that will really define the 2000 Legislature -- whether or not we as legislators, we as State Senators have the ability to stand up, show some backbone, take a position that might be politically threatening, but a position that every one of us knows in this body that has to be done, that change must occur, and at the same time, as I've said previously, we can make these changes without taking anything away from any existing employee, any existing retiree, without breaking one promise . . . but what we must do

is untie the hands of management and change the mathematical formulas for any future hired employees. And if we're not willing to do that, then we have set back the course of political reform and we have also endangered educational and other programs for the future.

"So again, I urge my colleagues to give their support to a strong Senate position to make sure that in these waning hours we accomplish something, not just in the name of reform but in meaningful civil service and collective bargaining reform.

"Thank you, Mr. President."

### CONFERENCE COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading. In consequence thereof, and subsequent to its recessing at 7:36 o'clock p.m., the Senate took the following actions:

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2574, H.D. 1, presented a report (Conf. Com. Rep. No. 22) recommending that H.B. No. 2574, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 22 and H.B. No. 2574, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2405, H.D. 2, presented a report (Conf. Com. Rep. No. 23) recommending that H.B. No. 2405, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 23 and H.B. No. 2405, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1763, H.D. 2, presented a report (Conf. Com. Rep. No. 24) recommending that H.B. No. 1763, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 24 and H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1881, H.D. 2, presented a report (Conf. Com. Rep. No. 25) recommending that H.B. No. 1881, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 25 and H.B. No. 1881, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2572, H.D. 1, presented a report (Conf. Com. Rep. No. 26) recommending that H.B. No. 2572, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.



In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 26 and H.B. No. 2572, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEHOE BAY," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 749, H.D. 3, presented a report (Conf. Com. Rep. No. 27) recommending that H.B. No. 749, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 27 and H.B. No. 749, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2160, H.D. 2, presented a report (Conf. Com. Rep. No. 28) recommending that H.B. No. 2160, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 28 and H.B. No. 2160, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1983, H.D. 1, presented a report (Conf. Com. Rep. No. 29) recommending that H.B. No. 1983, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 29 and H.B. No. 1983, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1938, H.D. 1, presented a report (Conf. Com. Rep. No. 30) recommending that H.B. No. 1938, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 30 and H.B. No. 1938, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2472, H.D. 2, presented a report (Conf. Com. Rep. No. 31) recommending that H.B. No. 2472, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 31 and H.B. No. 2472, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2585, H.D. 1, presented a report (Conf. Com. Rep. No. 32) recommending that H.B. No. 2585, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 32 and H.B. No. 2585, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1874, H.D. 1, presented a report (Conf. Com. Rep. No. 33) recommending that H.B. No. 1874, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 33 and H.B. No. 1874, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1925, presented a report (Conf. Com. Rep. No. 34) recommending that H.B. No. 1925, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 34 and H.B. No. 1925, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1912, H.D. 1, presented a report (Conf. Com. Rep. No. 35) recommending that H.B. No. 1912, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 35 and H.B. No. 1912, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2017, H.D. 1, presented a report (Conf. Com. Rep. No. 36) recommending that H.B. No. 2017, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36 and H.B. No. 2017, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," was deferred for a period of 48 hours.

Senator Nakata, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2476, H.D. 1, presented a report (Conf. Com. Rep. No. 37) recommending that H.B. No. 2476, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37 and H.B. No. 2476, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2774, presented a report (Conf. Com. Rep. No. 38) recommending that H.B. No. 2774, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38 and

H.B. No. 2774, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2779, S.D. 1, presented a report (Conf. Com. Rep. No. 59) recommending that S.B. No. 2779, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59 and S.B. No. 2779, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3199, S.D. 1, presented a report (Conf. Com. Rep. No. 60) recommending that S.B. No. 3199, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60 and S.B. No. 3199, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2121, S.D. 1, presented a report (Conf. Com. Rep. No. 61) recommending that S.B. No. 2121, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61 and S.B. No. 2121, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2982, S.D. 1, presented a report (Conf. Com. Rep. No. 62) recommending that S.B. No. 2982, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62 and S.B. No. 2982, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 680, S.D. 1, presented a report (Conf. Com. Rep. No. 63) recommending that S.B. No. 680, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63 and S.B. No. 680, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2062, S.D. 1, presented a report (Conf. Com. Rep. No. 64) recommending that S.B. No. 2062, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64 and S.B. No. 2062, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2254, S.D. 1, presented a report (Conf. Com. Rep. No. 65) recommending that S.B. No. 2254, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 65 and S.B. No. 2254, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2655, S.D. 2, presented a report (Conf. Com. Rep. No. 66) recommending that S.B. No. 2655, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 66 and S.B. No. 2655, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2850, S.D. 1, presented a report (Conf. Com. Rep. No. 67) recommending that S.B. No. 2850, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 67 and S.B. No. 2850, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2863, S.D. 1, presented a report (Conf. Com. Rep. No. 68) recommending that S.B. No. 2863, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 68 and S.B. No. 2863, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2154, S.D. 1, presented a report (Conf. Com. Rep. No. 69) recommending that S.B. No. 2154, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 69 and S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2711, S.D. 1, presented a report (Conf. Com. Rep. No. 70) recommending that S.B. No. 2711, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 70 and S.B. No. 2711, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2151, S.D. 1, presented a report (Conf.

Com. Rep. No. 71) recommending that S.B. No. 2151, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 71 and S.B. No. 2151, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3133, S.D. 1, presented a report (Conf. Com. Rep. No. 72) recommending that S.B. No. 3133, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 72 and S.B. No. 3133, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2722, S.D. 1, presented a report (Conf. Com. Rep. No. 73) recommending that S.B. No. 2722, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 73 and S.B. No. 2722, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2741, presented a report (Conf. Com. Rep. No. 74) recommending that S.B. No. 2741, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 74 and S.B. No. 2741, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2843, presented a report (Conf. Com. Rep. No. 75) recommending that S.B. No. 2843, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 75 and S.B. No. 2843, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2186, S.D. 2, presented a report (Conf. Com. Rep. No. 76) recommending that S.B. No. 2186, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 76 and S.B. No. 2186, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2283, S.D. 1, presented a report (Conf. Com. Rep. No. 77) recommending that S.B. No. 2283, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 77 and S.B. No. 2283, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2729, S.D. 1, presented a report (Conf. Com. Rep. No. 78) recommending that S.B. No. 2729, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78 and S.B. No. 2729, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2819, S.D. 1, presented a report (Conf. Com. Rep. No. 79) recommending that S.B. No. 2819, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 79 and S.B. No. 2819, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3043, S.D. 2, presented a report (Conf. Com. Rep. No. 80) recommending that S.B. No. 3043, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 80 and S.B. No. 3043, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3190, S.D. 1, presented a report (Conf. Com. Rep. No. 81) recommending that S.B. No. 3190, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 81 and S.B. No. 3190, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2467, S.D. 2, presented a report (Conf. Com. Rep. No. 82) recommending that S.B. No. 2467, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 82 and S.B. No. 2467, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," was deferred for a period of 48 hours.

## ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 6:30 o'clock p.m., Friday, April 28, 2000.

## FIFTY-NINTH DAY

Friday, April 28, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 6:46 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Candida Oroc, St. Francis Medical Center, after which the Roll was called showing all Senators present with the exception of Senators Matsuura, Tam and Tanaka who were excused.

The President announced that he had read and approved the Journal of the Fifty-Eighth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 322 to 327) were read by the Clerk and were placed on file:

Gov. Msg. No. 322, informing the Senate that on April 26, 2000, he signed the following bills into law:

House Bill No. 1761 as Act 40, entitled: "RELATING TO MOTOR CARRIERS";

House Bill No. 1762 as Act 41, entitled: "RELATING TO MOTOR CARRIERS";

House Bill No. 1836 as Act 42, entitled: "REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES";

House Bill No. 1982 as Act 43, entitled: "RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT";

House Bill No. 2479 as Act 44, entitled: "RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW)";

House Bill No. 2511 as Act 45, entitled: "RELATING TO LONG-TERM CARE";

House Bill No. 2554 as Act 46, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 2570 as Act 47, entitled: "RELATING TO THE BOATING SPECIAL FUND";

House Bill No. 2646 as Act 48, entitled: "RELATING TO TRUSTS AND ESTATES";

House Bill No. 2846 as Act 49, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES";

House Bill No. 2895 as Act 50, entitled: "RELATING TO ENVIRONMENTAL IMPACT STATEMENTS";

House Bill No. 2996 as Act 51, entitled: "RELATING TO AGRICULTURAL LOANS";

House Bill No. 2997 as Act 52, entitled: "RELATING TO AQUACULTURE LOANS";

Senate Bill No. 887 as Act 53, entitled: "RELATING TO JUDGES FOR THE CIRCUIT COURT";

Senate Bill No. 914 as Act 54, entitled: "RELATING TO VOTE COUNT";

Senate Bill No. 2005 as Act 55, entitled: "RELATING TO PUBLIC LANDS";

Senate Bill No. 2205 as Act 56, entitled: "RELATING TO NONPROFIT CORPORATIONS";

Senate Bill No. 2426 as Act 57, entitled: "RELATING TO CRIME VICTIM COMPENSATION";

Senate Bill No. 2470 as Act 58, entitled: "RELATING TO EDUCATION"; and

Senate Bill No. 2477 as Act 59, entitled: "RELATING TO THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."

Gov. Msg. No. 323, informing the Senate that on April 27, 2000, he signed the following bills into law:

House Bill No. 536 as Act 60, entitled: "RELATING TO HUMAN SERVICES";

House Bill No. 1387 as Act 61, entitled: "RELATING TO NURSES";

House Bill No. 1757 as Act 62, entitled: "RELATING TO HIGHWAY SAFETY";

House Bill No. 2005 as Act 63, entitled: "RELATING TO REVERSE MORTGAGES";

House Bill No. 2148 as Act 64, entitled: "RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE";

House Bill No. 2158 as Act 65, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

House Bill No. 2216 as Act 66, entitled: "RELATING TO UNINSURED MOTOR VEHICLES";

House Bill No. 2219 as Act 67, entitled: "RELATING TO INSURANCE";

House Bill No. 2220 as Act 68, entitled: "RELATING TO CAPTIVE INSURANCE";

House Bill No. 2289 as Act 69, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 2349 as Act 70, entitled: "RELATING TO INSURANCE";

House Bill No. 2403 as Act 71, entitled: "RELATING TO AQUACULTURE";

House Bill No. 2443 as Act 72, entitled: "RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION";

House Bill No. 2474 as Act 73, entitled: "RELATING TO INSURANCE";

House Bill No. 2475 as Act 74, entitled: "RELATING TO INSURANCE";

House Bill No. 2482 as Act 75, entitled: "RELATING TO CONTROL SHARE ACQUISITIONS";

House Bill No. 2487 as Act 76, entitled: "RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND";

House Bill No. 2505 as Act 77, entitled: "RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS";

House Bill No. 2507 as Act 78, entitled: "RELATING TO THE PERMANENT PLAN HEARING";

House Bill No. 2510 as Act 79, entitled: "RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS";

House Bill No. 2512 as Act 80, entitled: "RELATING TO FINANCIAL ASSISTANCE PAYMENTS";

House Bill No. 2519 as Act 81, entitled: "RELATING TO FLEXIBLE SPENDING ACCOUNTS";

House Bill No. 2524 as Act 82, entitled: "RELATING TO PROPHYLACTICS";

House Bill No. 2525 as Act 83, entitled: "RELATING TO PRESCRIPTION DRUGS";

House Bill No. 2528 as Act 84, entitled: "RELATING TO SAFE DRINKING WATER";

House Bill No. 2584 as Act 85, entitled: "RELATING TO THE FUEL TAX"; and

House Bill No. 2615 as Act 86, entitled: "RELATING TO HAZARDOUS MATERIALS."

Gov. Msg. No. 324, dated April 28, 2000, transmitting his statement of objections to House Bill No. 2983 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 26, 2000

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2983

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2983, entitled 'A Bill for an Act Relating to Captive Insurance.'

The purposes of House Bill No. 2983 are to establish a new category of captive insurance company to provide reinsurance or excess insurance; to expand certain definitions in article 19 of the Insurance Code, chapter 431, Hawaii Revised Statutes; to allow class 5 captive insurance companies insuring or reinsuring risks outside the United States in certain circumstances and with the approval of the Insurance Commissioner to follow foreign laws governing reserves and investments; to allow the Insurance Commissioner to establish minimum capital and surplus requirements for the new captive insurance company class; to clarify certain financial reporting requirements and to authorize certain specialists to prepare actuarial opinions; and to delineate the articles of the Insurance Code that apply to the new captive insurance company class.

This bill is substantially similar to Senate Bill No. 3192, which also was passed by the legislature this year. However, this bill uses the phrase 'non-United States risks' (page 1, line 13; page 1, line 19 to page 2, line 1) where Senate Bill No. 3192 uses the phrase 'risks located outside the United States' (page 1, line 12; page 1 lines 18-19). I believe that the latter phrase is less ambiguous and less subject to challenge. In addition, the amended definition of 'pure captive insurance company' for Senate Bill No. 3192 allows such a company to insure 'or' reinsure risks, but this bill allows the company to insure 'and/or' reinsure risks, although 'and/or' is an ambiguous term that should be avoided in statutes. Because Senate Bill No. 3192 contains preferable wording and I intend to approve that bill, there is no need to also approve this bill.

For the foregoing reasons, I am returning House Bill No. 2983 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 325, dated April 28, 2000, transmitting his statement of objections to House Bill No. 2504 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 28, 2000

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2504

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2504, entitled 'A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended.'

The purpose of this bill is to authorize the Chairman of the Hawaiian Homes Commission to extend to employment of non-civil-service contract individuals beyond the six-year maximum period specified in the Hawaiian Homes Commission Act, 1920, as amended.

The existing law provides for two-year contracts with a maximum period of six years, but also provides an exception from the six-year maximum period of employment if the Department of Hawaiian Home Lands, with the approval of the Governor, determines that such contract individuals are needed to provide critical services for the efficient functioning of the department. This bill will remove the requirement of the Governor's approval and will authorize the Chairman to solely make the exception determination. However, I believe that an individual should be hired by contract only for short-term purposes. If an individual is needed to provide critical services for longer than six years, that individual should be employed on a permanent basis and not by contract every two years for an indefinite period. Therefore, the use of the exception should not be made easier.

For the foregoing reason, I am returning House Bill No. 2504 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 326, dated April 28, 2000, transmitting his statement of objections to Senate Bill Nos. 2001 and 2438 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 26, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2001

Honorable Members

Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2001, entitled 'A Bill for an Act Relating to County Tort Liability.'

The purpose of this bill is to amend the State Tort Liability Act, chapter 662, Hawaii Revised Statutes, to require the State to defend and indemnify a county against damages arising from the operation by a county of certain beach parks.

This bill is objectionable because it will impose liability upon the State of Hawaii for personal injury or death occurring at county-operated beach parks, even though the State of Hawaii is not in control of the beach parks and cannot avoid the injury or death. Liability should not be imposed upon the State of Hawaii in the absence of its ability to avoid the injury or death in the first place. To say otherwise would be to abandon the historical foundation for liability against the sovereign, i.e., fault. Liability against the sovereign without its fault is against public policy.

While I am sympathetic with the desire of the counties to provide lifeguard services at county beach parks, and while I understand the hesitancy of a county to do so when confronted with the threat of large potential judgments against it arising out of the provision of lifeguard services, liability without fault is not the answer. The State is not the insurer of the counties, nor should it be so viewed by the legislature. Rather, the answer is to provide immunity to the counties for the provision of lifeguard services to county beach parks. This would have the dual advantage of improving public safety while at the same time reasonably protecting public funds for public purposes. We should not lose lives at our public beach parks in order that some may recover monetarily. That is why immunity is appropriate.

In addition, there is a constitutional violation presented by this bill. Section 14 of Article III of the Constitution of the State of Hawaii provides that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' The title of the bill indicates that the bill is one 'Relating to County Tort Liability.' However, this bill amends the State Tort Liability Act and the subject matter of the bill relates to extending the State's tort liability. The title of the bill, therefore, renders the bill unconstitutional in that the subject of the bill is not expressed in its title.

For the foregoing reasons, I am returning Senate Bill No. 2001 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

April 26, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2438

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2438, entitled 'A Bill for an Act Relating to Judgments.'

The purpose of this bill, as expressed by the legislature, is to 'clarify' that the post-judgment interest rate shall be ten percent per year on the total judgment amount.

This bill is objectionable because it would allow interest on that portion of a judgment that comprises prejudgment interest. In other words, it would allow interest on interest. This would change the current law on the matter, which does not allow interest on interest to be awarded on a judgment. The wisdom of this bill is questionable, in view of the fact that, as our Supreme Court has noted, to allow interest upon interest appears 'more punitive than compensatory.' *Larsen v. Pacesetter Systems, Inc.*, 74 Haw. 1, 47-48 (1992). I believe that the change made by this bill is neither appropriate nor fair.

For the foregoing reason, I am returning Senate Bill No. 2438 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 327, informing the Senate that on April 28, 2000, he signed into law House Bill No. 1884 as Act 87, entitled: "RELATING TO ENERGY."

#### DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 33 and 34) were read by the Clerk and were placed on file:

Dept. Com. No. 33, from the State Auditor dated April 27, 2000, transmitting a study, "Comparison Study of the Salary Structure of Educational Officers in the Department of Education," (Report No. 00-13).

Dept. Com. No. 34, from the State Auditor dated April 27, 2000, transmitting a report, "Financial Audit of the Judiciary," (Report No. 00-12).

#### CONFERENCE COMMITTEE REPORTS

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2418, presented a report (Conf. Com. Rep. No. 39) recommending that H.B. No. 2418, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39 and H.B. No. 2418, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2653, H.D. 2, presented a report (Conf. Com. Rep. No. 40) recommending that H.B. No. 2653, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40 and H.B. No. 2653, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2429, H.D. 2, presented a report (Conf. Com. Rep. No. 41) recommending that H.B. No. 2429, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41 and

H.B. No. 2429, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2410, H.D. 1, presented a report (Conf. Com. Rep. No. 42) recommending that H.B. No. 2410, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42 and H.B. No. 2410, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 540, H.D. 2, presented a report (Conf. Com. Rep. No. 43) recommending that H.B. No. 540, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43 and H.B. No. 540, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2273, H.D. 2, presented a report (Conf. Com. Rep. No. 44) recommending that H.B. No. 2273, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44 and H.B. No. 2273, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2648, H.D. 2, presented a report (Conf. Com. Rep. No. 45) recommending that H.B. No. 2648, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 45 and H.B. No. 2648, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2354, H.D. 2, presented a report (Conf. Com. Rep. No. 46) recommending that H.B. No. 2354, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 46 and H.B. No. 2354, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2506, H.D. 1, presented a report (Conf. Com. Rep. No. 47) recommending that H.B. No. 2506, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47 and H.B. No. 2506, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2098, H.D. 2, presented a report (Conf. Com. Rep. No. 48) recommending that H.B. No. 2098, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48 and H.B. No. 2098, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2492, H.D. 1, presented a report (Conf. Com. Rep. No. 49) recommending that H.B. No. 2492, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 49 and H.B. No. 2492, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2152, S.D. 1, presented a report (Conf. Com. Rep. No. 83) recommending that S.B. No. 2152, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 83 and S.B. No. 2152, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2115, S.D. 1, presented a report (Conf. Com. Rep. No. 84) recommending that S.B. No. 2115, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 84 and S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2427, S.D. 1, presented a report (Conf. Com. Rep. No. 85) recommending that S.B. No. 2427, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 85 and S.B. No. 2427, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2879, S.D. 2, presented a report (Conf. Com. Rep. No. 86) recommending that S.B. No. 2879, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 86 and

S.B. No. 2879, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2354, S.D. 1, presented a report (Conf. Com. Rep. No. 87) recommending that S.B. No. 2354, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 87 and S.B. No. 2354, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3045, S.D. 1, presented a report (Conf. Com. Rep. No. 88) recommending that S.B. No. 3045, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 88 and S.B. No. 3045, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2021, S.D. 2, presented a report (Conf. Com. Rep. No. 89) recommending that S.B. No. 2021, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 89 and S.B. No. 2021, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

At 6:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:50 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3609) recommending that the Senate advise and consent to the nominations of JANE N. YAMASHIROYA, LESTER T. FUSHIKOSHI and DAVID W. RAE to the Commission on Transportation, in accordance with Gov. Msg. No. 289.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3609 and Gov. Msg. No. 289 was deferred until Tuesday, May 2, 2000.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3610) recommending that the Senate advise and consent to the nominations of DON S. FUJIMOTO and NADINE K. NAKAMURA to the Board of Directors, Housing and Community Development Corporation of Hawaii, in accordance with Gov. Msg. No. 163.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3610 and Gov. Msg. No. 163 was deferred until Tuesday, May 2, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3611) recommending that the Senate advise and consent to the nominations of MILLICENT M.Y.H. KIM, PETER H. SCHALL, KEITH VIEIRA and RON WRIGHT to the Board of

Directors, Hawaii Tourism Authority, in accordance with Gov. Msg. No. 301.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3611 and Gov. Msg. No. 301 was deferred until Tuesday, May 2, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3612) recommending that the Senate advise and consent to the nominations of HOWENA HIU BLUME, DOLORES FOLEY, PH.D., MILTON Y. FUKU, BRUCE Y. NAKAMURA and JAMES H. YASUDA to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 193.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3612 and Gov. Msg. No. 193 was deferred until Tuesday, May 2, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3613) recommending that the Senate advise and consent to the nomination of HERBERT K.M. YEE, P.T., to the Board of Physical Therapy, in accordance with Gov. Msg. No. 287.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3613 and Gov. Msg. No. 287 was deferred until Tuesday, May 2, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3614) recommending that the Senate advise and consent to the nominations of RANDOLPH B. AHLO, GEORGE M. AMIMOTO and HERBERT S.L. CHOCK to the State Boxing Commission of Hawaii, in accordance with Gov. Msg. No. 295.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3614 and Gov. Msg. No. 295 was deferred until Tuesday, May 2, 2000.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3615) recommending that the Senate advise and consent to the nominations of MICHAEL JAY GREEN and EDWARD K. HAMADA to the Stadium Authority, in accordance with Gov. Msg. No. 264.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3615 and Gov. Msg. No. 264 was deferred until Tuesday, May 2, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3616) recommending that the Senate advise and consent to the nomination of T. GEORGE PARIS to the Stadium Authority, in accordance with Gov. Msg. No. 307.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3616 and Gov. Msg. No. 307 was deferred until Tuesday, May 2, 2000.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3597 (Gov. Msg. No. 223):

Senator Kanno moved that Stand. Com. Rep. No. 3597 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of ROEN K. HIROSE to the State Board of Public Accountancy, term to expire June 30, 2004, seconded by Senator Taniguchi.



The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3598 (Gov. Msg. No. 241):

Senator Kanno moved that Stand. Com. Rep. No. 3598 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of HOWARD A. OKITA, MORRIE STOEBSNER and ROBERT K. TIRRELL to the Motor Vehicle Industry Licensing Board, terms to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3599 (Gov. Msg. No. 243):

Senator Kanno moved that Stand. Com. Rep. No. 3599 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of STEPHEN G. DUBEY, N.D., and DIANA JOY OSTROFF, N.D., to the Board of Examiners in Naturopathy, terms to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3600 (Gov. Msg. No. 244):

Senator Kanno moved that Stand. Com. Rep. No. 3600 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of CHERILYN S.L. LAI, O.D., to the Board of Examiners in Optometry, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3601 (Gov. Msg. No. 245):

Senator Kanno moved that Stand. Com. Rep. No. 3601 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Pest Control Board of the following:

MICHAEL E. KRUPNICK, term to expire June 30, 2003; and

HENRY L. GUERRERO SR., and GORDON M. MACHADO, terms to expire June 30, 2004,

seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3602 (Gov. Msg. No. 247):

Senator Kanno moved that Stand. Com. Rep. No. 3602 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of ALBERT K.P. AH NEE to the Radiologic Technology Board, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3603 (Gov. Msg. No. 275):

Senator Kanno moved that Stand. Com. Rep. No. 3603 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Board of Dental Examiners of the following:

DEBORAH E. LICHOTA, RDH, JILL TSUCHITORI and RONALD L. YOUNG, D.M.D., terms to expire June 30, 2001; and

WALLACE F. CHONG, JR., D.D.S., and ROGER H. YOKOYAMA, D.D.S., terms to expire June 30, 2004,

seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3604 (Gov. Msg. No. 281):

Senator Kanno moved that Stand. Com. Rep. No. 3604 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of GREGORY M. SATO to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3605 (Gov. Msg. No. 169):

Senator Taniguchi moved that Stand. Com. Rep. No. 3605 be received and placed on file, seconded by Senator Bunda and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of GREGORY G.Y. PAI, PH.D., to

the Public Utilities Commission, term to expire June 30, 2006, seconded by Senator Bunda.

Senator Kanno rose in opposition and said:

"Mr. President, I rise in opposition to the nominee, and I'd like to request that my comments be inserted into the Journal.

"Thank you."

The Chair having so ordered, Senator Kanno's remarks read as follow:

"I am opposed to the nomination of Gregory Pai.

"There are a number of concerns regarding Mr. Pai's nomination to the Public Utilities Commission. Many of these concerns deal with his ability to be an effective member of the Commission in various aspects of the job.

"Mr. Pai has a pronounced lack of experience in the field of telecommunications, which is a subject that is becoming increasingly important to the issues facing the Public Utilities Commission. Mr. Pai's knowledge in the field of telecommunications has been described in testimony presented to us as being in the learning stages. The field of telecommunications is becoming an increasingly important one to the Commission due to arising complex and technical issues.

"Testimony from a Kapolei resident further emphasized concerns about Gregory Pai's nomination. Previously, he had served as chair of the Barbers Point Redevelopment Commission, where he promised to allow more community input and participation in discussions. These proved to be empty promises, as the community was left upset and disappointed with the way meetings were conducted. The community was repeatedly ignored when it came to commenting on issues coming up for vote. This was a major concern for members of the community, as their comments concerning community issues weren't given a voice.

"Undergrounding of power lines is an important issue to my district, and Mr. Pai has continually opposed legislative measures mandating the undergrounding of power lines in residential areas or near schools and child care centers. He has indicated that it is not possible for the Public Utilities Commission to underground a power line and spread that cost through the rate base. The undergrounding of power lines has long been a subject that the Legislature has struggled with and has not been satisfied with the way that the Public Utilities Commission has addressed the issue. Mr. Pai has since indicated that he would not allow the undergrounding of power lines unless there is specific funding for it. The undergrounding issue is ultimately the responsibility of the Public Utilities Commission, and the community has consistently wanted to participate in the discussions at the PUC.

"Basically, my concern lies with his ignoring of the public regarding important community issues, and his lack of experience in relevant areas. The Public Utilities Commission needs to have members that are accessible and open to public discussions, and possess the necessary qualifications to deal with all issues. Community issues that the PUC is dealing with should involve the public more. The commissioners need to be more open-minded and accessible so that decisions being made involve members of the public. Issues such as the undergrounding of power lines need to have more public input, so that decisions are made in accordance with the support of the community.

"I urge my colleagues to vote 'no.'"

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Kanno). Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3606 (Gov. Msg. No. 309):

Senator Nakata moved that Stand. Com. Rep. No. 3606 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nominations to the Hawaii Workforce Development Council of the following:

MAMO P. CUMMINGS, term to expire June 30, 2001;

NORM BAKER, EUGENE BAL III, CLAYTON W. DELA CRUZ, MORRIS A. GRAHAM, PH.D., ROCHELLE LEE GREGSON, RUTHANN QUITQUIT, MYLES SHIBATA and RICHARD W. SMITH, terms to expire June 30, 2003; and

JAMES G. WESTLAKE, term to expire June 30, 2004,

seconded by Senator M. Ige.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

Stand. Com. Rep. No. 3607 (Gov. Msg. No. 288):

Senator Chun moved that Stand. Com. Rep. No. 3607 be received and placed on file, seconded by Senator Hanabusa and carried.

Senator Chun then moved that the Senate advise and consent to the nominations to the Procurement Policy Board of the following:

DAVID LEONG and WINIFRED M. ODO, terms to expire June 30, 2001; and

GREG KING and PHYLLIS M. KOIKE, terms to expire June 30, 2004,

seconded by Senator Hanabusa.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Matsuura, Tam, Tanaka).

## FINAL READING

Conf. Com. Rep. No. 4 (H.B. No. 1947, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 4 and H.B. No. 1947, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 5 (H.B. No. 2530, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 5 and H.B. No. 2530, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 6 (H.B. No. 2406, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 6 and H.B. No. 2406, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 52 (S.B. No. 2411, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 52 and S.B. No. 2411, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 53 (S.B. No. 2530, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 53 and S.B. No. 2530, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 54 (S.B. No. 185, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 54 and S.B. No. 185, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 55 (S.B. No. 2837, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 55 and S.B. No. 2837, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," was deferred until Tuesday, May 2, 2000.

#### RECONSIDERATION OF ACTION TAKEN

S.B. No. 2432, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2432, S.D. 1, seconded by Senator Matsunaga and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2432, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Chumbley, Matsunaga, Levin, Anderson). Noes, none. Excused, none.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2432, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President and colleagues, when this bill was in the Senate, we simply left the appropriation blank and the House filled in the appropriation amount of \$71,018. This is for the sentence simulation model to be able to track inmates in our system.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2432, S.D. 1, and S.B. No. 2432, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING

SIMULATION MODEL," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2736, S.D. 2 (H.D. 1):

Senator Hanabusa moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2736, S.D. 2, seconded by Senator Chun and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 2736, S.D. 2, seconded by Senator Chun.

Senator Hanabusa explained:

"Mr. President, this bill provides funds for the infrastructure at Kikala-Keokea on the Big Island after the natural disaster that occurred there. The House amendment placed into the bill \$1.75 million for the infrastructure work.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2736, S.D. 2, and S.B. No. 2736, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.C.R. No. 143 (H.D. 1):

Senator Nakata moved that the Senate reconsider its action taken on April 25, 2000, in disagreeing to the amendments proposed by the House to S.C.R. No. 143, seconded by Senator Chun and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 143, seconded by Senator Chun.

Senator Nakata then noted:

"Mr. President, the House has amended this concurrent resolution to include a request that the Department of Land and Natural Resources and the Hawaii Tourism Authority discuss the conditions of selected state park restroom facilities, evaluate their condition, determine the impacts caused by tourist usage and determine possible assistance from the visitor industry.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 143 and S.C.R. No. 143, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO STATE PARK RESTROOM FACILITIES AND FUNDING FOR THE NATURAL AREA RESERVES SYSTEM," was placed on the calendar for Final Adoption on Tuesday, May 2, 2000.

S.B. No. 2061, S.D. 1 (H.D. 2):

Senator Nakata moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2061, S.D. 1, seconded by Senator Chun and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 2061, S.D. 1, seconded by Senator Chun.

Senator Nakata then noted:

"Mr. President, I'm moving to agree to the House amendments to S.B. 2061 because the H.D. 2 of the bill reverts

back to the Senate's position relating to pay equity in state government.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2061, S.D. 1, and S.B. No. 2061, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2545 (H.D. 1):

Senator Nakata moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2545, seconded by Senator Chun and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 2545, seconded by Senator Chun.

Senator Nakata explained:

"Mr. President, I'm moving to agree to the House amendments to S.B. No. 2545. The amendments made by the House to this bill are technical in nature for the purposes of clarity and style.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2545 and S.B. No. 2545, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECOVERY," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2869 (H.D. 1):

Senator Nakata moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2869, seconded by Senator Chun and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 2869, seconded by Senator Chun.

Senator Nakata then noted:

"Mr. President, I'm moving to agree to the House amendments to S.B. No. 2869. The amendments made by the House to this bill are technical in nature for the purposes of clarity and style.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2869 and S.B. No. 2869, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2870, S.D. 1 (H.D. 2):

Senator Nakata moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2870, S.D. 1, seconded by Senator Chun and carried.

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 2870, S.D. 1, seconded by Senator Chun.

Senator Nakata explained:

"Mr. President, I'm moving to agree to the House amendments to S.B. No. 2870. The amendments made by the House to this bill are technical in nature for the purposes of clarity and style.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2870, S.D. 1, and S.B. No. 2870, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

## DISCHARGE OF CONFEREES

S.B. No. 2218, S.D. 1 (H.D. 2):

The President discharged Senator Iwase as a co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2218, S.D. 1.

S.B. No. 2475, S.D. 1 (H.D. 3):

The President discharged Senator Iwase as a co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2475, S.D. 1.

S.B. No. 2961, S.D. 2 (H.D. 1):

The President discharged Senator Iwase as a co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2961, S.D. 2.

## CONFERENCE COMMITTEE REPORTS STANDING COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading and on a Senate concurrent resolution for Final Adoption. The Clerk was further authorized to receive Standing Committee Reports on Governor's Messages for advise and consent to nominations. In consequence thereof, and subsequent to its recessing at 7:00 o'clock p.m., the Senate took the following actions:

## CONFERENCE COMMITTEE REPORTS

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 37, H.D. 1, presented a report (Conf. Com. Rep. No. 50) recommending that H.B. No. 37, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 50 and H.B. No. 37, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PRODUCTION FUNDING," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2056, S.D. 1, presented a report (Conf. Com. Rep. No. 90) recommending that S.B. No. 2056, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 90 and S.B. No. 2056, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2074, S.D. 2, presented a report (Conf. Com. Rep. No. 91) recommending that S.B. No. 2074, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 91 and S.B. No. 2074, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2533, S.D. 1, presented a report (Conf. Com. Rep. No. 92) recommending that S.B. No. 2533, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 92 and S.B. No. 2533, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2692, S.D. 2, presented a report (Conf. Com. Rep. No. 93) recommending that S.B. No. 2692, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 93 and S.B. No. 2692, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2988, S.D. 2, presented a report (Conf. Com. Rep. No. 94) recommending that S.B. No. 2988, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 94 and S.B. No. 2988, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1276, S.D. 1, presented a report (Conf. Com. Rep. No. 95) recommending that S.B. No. 1276, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 95 and S.B. No. 1276, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2961, S.D. 2, presented a report (Conf. Com. Rep. No. 96) recommending that S.B. No. 2961, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 96 and S.B. No. 2961, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF

HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2448, S.D. 2, presented a report (Conf. Com. Rep. No. 97) recommending that S.B. No. 2448, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 97 and S.B. No. 2448, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTISM," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2486, S.D. 2, presented a report (Conf. Com. Rep. No. 98) recommending that S.B. No. 2486, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 98 and S.B. No. 2486, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2490, S.D. 2, presented a report (Conf. Com. Rep. No. 99) recommending that S.B. No. 2490, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 99 and S.B. No. 2490, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2872, S.D. 1, presented a report (Conf. Com. Rep. No. 100) recommending that S.B. No. 2872, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 100 and S.B. No. 2872, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2108, S.D. 2, presented a report (Conf. Com. Rep. No. 101) recommending that S.B. No. 2108, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 101 and S.B. No. 2108, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2987, S.D. 1, presented a report (Conf. Com. Rep. No. 102) recommending that S.B. No. 2987, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 102 and S.B. No. 2987, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2579, S.D. 1, presented a report (Conf. Com. Rep. No. 103) recommending that S.B. No. 2579, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 103 and S.B. No. 2579, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2873, S.D. 1, presented a report (Conf. Com. Rep. No. 104) recommending that S.B. No. 2873, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 104 and S.B. No. 2873, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3123, S.D. 2, presented a report (Conf. Com. Rep. No. 105) recommending that S.B. No. 3123, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 105 and S.B. No. 3123, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2576, S.D. 2, presented a report (Conf. Com. Rep. No. 106) recommending that S.B. No. 2576, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 106 and S.B. No. 2576, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OWNED PUBLIC HOUSING," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3160, S.D. 2, presented a report (Conf. Com. Rep. No. 107) recommending that S.B. No. 3160, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 107 and S.B. No. 3160, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3179, presented a report (Conf. Com. Rep. No. 108) recommending that S.B. No. 3179, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 108 and S.B. No. 3179, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2716, S.D. 1, presented a report (Conf.

Com. Rep. No. 109) recommending that S.B. No. 2716, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 109 and S.B. No. 2716, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2946, S.D. 1, presented a report (Conf. Com. Rep. No. 110) recommending that S.B. No. 2946, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 110 and S.B. No. 2946, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2706, S.D. 1, presented a report (Conf. Com. Rep. No. 111) recommending that S.B. No. 2706, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 111 and S.B. No. 2706, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 539, S.D. 1, presented a report (Conf. Com. Rep. No. 112) recommending that S.B. No. 539, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 112 and S.B. No. 539, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2420, S.D. 2, presented a report (Conf. Com. Rep. No. 113) recommending that S.B. No. 2420, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 113 and S.B. No. 2420, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2838, S.D. 1, presented a report (Conf. Com. Rep. No. 114) recommending that S.B. No. 2838, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 114 and S.B. No. 2838, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2859, S.D. 1, presented a report (Conf.

Com. Rep. No. 115) recommending that S.B. No. 2859, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 115 and S.B. No. 2859, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2221, S.D. 1, presented a report (Conf. Com. Rep. No. 116) recommending that S.B. No. 2221, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 116 and S.B. No. 2221, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2781, S.D. 2, presented a report (Conf. Com. Rep. No. 117) recommending that S.B. No. 2781, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 117 and S.B. No. 2781, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2521, S.D. 1, presented a report (Conf. Com. Rep. No. 118) recommending that S.B. No. 2521, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 118 and S.B. No. 2521, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL SERVICE CONTRACTS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2409, S.D. 1, presented a report (Conf. Com. Rep. No. 119) recommending that S.B. No. 2409, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 119 and S.B. No. 2409, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3026, S.D. 1, presented a report (Conf. Com. Rep. No. 120) recommending that S.B. No. 3026, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 120 and S.B. No. 3026, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2303, S.D. 2, presented a report (Conf. Com. Rep. No. 121) recommending that S.B. No. 2303, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 121 and S.B. No. 2303, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2312, S.D. 1, presented a report (Conf. Com. Rep. No. 122) recommending that S.B. No. 2312, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 122 and S.B. No. 2312, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2218, S.D. 1, presented a report (Conf. Com. Rep. No. 123) recommending that S.B. No. 2218, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 123 and S.B. No. 2218, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2475, S.D. 1, presented a report (Conf. Com. Rep. No. 124) recommending that S.B. No. 2475, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 124 and S.B. No. 2475, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2134, S.D. 1, presented a report (Conf. Com. Rep. No. 125) recommending that S.B. No. 2134, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 125 and S.B. No. 2134, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2433, S.D. 2, presented a report (Conf. Com. Rep. No. 126) recommending that S.B. No. 2433, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 126 and S.B. No. 2433, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.C.R. No. 204, presented a report (Conf. Com. Rep. No. 127) recommending that S.C.R. No. 204, H.D. 1, as amended in C.D. 1, be Finally Adopted.

By unanimous consent, action on Conf. Com. Rep. No. 127 and S.C.R. No. 204, H.D. 1, C.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE

DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was deferred until Tuesday, May 2, 2000.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2650, H.D. 1, presented a report (Conf. Com. Rep. No. 133) recommending that H.B. No. 2650, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 133 and H.B. No. 2650, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Senator Mizuguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1900, H.D. 1, presented a report (Conf. Com. Rep. No. 134) recommending that H.B. No. 1900, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 134 and H.B. No. 1900, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2024, H.D. 1, presented a report (Conf. Com. Rep. No. 135) recommending that H.B. No. 2024, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 135 and H.B. No. 2024, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2407, H.D. 1, presented a report (Conf. Com. Rep. No. 136) recommending that H.B. No. 2407, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 136 and H.B. No. 2407, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3014, H.D. 1, presented a report (Conf. Com. Rep. No. 137) recommending that H.B. No. 3014, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 137 and H.B. No. 3014, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2314, H.D. 1, presented a report (Conf. Com. Rep. No. 138) recommending that H.B. No. 2314, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 138 and H.B. No. 2314, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2222, H.D. 1, presented a report (Conf. Com. Rep. No. 139) recommending that H.B. No. 2222, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 139 and H.B. No. 2222, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2556, H.D. 1, presented a report (Conf. Com. Rep. No. 140) recommending that H.B. No. 2556, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 140 and H.B. No. 2556, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2277, H.D. 1, presented a report (Conf. Com. Rep. No. 141) recommending that H.B. No. 2277, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 141 and H.B. No. 2277, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 139, H.D. 1, presented a report (Conf. Com. Rep. No. 142) recommending that H.B. No. 139, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 142 and H.B. No. 139, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2392, H.D. 2, presented a report (Conf. Com. Rep. No. 143) recommending that H.B. No. 2392, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 143 and H.B. No. 2392, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1873, H.D. 2, presented a report (Conf. Com. Rep. No. 144) recommending that H.B. No. 1873, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 144 and H.B. No. 1873, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.



Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2280, H.D. 2, presented a report (Conf. Com. Rep. No. 145) recommending that H.B. No. 2280, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 145 and H.B. No. 2280, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2458, presented a report (Conf. Com. Rep. No. 146) recommending that H.B. No. 2458, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 146 and H.B. No. 2458, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1994, H.D. 2, presented a report (Conf. Com. Rep. No. 147) recommending that H.B. No. 1994, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 147 and H.B. No. 1994, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2801, H.D. 2, presented a report (Conf. Com. Rep. No. 148) recommending that H.B. No. 2801, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 148 and H.B. No. 2801, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2802, presented a report (Conf. Com. Rep. No. 149) recommending that H.B. No. 2802, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 149 and H.B. No. 2802, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2151, H.D. 1, presented a report (Conf. Com. Rep. No. 150) recommending that H.B. No. 2151, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 150 and H.B. No. 2151, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by

the Senate to H.B. No. 1759, H.D. 2, presented a report (Conf. Com. Rep. No. 151) recommending that H.B. No. 1759, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 151 and H.B. No. 1759, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2835, H.D. 2, presented a report (Conf. Com. Rep. No. 152) recommending that H.B. No. 2835, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 152 and H.B. No. 2835, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2062, H.D. 2, presented a report (Conf. Com. Rep. No. 153) recommending that H.B. No. 2062, H.D. 2, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 153 and H.B. No. 2062, H.D. 2, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3016, H.D. 1, presented a report (Conf. Com. Rep. No. 154) recommending that H.B. No. 3016, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 154 and H.B. No. 3016, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 645, presented a report (Conf. Com. Rep. No. 155) recommending that H.B. No. 645, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 155 and H.B. No. 645, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2023, H.D. 2, presented a report (Conf. Com. Rep. No. 156) recommending that H.B. No. 2023, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 156 and H.B. No. 2023, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2793, H.D. 1, presented a report (Conf. Com. Rep. No. 157) recommending that H.B. No. 2793, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 157 and H.B. No. 2793, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1956, H.D. 1, presented a report (Conf. Com. Rep. No. 158) recommending that H.B. No. 1956, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 158 and H.B. No. 1956, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1969, H.D. 2, presented a report (Conf. Com. Rep. No. 159) recommending that H.B. No. 1969, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 159 and H.B. No. 1969, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1632, H.D. 3, presented a report (Conf. Com. Rep. No. 160) recommending that H.B. No. 1632, H.D. 3, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 160 and H.B. No. 1632, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2901, H.D. 2, presented a report (Conf. Com. Rep. No. 161) recommending that H.B. No. 2901, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 161 and H.B. No. 2901, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3617) recommending that the Senate advise and consent to the nominations of JAMES K. IKEDA and TING PONG MA to the Board of Acupuncture, in accordance with Gov. Msg. No. 294.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3617 and Gov. Msg. No. 294 was deferred until Tuesday, May 2, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3618) recommending that the Senate advise and consent to the nominations of RAYMOND S. MORI, ANCLETO "LITO" ALCANTRA, BRUCE KUGIYA and

EARLE S. MATSUDA to the Contractors License Board, in accordance with Gov. Msg. No. 297.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3618 and Gov. Msg. No. 297 was deferred until Tuesday, May 2, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3619) recommending that the Senate advise and consent to the nomination of GERALD ADACHI, D.M.D., to the Board of Dental Examiners, in accordance with Gov. Msg. No. 298.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3619 and Gov. Msg. No. 298 was deferred until Tuesday, May 2, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3620) recommending that the Senate advise and consent to the nominations of GARY Y. GIBO and RANDAL MORIFUJI to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 305.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3620 and Gov. Msg. No. 305 was deferred until Tuesday, May 2, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3621) recommending that the Senate advise and consent to the nomination of ELLEN R. CARINGER, PH.D., to the Board of Psychology, in accordance with Gov. Msg. No. 306.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3621 and Gov. Msg. No. 306 was deferred until Tuesday, May 2, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3622) recommending that the Senate advise and consent to the nomination of ERIC M.F.C. AKO, D.V.M., to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 308.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3622 and Gov. Msg. No. 308 was deferred until Tuesday, May 2, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3623) recommending that the Senate advise and consent to the nominations of DAVID MAI, M.D., STEPHEN M. OISHI, M.D., and ROBERT L. SIMMONS, M.D., to the Medical Advisory Board, in accordance with Gov. Msg. No. 240.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3623 and Gov. Msg. No. 240 was deferred until Tuesday, May 2, 2000.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3624) recommending that the Senate advise and consent to the nominations of LINDA C. TSEU and ALEJANDRO LOMOSAD to the Civil Defense Advisory Council, in accordance with Gov. Msg. No. 296.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3624 and Gov. Msg. No. 296 was deferred until Tuesday, May 2, 2000.

**ADJOURNMENT**

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Tuesday, May 2, 2000.

## SIXTIETH DAY

Tuesday, May 2, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 10:15 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Kathleen Marie Shields, CSJ, Diocesan Director of Religious Education, St. Stephen's Diocesan Center, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Ninth Day.

## HOUSE COMMUNICATION

Hse. Com. No. 721, informing the Senate that the Speaker on April 28, 2000, discharged Representative Halford as a manager and appointed Representative Marumoto as a manager on the part of the House at the conference on S.B. No. 2134, S.D. 1, H.D. 2, was read by the Clerk and was placed on file.

At 10:20 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:22 o'clock a.m.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 3609 (Gov. Msg. No. 289):

Senator Kawamoto moved that Stand. Com. Rep. No. 3609 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations to the Commission on Transportation of the following:

JANE N. YAMASHIROYA, term to expire June 30, 2001; and

LESTER T. FUSHIKOSHI and DAVID W. RAE, terms to expire June 30, 2004,

seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3610 (Gov. Msg. No. 163):

Senator Tam moved that Stand. Com. Rep. No. 3610 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Tam then moved that the Senate advise and consent to the nominations of DON S. FUJIMOTO and NADINE K. NAKAMURA to the Board of Directors, Housing and Community Development Corporation of Hawaii, terms to expire June 30, 2004, seconded by Senator Matsuura.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3611 (Gov. Msg. No. 301):

Senator Inouye moved that Stand. Com. Rep. No. 3611 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nominations to the Board of Directors, Hawaii Tourism Authority of the following:

MILLICENT M.Y.H. KIM and PETER H. SCHALL, terms to expire June 30, 2002; and

KEITH VIEIRA and RON WRIGHT, terms to expire June 30, 2004,

seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3612 (Gov. Msg. No. 193):

Senator Kanno moved that Stand. Com. Rep. No. 3612 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Board of Trustees, Hawaii Public Employees Health Fund of the following:

HOWENA HIU BLUME, term to expire June 30, 2001;

DOLORES FOLEY, PH.D., term to expire June 30, 2003; and

BRUCE Y. NAKAMURA and JAMES H. YASUDA, terms to expire June 30, 2004,

seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Kanno then moved that the Senate advise and consent to the nomination of MILTON Y. FUKU to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire June 30, 2003, seconded by Senator Taniguchi.

Senator Hanabusa rose in opposition and said:

"Mr. President, please register a 'no' vote for me on Milton Y. Fuku. He is on the Advise and Consent calendar 3612, Gov. Msg. No. 193. Mr. President, I'd like to rise to speak in opposition to this nominee.

"Mr. President and members, the reason why I rise to speak in objection to Mr. Fuku is not because of any specific qualification of Mr. Fuku. I happen to know Mr. Fuku and I've told him myself that I would be rising in opposition to his nomination. The reason why is because the State Health Fund. My colleague from Hawaii Kai has always stated, why do we have reports written by Marion Higa, our legislative auditor; what do we do with it; and why do we just continue to ignore it? The State Health Fund is exactly that situation.

"Chapter 87 of the HRS establishes the Health Fund. You will find a conflict of interest statement hidden in Section 87-12, which says that no one can be appointed who is an employee of a carrier or potential carrier. If you look at the definition of a carrier or potential carrier, it is anyone who

either pays for, or arranges for the payment or the provision of health benefits. When Chapter 87 was first enacted, it is my contention that they did not anticipate that we would permit the porting to the various health fund unions which we do now. But it is because we permit the porting that we have this problem, because each union now becomes a carrier as defined under the law, and because they are carriers there is this inherent conflict.

"Let's step back and let's realize how we operate the State Health Fund. Let's look at why the State Health Fund has the highest premium when the unions do not. Those who have sat through the CPN hearings understand the discrepancies that we're faced with, and the reason is because the State Health Fund has the most inefficient group of people -- in other words, the high risk. We have permitted the unions to take the low risk and as a result of that they can then quote, unquote, 'spread the premium to cover more of the individual members.' That's not a bad thing. However, we as the state, we as the employer, must get the benefit of that.

"I believe that as we appoint people who really are employees of, technically, our competitors in terms of the State Health Fund, to sit on the Health Fund, that makes no sense. It is like letting the fox guard the chicken coop. Not that any of them will do anything, but think about it . . . the more inefficient the State Health Fund is, the higher the premium is that we port out to each respective union. As a result of that, we can have certain union funds that basically require no contribution from an employee, while we require 40 percent. That's not fair. It's not fair to any of the members. The people that it hurts the most are the retirees. And every time we look at costs, we end up saying let's look at cutting the retiree benefits.

"It's been my contention that it is time that we stop. Look at the Health Fund. And we've got to start by looking, first, at exactly who sits there and its structure. For that reason, Mr. President, I must, based on my interpretation of the law, vote against the nomination of Mr. Fuke.

"Thank you very much."

Senator Slom rose to speak against the nominee and said:

"Mr. President, I rise in opposition. I will also be voting 'no' on Mr. Fuke, Gov. Msg. No. 193, for the reasons outlined by the good Senator from Waianae, and I would like those incorporated as if they were my own.

"Thank you."

The Chair so ordered.

Senator M. Ige rose on a point of inquiry as follows:

"Mr. President, I have a point of inquiry to the chairs of the committee, just for the record."

The President responded:

"Would you like to address your question to Senator Kanno?"

Senator M. Ige replied:

"Yes, please."

The President posed the question and Senator Kanno having answered in the affirmative, Senator M. Ige inquired:

"Mr. Chairman, was this conflict raised in the CPN Committee? I don't sit on that committee so I don't really know."

Senator Kanno answered:

"It was, and an opinion from the Attorney General's Office was sought and received, and the AG's Office indicated that it would be appropriate for us to confirm said nominee."

Senator M. Ige continued:

"So, just for clarification, Mr. President -- what you're saying, Mr. Chairman, is that the AG ruled that there is no conflict?"

Senator Kanno replied:

"Yes."

Senator M. Ige then said:

"Okay, thank you."

At this time, Senators Chun and Nakata requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hanabusa, Slom).

Stand. Com. Rep. No. 3613 (Gov. Msg. No. 287):

Senator Kanno moved that Stand. Com. Rep. No. 3613 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of HERBERT K.M. YEE, P.T., to the Board of Physical Therapy, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3614 (Gov. Msg. No. 295):

Senator Kanno moved that Stand. Com. Rep. No. 3614 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of RANDOLPH B. AHLO, GEORGE M. AMIMOTO and HERBERT S.L. CHOCK to the State Boxing Commission of Hawaii, terms to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3615 (Gov. Msg. No. 264):

Senator Inouye moved that Stand. Com. Rep. No. 3615 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of MICHAEL JAY GREEN to the Stadium Authority, term to expire June 30, 2004, seconded by Senator Buen.

Senator Slom rose in opposition and said:

"Mr. President, please register my 'no' vote on Gov. Msg. No. 264 with reference to Standing Committee Report 3615 for Michael Jay Green.

"Thank you."

Senator M. Ige requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Senator Inouye then moved that the Senate advise and consent to the nomination of EDWARD K. HAMADA to the Stadium Authority, term to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3616 (Gov. Msg. No. 307):

Senator Inouye moved that Stand. Com. Rep. No. 3616 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of T. GEORGE PARIS to the Stadium Authority, term to expire June 30, 2004, seconded by Senator Buen.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3617 (Gov. Msg. No. 294):

Senator Kanno moved that Stand. Com. Rep. No. 3617 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of JAMES K. IKEDA and TING PONG MA to the Board of Acupuncture, terms to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3618 (Gov. Msg. No. 297):

Senator Kanno moved that Stand. Com. Rep. No. 3618 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations to the Contractors License Board of the following:

RAYMOND S. MORI, term to expire June 30, 2003; and

ANCLETO "LITO" ALCANTRA, BRUCE KUGIYA and EARLE S. MATSUDA, terms to expire June 30, 2004,

seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3619 (Gov. Msg. No. 298):

Senator Kanno moved that Stand. Com. Rep. No. 3619 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of GERALD ADACHI, D.M.D., to the Board of Dental Examiners, term to expire June 30, 2001, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3620 (Gov. Msg. No. 305):

Senator Kanno moved that Stand. Com. Rep. No. 3620 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nominations of GARY Y. GIBO and RANDAL MORIFUJI to the Motor Vehicle Repair Industry Board, terms to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3621 (Gov. Msg. No. 306):

Senator Kanno moved that Stand. Com. Rep. No. 3621 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of ELLEN R. CARINGER, PH.D., to the Board of Psychology, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3622 (Gov. Msg. No. 308):

Senator Kanno moved that Stand. Com. Rep. No. 3622 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Kanno then moved that the Senate advise and consent to the nomination of ERIC M.F.C. AKO, D.V.M., to the Board of Veterinary Examiners, term to expire June 30, 2004, seconded by Senator Taniguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3623 (Gov. Msg. No. 240):

Senator Kawamoto moved that Stand. Com. Rep. No. 3623 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations to the Medical Advisory Board of the following:

DAVID MAI, M.D., term to expire June 30, 2002;

STEPHEN M. OISHI, M.D., term to expire June 30, 2003; and

ROBERT L. SIMMONS, M.D., term to expire June 30, 2004,

seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3624 (Gov. Msg. No. 296):

Senator Kawamoto moved that Stand. Com. Rep. No. 3624 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations to the Civil Defense Advisory Council of the following:

LINDA C. TSEU, term to expire June 30, 2001; and

ALEJANDRO LOMOSAD, term to expire June 30, 2004,

seconded by Senator Bunda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### ADOPTION OF RESOLUTIONS

S.C.R. No. 143, H.D. 1:

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 143, and S.C.R. No. 143, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO STATE PARK RESTROOM FACILITIES AND FUNDING FOR THE NATURAL AREA RESERVES SYSTEM," was Finally Adopted.

Conf. Com. Rep. No. 127 (S.C.R. No. 204, H.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 127 was adopted and S.C.R. No. 204, H.D. 1, C.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was Finally Adopted.

#### CONFERENCE COMMITTEE REPORT

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.C.R. No. 129, S.D. 1, presented a report (Conf. Com. Rep. No. 162) recommending that S.C.R. No. 129, S.D. 1, H.D. 1, as amended in C.D. 1, be Finally Adopted.

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 162 was adopted and S.C.R. No. 129, S.D. 1, H.D. 1, C.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK, A STUDY OF ABOVE GROUND CHEMICAL STORAGE TANKS, AND A STUDY OF THE DEPARTMENT OF HEALTH ENVIRONMENTAL HOTLINES," was Finally Adopted.

#### FINAL READING

Conf. Com. Rep. No. 134 (H.B. No. 1900, H.D. 1, S.D. 1, C.D. 1):

Senator Fukunaga moved that Conf. Com. Rep. No. 134 be adopted and H.B. No. 1900, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ihara.

At 10:30 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:31 o'clock a.m.

Senator Fukunaga rose in support of the measure as follows:

"Mr. President, I rise to speak in support of H.B. No. 1900, H.D. 1, S.D. 1, C.D. 1.

"Mr. President, as I said earlier this session, we have marked the first session of the twenty-first century with a supplemental budget that gives our residents the opportunity to fully realize the benefits of the New Economy. Our initial four objectives in our budget planning have now been met: to position Hawaii for success in the new economy; to develop a literate workforce able to compete in the global marketplace; to preserve needed services at the community level; and to maintain a fiscally prudent approach to executive branch spending.

"Together with measures crafted by our subject matter chairs in education, economic development, health and human services, transportation, judiciary, consumer protection, labor and environment, government operations, and water, land and Hawaiian affairs, we have established a foundation to strengthen families and communities and to develop a technologically literate workforce.

"Finally, although the Senate's positions on such issues as funding for OHA's ceded land claims or fully empowering DAGS to handle school repairs more comprehensively have not been fully realized, we can celebrate the fact that we are at the beginning of a renewed partnership between the Cayetano administration, the House, and the Senate. Let us turn this partnership into an even more productive collaboration for this new century.

"For all of the foregoing reasons, I urge my colleagues to join us in support of H.B. 1900, H.D. 1, S.D. 1, C.D. 1.

"Thank you."

Senator Levin rose in support of the measure with reservations and stated:

"Mr. President, I rise to speak in support of the budget but with reservations.

"I speak in praise of the budget and the work that the Ways and Means Committee members put in, the staff, and the work of my co-chair. The staff and Co-Chair Fukunaga worked incredible hours for the past five months to get out a product that I think the Senate and the state can be truly proud of. There are the old clichés about sleepless nights and working around the clock, and those are phrases that are perhaps used too often in other contexts. In this context, however, I can tell you that they literally apply to the work done by the staff of Ways and Means and the work done by my co-chair.

"And to think, Mr. President, that a woman of her age . . . (laughter) never mind. Please strike that.

"If I can be serious again, I also appreciate the work and support of the WAM Committee members. They worked diligently, their input was invaluable, and their support was much appreciated.

"There is much good in this budget and I am particularly proud of what we have done for education. The budget adds almost \$18 million in lower education. We have also added at least \$3 million to higher education. And although many of us wished we could have been more generous with higher education, the fact is that this Legislature, overall -- including bills separate from the budget which will help with autonomy and other things that the University needed -- I think truly established this session as the education session.

"Mr. President, I also rise to speak about the reservations that I have. Unfortunately, the document in front of us is not entirely the work of the committee or the staff. To be specific, neither the Ways and Means Committee nor the staff ever agreed to a provision that calls for the State purchase of No. 1 Capitol District, better known as the Hemmeter Building. That proviso, as far as I know, is the only item in the budget that was not signed off on by all three Budget Conference chairs.

"So we have a flawed document in front of us, not because I do not agree with all that is in it -- I fully understand that a budget is always a series of compromises -- but it is flawed because it contains an item that circumvented the process, a process that we are sworn to uphold and a process that we should insist upon.

"Throughout the budget process, both when negotiations were being handled by the Conference chairs and when the President and Speaker stepped in to break a deadlock, all items required the unanimous support or at least the unanimous acquiescence of all three Conference chairs before they could be included in the final budget. Only one item was treated differently and that was this proviso for the purchase of Hemmeter.

"I know that the merits of buying Hemmeter can be argued on both sides. To me, the bottom line is this -- although the Hemmeter building may have had humble beginnings as a YMCA, in its current state its opulence fits the lifestyle of the rich and famous. It was built for a captain of industry, not a captain of the ship of state. It perhaps was grand enough to house the ego of Mr. Hemmeter, but it is far too lavish for the mere mortals who work for the state government. And I think it is outlandish to ask the taxpayers of this state to foot the bill for this extravagance.

"You might be interested in some numbers. According to the Department of Accounting and General Services, we are currently paying rent of just over \$2 million for Hemmeter, and the building houses 245 government employees. Now admittedly, it once housed more government workers, but at the current staffing level, do the simple math and you find that we are paying \$8,367.00 in rent per year, per employee. I asked DAGS to give me comparable numbers for a typical office building rented by the state, and they gave me the Haseko Building where we pay \$502,000 in rent and where 140 government people work. Again, do the math -- we're paying \$3,586.00 per employee. That's \$3,600 versus \$8,400. That's 43 percent more to house people in Hemmeter.

"The administration has argued that the money we are currently paying to rent Hemmeter can instead cover the cost of owning it. I am skeptical as I think others are. But even if that were true, what it means to me is not that we should be buying Hemmeter but that we're paying too much rent now and we should be moving out. And that idea is not something that I just thought up. It was WAM's position just last year. And it was also the idea of the Waihee administration back in 1994 when the comptroller of the State of Hawaii proposed to move all employees out of Hemmeter using a plan that 'was conceived in order to reduce millions of dollars in rent payments that DAGS was responsible for maintaining.'

"Originally, I blamed the House for inappropriately using its control over the budget document to circumvent the rule that

there must be agreement before an item goes into the budget. I had no way of knowing that the House had received the concurrence of the Senate President by a decision made early Friday morning. That was quite an eye opener.

"So why do I mention all this now? I fully understand that one proviso, even one of the multi-million dollar magnitude of Hemmeter, is not enough to warrant the defeat of the budget or even justify a 'no' vote. But I think it is important enough to voice concern about so that public light can be shed on our arcane budget process and give us hope that these kinds of procedures will not be repeated.

"In the months ahead, we should be thinking about our institution of the Senate and how it can be changed for the better. There are experts in our national organizations, such as the NCSL and CSG, who would be happy to help us in identifying organizational weaknesses and possible remedies. We ought to think seriously about using them.

"Whether or not you share my concerns on the merits of Hemmeter, the process that was followed is disturbing. The fault does not lie with any one person and the solution will require a change in the culture of this institution that we all must contribute to. The old slogan is true -- that people get the government that they deserve. That's true of a nation; it's true of the state; and it's true of this Legislature. If we do not stand up for the rule of law on behalf of the people who elected us, who in the world can possibly do it for us.

"One last word on Hemmeter . . . the owners of Hemmeter would be well advised to understand the precarious nature of certificates of participation. Under Section 37D-5, Hawaii Revised Statutes, it states that 'No holder or holders of any financing agreement entered into under this chapter shall have the right to compel any exercise of taxing power of the agency to pay such financing agreements or the interest thereon and no moneys other than amounts appropriated or otherwise held in trust for such purpose shall be required to be applied to the payment thereof.' What that legalese boils down to is, the Senate Ways and Means Committee has not endorsed this purchase and the proviso in this budget is good for one year only. Therefore, there is no guarantee that future moneys will be appropriated to pay the certificate holders beyond June 30, 2001.

"Thank you, Mr. President."

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise to speak in support with reservations.

"Thank God the two Minority leaders have individual microphones, otherwise it would be a very short session today. And age has never been a barrier with the Republicans, so we don't have any problem there also.

"Let me congratulate the good Senator from Puna/Ka'u, the co-chair of Ways and Means. He just saved you all about 22 minutes of speech making from me.

"I was very disappointed because, as he knows, I attended the Ways and Means Committee a month-and-a-half ago when a presentation was supposed to be made on the Hemmeter Center, and in fact it was not. Nothing was brought to the public. There was no public discussion about this. And the fact that this is included in this budget and the manner in which it's included, to use a quotation and a word from one of my great role models, the governor of this state, it is 'shameless' -- shameless that this was stuck in and was done in this manner. We have no business buying more real estate to give tour duties to the First Lady. \*

"We have other priorities and that's my problem with this budget. It is a good budget overall. I do salute the work of the



Committee, the members, the staff, everybody that worked hard on it. But the fact of the matter is, it is a bigger budget. It does call for more government growth. It does call for more expenditures. It does call for adding more people, more benefits, more costs to the state budget, more people in addition to Felix/Cayetano required special ed teachers and in addition to more teachers to lower the class-pupil ratio size -- more people, more money, more burdens on the taxpayers.

"In addition to that, we have a whole slew of emergency appropriations and separate appropriation bills which we are going to approve or discuss today. They add even more millions of dollars. And in addition to that, we have even more special funds that we will create today to make the budgetary process even more difficult for any average or above-average citizen to find out just exactly what the numbers are.

"Yes, it is a good budget bill, but it is flawed in a number of areas, not the least of which also has to do with the shameless exclusion of the language to protect and guarantee the people of Pearl City that the governor will not put his sex offenders in their neighborhood against their overwhelming will. We have to learn not to make these kinds of costly errors. They're costly in terms of money, but more importantly, they are costly in terms of the faith and the trust that people put in each one of us.

"And we can't complain that we didn't have enough time because actually we had more time, more deliberation this year than in past years. There was more of a process that you, Mr. President, and the House Speaker had advocated and which we worked under. It was inconvenient at times, but it allowed us and forced us to do things more in the open and to read and more carefully check. And we have to do a better job because I know that each and every one of you would do a better job if it were your money, if it were your neighborhood, if it was real estate or investment being made in your name.

"And so I will support the budget with these and other reservations. I, too, agree that many things were done in education that are very positive, but let's be realistic and candid about this. We're doing the things that should have been done ten years ago and we're still playing catch-up. We haven't done all the things because we still haven't learned how to prioritize. We still mouth the words -- our keiki, education -- but we haven't demonstrated that that really is number one, because if it were, everybody else, including the purveyors of the Hemmeter Building, would have to take a number and wait at the back of the line. But we try to serve everybody and promise everybody at the same time. So I will support it with reservations.

"One final comment that the good Senator from the Big Island made -- he said that people get the government that they deserve. Believe me, nobody in the State of Hawaii deserves the kind of government and politics on every issue that we hand out all too readily.

"Thank you, Mr. President."

Senator Iwase rose in support of the measure as follows:

"Mr. President, I'm rising to speak in support of the budget.

"Mr. President, the budget we have before us is a very good budget. I am very pleased with it particularly because of its emphasis on education. Whether you have children or not, I think we can all agree that our number one concern and our number one priority must be the children of the State of Hawaii, particularly as we move into the age of information. And it is a budget that plows a lot of money into our education system, both lower ed and higher ed. Over the past few years, and I agree with the Senator from Hawaii Kai, we have cut the University of Hawaii too much, too far, beyond the bone, and we are trying to restore some of that, including the bills on autonomy.

"I would also like to commend the co-chairs for their efforts to be more inclusive of the Committee members. While not totally successful, I think the effort has been made. Progress has been made. Much more progress needs to be made, and I hope that will be done next year. They were also much more timely in transmitting information to Committee members so that we could vote with some information. After all, our necks are on the line as well as the Committee chairs.

"I do wish to express some concern about the comments made by the Senator from Puna regarding what happened with a particular proviso in the budget. I'm not going to talk about the merits of it because that is not of issue for me, it's in the budget. What I do have concerns about is the process that resulted in this happening. I would like to say that there appears to be some confusion over who are the players when these things are put into the budget and when the budget is created. Who makes the decision? Who mediates? Who arbitrates? What if there is a dispute between the co-chairs? What if there is a dispute between the House and the Senate? I do not believe that the Speaker of the House or the Senate President should be arbitrators, and I don't think you believe that either, Mr. President. The role of the leadership is to mediate rather than arbitrate.

"It is a process that apparently was agreed to by the people concerned and we now have a budget before us that has a proviso which people, some, disagree with. Well, we have that budget. I cannot vote against that budget. It is a good budget. It is a result of a process that was acquiesced to. I do not agree with that process because it allows just a few individuals to dictate what the budget should be. And I would hope that as we move into next year, for all of you who are remaining in the Senate or who will return to the Senate, that you will look at this process. Hopefully, it will be more inclusive; it will empower the chairs; it will empower the Committee members.

"And finally, I would hope also that there will be a review of the co-chair system, because I don't think at times two heads are necessarily better than one. In fact, I think at times two heads may cause confusion, dissent and discord. So I hope you review that, Mr. President.

"Thank you very much."

Senator Chun Oakland rose to speak in support of the measure and said:

"Mr. President, I rise in support of this measure.

"I want to extend my thanks also to the co-chairs of Ways and Means and their staff and all of you present.

"I really share the concerns of Senator Levin in regards to the purchase of the Hemmeter in the proviso, but I did want to not dwell on that and highlight the very positive things that have occurred within the budget, thanks to all of you.

"In particular, similar to the previous speakers, I am very pleased with the Department of Education's budget and the amount of dollars that has gone into increasing the number of teachers, the number of support staff to support our children and our teachers in public education. I also am very pleased to see a much larger dollar amount for repair and maintenance of our schools, for capital improvements to our schools and even to the playground equipment that I think many communities would like to see restored at our schools.

"In the area of health and human services we have accomplished so much, and I do want to thank, again, everyone for making it possible. In the area of child and adolescent mental health, adult mental health, and those that are waiting on the wait list for developmental disabilities, we have put in significant dollars into this area.

"We also have, for the first time in many years, the opportunity to make Healthy Start statewide. And as you know, Mr. President, this is a national model that Hawaii started in preventing child abuse and neglect.

"I also wanted to highlight that there is money for the volunteer ombudsman program in an effort to support the caregivers in our community who are experiencing the need for long term care among their family members. And hopefully this volunteer ombudsman program statewide will be able to support the caregivers, but also, hopefully, to prevent elder abuse, neglect, and fraud.

"We also, for this coming year, will be able to start the children's health insurance program. This will be able to help children, including immigrant children at 200 percent of the federal poverty level, to get health insurance. This is a significant, significant step.

"We also have put in money to make sure that those that are medically underserved, those particularly on the neighbor islands and rural areas of Oahu, will be able to get additional medical support as well as to restore funding for the adult dental services.

"There are many other things like peer education that we were able to save that are very worthwhile programs within the Department of Education. There are so many others, but I do want to thank all of you for the support that you have given for many of these projects and programs.

"Thank you."

At 10:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:56 o'clock a.m.

Senator Tam rose to speak in favor of the measure as follows:

"Mr. President, I wish to speak in favor of the budget.

"Mr. President and fellow colleagues, this is a very gratifying budget. It emphasizes two highlights. If I may very shortly . . . first of all, the education budget is very strong, especially the repair and maintenance of \$45 million is very welcome to the schools.

"Also included in the budget for education is a budget for \$3 million for playground equipment. This is a greatly needed item. Our schools all have safety problems and we wish to correct them at this time. Also, I believe the schools are going to be asking the federal government for their share, since they added the stronger restrictions in terms of safety. So federal government, please give us some money since you imposed it upon us in the State of Hawaii.

"Lastly, I wish to thank my colleagues for the start off fund on housing. We have public housing within the State of Hawaii, and it is in disrepair right now. Some of the people out there in the community have called government 'slum lords.' Thank goodness we can correct that with the start off money.

"Thank you very much."

Senator D. Ige rose in support of the measure and said:

"Mr. President, I rise to speak in favor of this measure.

"Mr. President, in this first session of the new millennium we have emphatically made a statement that education, education, education is the number one priority. I would like to thank the co-chairs and the members of the Committee on Ways and Means for making education the number one priority, and for

all of the members of the Senate for their contribution in making this a hallmark session.

"This budget clearly demonstrates our commitment to education. For the public schools we have provided \$4.4 million to ensure that every child counts in our classrooms. In addition, we have added \$2.6 million to reduce class size in kindergarten through grade 2, the most precious years of learning, to 20-to-1. In total, this budget contains an additional 275 teachers to reduce class size statewide. In addition, we have appropriated \$3 million in priority funds, funds that get directly distributed to each and every school in this state to respond to their specific critical needs.

"We have also appropriated \$2.7 million so that the superintendent can complete his work in assessments and implementation of the Hawaii Content Performance Standards. We have also appropriated \$2.8 million to provide equipment and personnel to equip and staff our new schools and more than \$4.6 million to meet the requirements of the Felix/Cayetano consent decree.

"In addition to all of this, Mr. President, we have appropriated \$5.7 million for key priority programs that include additional clerical support to support our schools in meeting the paperwork demands of the Felix consent decree. We also add additional vice principals. We have committed \$800,000 to the Hawaii Network Learning Community's Grant Program. And as stated by others, we made significant investments in repairs and maintenance, as well as \$3 million to correct deficiencies in our playground equipment.

"Clearly, Mr. President, this budget stamps our commitment to education. But our commitment does not stop at the public school system, because we have made strategic investments in the University of Hawaii system, a single system that serves all of our communities. We have appropriated \$1 million for a program in molecular genetics for the John A. Burns School of Medicine. Most importantly, Mr. President, this begins our transformation of the medical school from purely a teaching and learning environment to one that pursues the economic engine of research in health care.

"We've also appropriated \$1 million to the College of Business so that they can re-tool their program to focus and re-energize its needs on e-commerce and the coming age of business in the internet world.

"We've also appropriated \$1 million to the College of Engineering. As Guy Kawasaki has said before, we cannot be a player in the technology economy unless we have a world-class engineering college. I do believe that this million dollars does a lot to advance our engineering college to be world class.

"We've also invested \$1 million in the Pacific Center for Advanced Training Technology. Mr. President, we need to come up with new models for delivering quality educational services in those key strategic sectors and our community colleges have committed to provide a program that will allow us to deliver a trained and educated workforce to any of the new participants in our economy.

"And last but not least, we've committed \$2 million to the University of Hawaii at Hilo to fund their distance learning and technology programs to enhance their programs and their efforts to provide a trained workforce.

"Not all of our discussions have been limited to the real sexy and high profile subject matters. We've also appropriated \$1.3 million to the community college system for key infrastructure, for electricity and staff personnel that is truly needed to support all of the other programs.

"In total, Mr. President, this is the biggest increase in the budget for the University in at least the last five years, although you may want to talk to the president. After a decade of budget

cuts to the University, this is a much, much needed infusion. In addition, we have made a commitment to repairs and maintenance at the university level as well.

"I would just like to take a moment and I do know that many of these issues are really not part of this budget, but really to put this session in context as the education session, let me just mention a few of the other measures that we will be voting on in a few minutes that really stamp and provide an exclamation point to all of our work this session in education:

- For the public school systems -- first and foremost, we have empowered the superintendent to design and implement an accountability system that can really drive performance of our public schools forward. We have committed to safer schools through an expansion of zero tolerance and other measures to provide increased information to the public school system. We have tweaked the new century schools program to ensure that all of these schools can provide a blueprint for change and innovation in the public school system. And for my daughters, we have committed to gender equity to establish a program so that all of our children will have an opportunity to compete.
- We have also made a commitment to the Hawaiian language immersion program, Mr. President. The first Hawaiian language immersion school was at Waiau Elementary School in Pearl City, and ten years later we are really establishing and putting into the statutes for all time, a program that has been successful in really revitalizing the Hawaiian language community.
- We have also increased the autonomy of the Department of Education. We've empowered the Board of Education to set the superintendent's salary up to \$150,000. We've allowed them to keep any excess impact aid. We've allowed them to keep overhead returns on federal grants that can be reinvested to pursue additional federal programs.
- We have transferred the occupational and physical therapists from the Department of Health to the Department of Education, and responsibilities for school transportation from the Department of Accounting and General Services to the Department of Education. Both of these programs and this responsibility have been long sought by the Department of Education.
- We have provided through our civil service reform full authority and accountability for educational assistance and other instructional personnel to be classified and filled by the Department of Education.
- And finally, we have given the superintendent a seat at the bargaining table so that he has direct input in collective bargaining contracts that affect the myriad of employees in the public schools system.

"Clearly, Mr. President, our efforts in education go far beyond the budget, but the budget was a very, very good starting point. I would just like to add that, as I said before, we did not limit our efforts to the public schools. The University, we have done a lot to clarify autonomy within the University. For the first time we do fund, fully fund, the claims against the University which is a fallout of our efforts to give them more autonomy in regards to their legal matters.

"And finally, we are putting before the people of Hawaii the question of whether the University of Hawaii in the future should receive more autonomy from the Legislature and governor in all of their matters.

"Clearly, Mr. President, this has been a hallmark session, a session that I believe all of us can be proud of and that will be

the measure of future sessions in regards to our actions on education.

"Mr. President, I do have some other remarks that I would like to ask be inserted into the Journal.

"Thank you."

The Chair having so ordered, Senator D. Ige's remarks read as follows:

"As you are aware, Mr. President, the governor's proposal to establish a youth sex offender treatment facility in Pearl City has blind-sided the community and raised concerns about public input and safety.

"I thank you, Mr. President, and the co-chairs of the Committee on Ways and Means, for your full support for including the following proviso in the budget:

'Provided that for child and adolescent mental health (HTH 460) for fiscal year 1999-2000 and fiscal year 2000-2001, no general or special fund money shall be expended for any new sex offender treatment program and/or facility, located outside of an existing correction/treatment facility, and within 6,000 feet of any school campus in the State of Hawaii, and provided that no child shall be relocated from the mainland to Hawaii unless it is determined that relocation is in the best development interests of the child.'

"This proviso is legal and would have protected all the children throughout the state from such a facility. Although the news media has portrayed this as a NIMBY (Not In My Back Yard) issue, our community believes that a youth sex offender treatment facility should not be located in close proximity to any school. I am disappointed that the House opposed this proviso after making public statements to the news media that it would be included in the budget. I hope that the governor will work with the community to achieve a solution acceptable to all."

Senator Anderson rose to speak with reservations on the measure and said:

"Mr. President, I'm going to stand with reservations on the budget. I would like to state a slight remark regarding the remarks from the Senator from Hilo when he said that he couldn't believe the age of the person sitting next to him that crafted the budget bill, he meant the young age. I know that.

"Mr. President, the reservations that I have is that this particular budget represents a \$350 million increase over and above last year. That's \$63 million less than the governor asked for; that's part of the good of it. We did try to make sure that we held it back. I also want to recognize all of the bullets that Senator Ige stated on education. But I do have my reservations as stated by the good Senator from Hilo and the Minority Floor Leader regarding the purchase of the Hemmeyer building. There was a reso and there were only two people who voted against that reso in Committee. That was the Representative from Kaneohe and myself. We were hoping it wouldn't go forward, but it did, and then it ended up as a proviso.

"But I looked at the good points of what we're doing because we happen to be State Legislators, ladies and gentlemen. I reviewed the budget and I marked in different colors items for the Big Island, Kauai, Maui, and all state programs. And I figured, you know, Anderson, that's not bad . . . as a State Legislator you did a helluva job. So there's a lot of good that came out of this for our children, for transportation, health and for many issues. For the many issues that we had this session, I did note if it was addressed in the budget. I represent Waimanalo and Kailua. I do have other issues that I look at. I do respect the chairmen that I work with. I try to make sure that I can take credit just as well as anybody else for all the hard

work we each put into producing the budget. And that's the way we should be looking at this bill.

"And the reservations that I have are few. So I would like to congratulate the two chairmen and, most certainly, all of the staff because they worked very hard to craft what we have here today.

"Thank you very much, Mr. President."

Senator Chun rose to support the bill and said:

"Mr. President, I rise in support of the bill.

"Mr. President, I support the bill wholeheartedly because I believe a lot of work and thought went into it, but I want to raise a very clear position that I do not support the proviso in there regarding the purchase of the Hemmeter Building. Unlike my colleagues and the co-chair of Ways and Means, I do not believe that the process itself was inherently flawed. As a member of Ways and Means, I distinctly remember voting for the bill in Conference and specifically after hearing that all provisos were going to be worked out between the staff. If I had any serious concerns regarding an inclusion of a proviso of the Hemmeter Building, I should have raised it at that point in time. I did not, so I will take responsibility for that. The process was followed; the process was there. The Committee members voted to approve it. We abdicated, basically, or delegated our responsibility to the chairmen and ultimately to the President, so I do not have any questions on that.

"My concern is I feel that this proviso begins to depart from the priorities that we've raised as the Senate that we concentrate on education. And yes, maybe, maybe the purchase of that building might save us some money in the short run, but I also want to question whether or not investing our monies into educational facilities and repair and maintenance would have given us a better return as opposed to investing into office buildings. But I raise that as a point of question.

"I recognize that we did vote for the budget. I recognize that the Conference Committees did unanimously approve that bill without any reservation, without any 'noes.' So I will stand by my vote and support this bill.

"Thank you."

Senator M. Ige rose in opposition to the measure and stated:

"Mr. President, I rise in opposition to this bill.

"Mr. President, I think my first hardest vote was against a long-time colleague. This is probably my second hardest vote. I need to apologize to Senator Levin. I made some comments in the Majority Caucus yesterday. I believe it was based on emotion and not well thought out.

"Now, in retrospect, looking at what took place in terms of the budget, I guess in all my years in my legislative career I have never seen the President and the Speaker sign a committee report on the budget, and I'm deeply disappointed about that. I, too, was at that WAM hearing with the Senator from Waimanalo and I thought it was over an hour-and-a-half speaking to Mr. Miyahira. There were a number of department heads there talking about the Hemmeter Center purchase, and there was a lack of answers at that time. I guess my interests grew, as one of your former chairs of Government Operations, when we talked about Kapolei and decentralizing what we had here in Honolulu in terms of office space for our employees. And as a result, Hemmeter Center definitely raised a lot of yellow, if not red, flags.

"So Mr. President, I think what took place was very unfortunate. I need to disagree with our Majority Floor Leader who said that we did give leadership or we did give the chairs the right to negotiate the proviso. I was there that evening. So

I think the whole point here, Mr. President, was that Hemmeter Center was never in the provisos. And please, if any of my colleagues believe it was, stop me right here and rule me 'out of order.' But I believe that no proviso in the green pages mentioned anything about Hemmeter Center. And I think that is the problem. Where did it come from?

"Mr. President, doing a lot of soul searching, it's difficult to vote against the budget when you hear your colleagues talk about how important it is in education; how important it is for technology; how important it is for playground equipment. And the list goes on and on. But, Mr. President, when we violate our own rules at the very end, what does that say about us? What does that say about the Senate?

"I was in the House for 16 years and had looked at the Senate, but never had the opportunity to run in terms of a vacant seat. And now that I'm here, I begin to realize that this is really where the action is. I'm sorry to the House, but this is where it's happening. But I'm very disappointed to see the fact that you and the Speaker can overrule all of the hard work of the staff and all of the hard work of the members on the Ways and Means Committee and at the very end put in things that you believe is appropriate. Whether or not we give you that opportunity is beside the point, because I think the bottom line here is the word 'trust' -- my trust in you and your trust in me and our trust for our colleagues. If we don't have that, what are we saying to our people?

"I think all the accolades are great. Everything we said is terrific about what we did, 99 percent. But if we violate our own rules on what we are as a Senate, what does that do to this institution? I think that's where the 'no' vote comes from. We can do all this good, but unless we stand up like the Senator from Puna in caucus and raise the issue, what are we saying? One colleague mentioned to me last night, 'You know, I give the Senator credit. I never saw him like that before.' But, Mr. President, as a leader that's what we should be encouraging -- the Senate to stand up; hold your ground; speak your mind. That's what we're elected to do, not to talk about all the good and all the fantastic things that we're doing, but to talk about the inside, where we come from, what we are, what we believe in. When do we do that? And less we take a stand on these issues, it's very difficult.

"So, my apologies to Mr. Chairman from the Ways and Means Committee from Puna. I was thinking about my re-election, and that was my response -- I've got a re-election; we need the budget; and we need it right now. But in retrospect, Mr. President, we should take the time because, like he said, this is based on principle. This is based on what is right and what is wrong. It's very simple. And my grandmother told me it's very simple -- as long as you know in your heart it's right, you do it; and if it's wrong, you don't -- because that's what integrity is all about.

"So I go back and I say to the Puna Senator -- I apologize. The election is beyond what this whole debate is all about. It's about doing what's right for the people of this State. And in the long run, Mr. President, I sincerely hope that this action never, ever, happens again.

"Thank you."

Senator Kanno rose to speak in support of the measure and said:

"Mr. President, I'm rising to speak in support of the budget.

"I'd like to commend the Ways and Means co-chairs for their strong support of education in the budget. I'd also like to take a second to thank the hardworking staff members who helped contribute to the end product.

"The needs at our public schools and our university are great. At the beginning of the year, the Senator from Puna boldly set

the goal that this session be known as the Education Session. It is almost reminiscent of President Kennedy setting the goal of putting a man on the moon. The future for our young people in our state is built one step at a time, and the budget bill represents a large step forward.

"On behalf of the children of Hawaii, our thanks to Senator Levin for his leadership in boldly stating and setting a goal for the rest of us. And our thanks again to the Ways and Means co-chairs.

"I urge my colleagues to vote 'aye.'

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 134 was adopted and H.B. No. 1900, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (M. Ige).

At 11:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:22 o'clock a.m.

S.B. No. 278, S.D. 2, H.D. 1:

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 278, S.D. 2, and S.B. No. 278, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 568, S.D. 2, H.D. 3:

On motion by Senator Hanabusa, seconded by Senator Nakata and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 568, S.D. 2, and S.B. No. 568, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 915, S.D. 1, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 915, S.D. 1, and S.B. No. 915, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE VACANCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2293, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2293 and S.B. No. 2293, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2369, S.D. 1, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2369, S.D. 1, and S.B. No. 2369, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2419, S.D. 1, H.D. 1:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2419, S.D. 1, and S.B. No. 2419, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL ACCESS PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2535, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2535 and S.B. No. 2535, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2574, S.D. 1, H.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2574, S.D. 1, and S.B. No. 2574, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2607, S.D. 1, H.D. 3:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2607, S.D. 1, and S.B. No. 2607, S.D. 1, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2621, S.D. 1, H.D. 2:

On motion by Senator Chun Oakland, seconded by Senator Kawamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2621, S.D. 1, and S.B. No. 2621, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2667, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2667 and S.B. No. 2667, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE,"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2731, S.D. 1, H.D. 2:

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2731, S.D. 1, and S.B. No. 2731, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2758, S.D. 1, H.D. 2:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2758, S.D. 1, and S.B. No. 2758, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 2924, S.D. 1, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2924, S.D. 1, and S.B. No. 2924, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 3079, H.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3079 and S.B. No. 3079, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 3129, H.D. 2:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3129 and S.B. No. 3129, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HEALING PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

S.B. No. 3201, S.D. 1, H.D. 2:

On motion by Senator Kawamoto, seconded by Senator Buen and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3201, S.D. 1, and S.B. No. 3201, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SCENIC HIGHWAYS SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

## **MATTER DEFERRED FROM WEDNESDAY, APRIL 26, 2000**

### **FINAL READING**

Conf. Com. Rep. No. 2 (H.B. No. 2514, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Chun and carried, Conf. Com. Rep. No. 2 was adopted and H.B. No. 2514, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

## **MATTER DEFERRED FROM THURSDAY, APRIL 27, 2000**

### **FINAL READING**

Conf. Com. Rep. No. 3 (H.B. No. 1955, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 3 was adopted and H.B. No. 1955, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

## **MATTERS DEFERRED FROM FRIDAY, APRIL 28, 2000**

### **FINAL READING**

Conf. Com. Rep. No. 5 (H.B. No. 2530, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nakata, seconded by Senator Ihara and carried, Conf. Com. Rep. No. 5 was adopted and H.B. No. 2530, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 6 (H.B. No. 2406, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Buen and carried, Conf. Com. Rep. No. 6 was adopted and H.B. No. 2406, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

### **FINAL READING**

Conf. Com. Rep. No. 7 (H.B. No. 1902, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Tanaka and carried, Conf. Com. Rep. No. 7 was adopted and H.B. No. 1902, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 8 (H.B. No. 1773, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 8 was adopted and H.B. No. 1773, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 9 (H.B. No. 2521, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 9 was adopted and H.B. No. 2521, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 10 (H.B. No. 2469, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 10 was adopted and H.B. No. 2469, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 12 (H.B. No. 2701, H.D. 3, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Nakata and carried, Conf. Com. Rep. No. 12 was adopted and H.B. No. 2701, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 13 (H.B. No. 1984, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 13 was adopted and H.B. No. 1984, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 14 (H.B. No. 2480, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 14 was adopted and H.B. No. 2480, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 15 (H.B. No. 2484, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 15 was adopted and H.B. No. 2484, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 16 (H.B. No. 2797, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 16 was adopted and H.B. No. 2797, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 17 (H.B. No. 284, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 17 was adopted and H.B. No. 284, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 18 (H.B. No. 2092, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 18 was adopted and H.B. No. 2092, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 19 (H.B. No. 2095, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 19 was adopted and H.B. No. 2095, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 20 (H.B. No. 2490, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 20 was adopted and H.B. No. 2490, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 22 (H.B. No. 2574, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 2574, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," having been read throughout,

passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 23 (H.B. No. 2405, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Nakata, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 2405, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 28 (H.B. No. 2160, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 28 was adopted and H.B. No. 2160, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 29 (H.B. No. 1983, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 29 was adopted and H.B. No. 1983, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 30 (H.B. No. 1938, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 30 was adopted and H.B. No. 1938, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 31 (H.B. No. 2472, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 2472, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 32 (H.B. No. 2585, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 32 was adopted and H.B. No. 2585, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 33 (H.B. No. 1874, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Nakata and carried, Conf. Com. Rep. No. 33 was adopted and H.B. No. 1874, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 36 (H.B. No. 2017, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 36 was adopted and H.B. No. 2017, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 39 (H.B. No. 2418, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 39 was adopted and H.B. No. 2418, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 40 (H.B. No. 2653, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 40 was adopted and H.B. No. 2653, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 49 (H.B. No. 2492, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 49 was adopted and H.B. No. 2492, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

### **MATTER DEFERRED FROM FRIDAY, APRIL 28, 2000**

#### **FINAL READING**

Conf. Com. Rep. No. 54 (S.B. No. 185, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 54 was adopted and S.B. No. 185, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:



Ayes, 24. Noes, none. Excused, 1 (Anderson).

### FINAL READING

Conf. Com. Rep. No. 56 (S.B. No. 2480, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 56 was adopted and S.B. No. 2480, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 57 (S.B. No. 3073, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 57 was adopted and S.B. No. 3073, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 58 (S.B. No. 3038, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 58 was adopted and S.B. No. 3038, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 59 (S.B. No. 2779, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 59 was adopted and S.B. No. 2779, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 62 (S.B. No. 2982, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 62 was adopted and S.B. No. 2982, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 65 (S.B. No. 2254, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 65 was adopted and S.B. No. 2254, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 66 (S.B. No. 2655, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 66 was adopted and S.B. No. 2655, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 70 (S.B. No. 2711, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 70 was adopted and S.B. No. 2711, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 74 (S.B. No. 2741, H.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Inouye and carried, Conf. Com. Rep. No. 74 was adopted and S.B. No. 2741, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 75 (S.B. No. 2843, H.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 75 was adopted and S.B. No. 2843, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 77 (S.B. No. 2283, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 77 was adopted and S.B. No. 2283, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 81 (S.B. No. 3190, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 81 was adopted and S.B. No. 3190, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 83 (S.B. No. 2152, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 83 was adopted

and S.B. No. 2152, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 84 (S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 84 was adopted and S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 88 (S.B. No. 3045, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Conf. Com. Rep. No. 88 was adopted and S.B. No. 3045, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 90 (S.B. No. 2056, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 90 was adopted and S.B. No. 2056, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 91 (S.B. No. 2074, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 91 was adopted and S.B. No. 2074, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 92 (S.B. No. 2533, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 92 was adopted and S.B. No. 2533, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 95 (S.B. No. 1276, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 95 was adopted and S.B. No. 1276, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF

EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 97 (S.B. No. 2448, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 97 was adopted and S.B. No. 2448, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTISM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 99 (S.B. No. 2490, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Buen and carried, Conf. Com. Rep. No. 99 was adopted and S.B. No. 2490, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 108 (S.B. No. 3179, H.D. 3, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 108 was adopted and S.B. No. 3179, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 109 (S.B. No. 2716, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Conf. Com. Rep. No. 109 was adopted and S.B. No. 2716, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 110 (S.B. No. 2946, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Conf. Com. Rep. No. 110 was adopted and S.B. No. 2946, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 112 (S.B. No. 539, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 112 was adopted and S.B. No. 539, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 116 (S.B. No. 2221, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chun and carried, Conf. Com. Rep. No. 116 was adopted and S.B. No. 2221, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 117 (S.B. No. 2781, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 117 was adopted and S.B. No. 2781, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 119 (S.B. No. 2409, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 119 and S.B. No. 2409, S.D. 1, H.D. 2, C.D. 1, was deferred until later on the calendar.

Conf. Com. Rep. No. 123 (S.B. No. 2218, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 123 was adopted and S.B. No. 2218, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 124 (S.B. No. 2475, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 124 was adopted and S.B. No. 2475, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 138 (H.B. No. 2314, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 138 was adopted and H.B. No. 2314, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 140 (H.B. No. 2556, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nakata, seconded by Senator Kawamoto and carried, Conf. Com. Rep. No. 140 was adopted and H.B. No. 2556, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 153 (H.B. No. 2062, H.D. 2, S.D. 1, C.D. 2):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 153 was adopted and H.B. No. 2062, H.D. 2, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

Conf. Com. Rep. No. 156 (H.B. No. 2023, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 156 was adopted and H.B. No. 2023, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Anderson).

#### **MATTER DEFERRED FROM EARLIER ON THE CALENDAR**

#### **FINAL READING**

Conf. Com. Rep. No. 119 (S.B. No. 2409, S.D. 1, H.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 119 be adopted and S.B. No. 2409, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator D. Ige.

At 11:23 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:28 o'clock a.m.

Senator Sakamoto rose in support of the measure and said:

"Mr. President, I rise in support of this measure.

"Mr. President, this measure does two things -- one is tax credits for call centers, but also more importantly for the upgrade of our resorts, upgrade of our physical plant that may not be our new economy, Mr. President, but it may be half of our current economy. It's difficult to draw capital for any business. We've done tax credits for new economy measures and this is one of the two tax measures related to hotel tax credit, Mr. President.

"Obviously there are concerns where we as a state invest; where we as a state give tax credits. I believe serious thought needs to be placed on this measure. This is not a measure just to help investors, Mr. President. This is a measure to draw capital to our state with a very, very old tourist plant . . . that there are glimmers of hope, Duty Free and others, Hilton and others have started to put money in our system. But certainly, Hawaii has to compete globally, so my hope is that the powers to be would take a second look at this measure, and really look at the numbers, not just for construction jobs, but jobs for many of the people coming off welfare who don't currently have a job. For many people who are in the industry that fluctuates up and down, we need to have a physical plant for our tourist industry that's first class, Mr. President.

"This can draw much more capital so that we, indeed, can have a first class tourist industry.

"Thank you, Mr. President."

Senator Slom rose in support of the measure and said:

"Mr. President, I rise in support of the bill, in full and strong support of the bill.

"You know, last year we embarrassed ourselves and embarrassed the Legislature by trying to provide a construction boost and an industry boost, and at the last moment the bill was not passed properly. It was flawed and the governor had a field day in attacking the Legislature for its ineptness.

"This year we took extra care and we listened to the industry and what we tried to do was to provide two alternatives to make sure that in fact we continue our growth, expand our growth, and at the same time create jobs. And that's what this bill is all about. As the good Senator from Moanalua said, it is a bill about jobs, not only for the construction industry, not only for the visitor industry, but it is direct and indirect jobs, employment, income, and wealth for the people of this state.

"The fact is that we listened to all the people in the industry and investors and everyone else and they told us over and over again that 4 percent was not a significant figure, and that 4 percent was not going to really help and provide the kind of impetus and investment and jobs that we so desperately need. And so this Senate worked very hard and the chair of the Economic Development Committee worked extremely hard to make sure that we were able to raise the bar or raise the limit, but we put additional conditions in it and a great deal of flexibility, and we gave the decision making to the governor based on the idea that an increase, a substantial increase, was going to help and benefit everyone including, as the Senator from Moanalua said, those on welfare as well as those on minimum wage.

"For the governor of the state to come out and attack the Legislature and individual legislators as he did last night and to talk about shamelessness and to talk about taking care of the rich . . . frankly, Mr. President, I'm a little tired that the chief executive of this state continues to try to pit people against each other and makes ad hominem arguments that do not make sense for political purposes only. The fact of the matter is, this is not for the rich unless you consider construction workers rich; it's not for the rich unless you consider those that have no jobs the rich. This is a bill to benefit the state and, like it or not, our only major primary industry at this time. And as we are transitioning to the so-called new economy, we've got a lot of old government and old economy to deal with. And this is the way in which to do it.

"If the governor doesn't like the bill on its merits, that's one thing. As I said, the bill provides the governor the greatest amount of flexibility. But to attack us, to attack individuals, and as I say to bring in income and wealth and to divide people, I think does a great disservice to this community and this state. So I vote proudly and in full support of this measure and urge all my colleagues to do likewise.

"Thank you."

Senator Taniguchi then requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Anderson rose in support also and said:

"Mr. President, I'd like to say a few words in favor, please.

"I'm just a little concerned. I believe, like the Minority Floor Leader, that the administration gets upset when we pass a measure something like this. And yet we make a lot of hoopla

when we go out of state to try to get people to come here to invest their money and create new businesses. There is nothing wrong with legislation that will give tax breaks to our own people. We're creating jobs. We're putting our people back to work. We're taking care of our own island residents. I think that this is fair. It's just and it's something that we have been trying to do for a few years but have had no guts to do it.

"I think that if we pass this bill, the governor can decide whether or not he will veto it. Let the monkey be on his back. But I believe it's a good measure and I think you folks have done a creditable job to pass it.

"Thank you, very much."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 119 was adopted and S.B. No. 2409, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### FINAL READING

S.B. No. 2301, S.D. 2, H.D. 1:

Senator Kawamoto moved that S.B. No. 2301, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, this used to be two bills at one time. Now it's one bill, and the bill defines the maritime lands and it provides the opportunity where we can say that Piers 1 and 2, as it's being planned and being worked on, are to be used by the maritime community but it will still be under the HCDA.

"So Mr. President, I urge all my colleagues, as far as efficiency is concerned, to please vote for this bill. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2301, S.D. 2, and S.B. No. 2301, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2311, S.D. 1, H.D. 1:

Senator Kawamoto moved that S.B. No. 2311, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun.

Senator Kawamoto rose to speak in support of the measure and said:

"Mr. President, I rise in favor of this bill.

"Mr. President, this bill not only will provide for the safety of our young people, it will save lives. As a by-product, as we have tagged along this bill, we call it the 'Tanya Bill' in remembrance of the girl that died a couple of years ago, Tanya Shirai. So this bill not only provides the opportunity to save lives, but now it provides an opportunity for the Shirai family to again encourage a livelihood that their daughter has meant a lot to this bill.

"Thank you."

Senator Matsunaga rose in opposition to the measure and said:

"Mr. President, I rise in opposition to this measure.

"Mr. President, first let me commend the chair of the TIA Committee for consistently always pushing safety, safety, safety upon us. I commend his efforts. Just so there's no misunderstanding, I do strongly support safety measures and strongly encourage all parents to teach their children to buckle up, both in young childhood and as they grow into adulthood.

"One of the basic principles of our safety laws is that up to a certain age children need to be required by law to protect themselves because they can't make those decisions for themselves. And I would have and continue to support requiring, say, a 14- and 15-year-old to buckle up in the back seat, however, I cannot support this state mandate requiring all minors in the back seat to be buckled up. It simply is not consistent with the way we treat minors under existing law.

"And Mr. President, just to give an example of some of the inconsistencies -- if we pass this measure, with this bill a 13-year-old can legally ride in the back of a pickup truck but cannot ride unbuckled in the back seat of a car. A 15-and-a-half year old can get a learner's permit and later a driver's license, but the same teen must be dictated to when riding in the back seat as a passenger. With respect to 14-year-olds the state considers that teen close enough to an adult to be able to decide whether to ride with a drunken driver, to get a state ID card, to act on his or her own behalf in court, to take a job and not just as a child actor, and even to have juvenile records open to the public in some instances, yet Mr. President, this bill says that the same 14-year-olds are not old enough to decide for themselves whether to wear a seatbelt in the back seat of a car.

"Mr. President, we have tried to ensure consistency in our state laws and this bill does the opposite."

Senator Kawamoto rose and said:

"Just a slight rebuttal, Mr. President. I just want to make it known that if I had my way, all the minors would be up to 17 as far as safety is concerned. We need to protect our young people, protect our young people so that they can live a normal and healthy life.

"Thank you."

Senator Chumbley rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to this measure.

"Mr. President and colleagues, I first want to say that I do also appreciate the work of the TIA chair in the area of safety. He has steered us down a path, but clearly, Mr. President, in this case that path is not one I believe that we should be headed down. The Senator from Palolo has identified all of the inconsistencies within this measure and the inconsistencies with other existing laws that we worked so hard to put into place for the protection of people.

"And Mr. President, the other portion of the bill that I think draws attention is the fact that we are more than doubling the fine in this area. The current fine for this violation is \$20. This bill will raise that fine to \$45. And Mr. President, if that 14- or 15-year-old is in the back seat of the car, it's not the parents that's responsible. It's that 14- or 15-year-old that has to pay the \$45 fine.

"Mr. President, in respect to the good Senator from Waipahu and to the individual, Tanya, for whom this bill is so named, I do hold compassion for the family and I hope that over time they will be able to heal, and that I do grieve the loss of Tanya also.

"Thank you, Mr. President."

Senator Slom rose to oppose the measure and stated:

"Mr. President, I, too, rise in opposition to the bill. This may be a historic day when the co-chairs of Judiciary and myself are in total agreement on something.

"I would reiterate that this is not a question of safety and it is not a question of lack of compassion for an individual, but it is a question of consistency as the good Senator from Palolo very clearly pointed out. We look at all of our laws and we look at all of the things and you can't tell whether somebody is in violation at age 18, 17, 12, 14, 15. We have to do something about that. That's what we have to do. We cannot have poorly drafted legislation or legislation which conflicts with other parts of it.

"I also was glad that the item was brought up about more than doubling the fine because there's no justification in doing that.

"And finally, I would say that if you refer back to HSCR 921 it says the bill requires back seat passengers under the age of 18, but if you look at HSCR 1357 it says between the ages of 4 and 17. I think there's going to be legal problems with this bill.

"Thank you, Mr. President."

Senator Matsunaga rose and said:

"Mr. President, just a short rebuttal. I just wanted to remind the Senator from Hawaii Kai that actually we were in total agreement with him on the doobie bill, medical marijuana. (Laughter.)

"Thank you, Mr. President."

Senators Iwase and Bunda then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2311, S.D. 1, and S.B. No. 2311, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY USE OF SEATBELTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Chumbley, Fukunaga, D. Ige, Levin, Matsunaga, Slom).

S.B. No. 2670, H.D. 1:

Senator Chumbley moved that S.B. No. 2670, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Slom rose in favor of the measure with reservations as follows:

"Mr. President, I rise to speak in favor of the bill with reservations.

"I'm a little concerned here because this has to do with the placement of names on the election ballot and it says that the name can either go to the left or it could go to the right and I'm very concerned about that, as you might understand. But then it also says that it could go anywhere that the equipment or the software determines. And I'm concerned that my colleague, the Minority Leader, the name Anderson might be somewhere between the P's and the Z's, particularly if Mr. Yoshina is allowed once again to contract unilaterally with the ES&S failed Machine Corporation, so I register my reservations.

"Thank you."

## FINAL READING

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2670 and S.B. No. 2670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2766, S.D. 1, H.D. 1:

Senator Kawamoto moved that S.B. No. 2766, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tam.

Senator Chun rose and said:

"Mr. President, I would like to request if the lead chair would yield to a point of inquiry?"

The President posed the question and Senator Kawamoto having answered in the affirmative, Senator Chun continued:

"Mr. President, the proposed bill requires condominium property regimes to comply with all county zoning and 'development ordinances and rules.' My point of inquiry is what do the counties have to do to avail themselves of this authority?"

Senator Kawamoto replied:

"Currently, no county has enacted any development ordinance or rules specifically covering the condominium property regimes. If the counties were to avail themselves of the authority under this bill, they would have to adopt new development ordinances and rules covering the condominium property regimes."

Senator Chun then said:

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2766, S.D. 1, and S.B. No. 2766, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

**MATTER DEFERRED FROM  
FRIDAY, APRIL 28, 2000**

**FINAL READING**

Conf. Com. Rep. No. 4 (H.B. No. 1947, H.D. 2, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 4 be adopted and H.B. No. 1947, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hanabusa.

Senators Iwase, Slom and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 4 was adopted and H.B. No. 1947, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 21 (H.B. No. 2491, H.D. 1, S.D. 1, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 21 be adopted and H.B. No. 2491, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator M. Ige rose in opposition to the measure and said:

"Mr. President, I rise to speak against this measure.

"Mr. President, as long as I've been here I've always spoken against increase in any kind of school lunch fees. I believe it is part of our Democratic platform in terms of free education, equal opportunity, equal education for everyone. It does not depend upon where you live or what your religion is.

"Mr. President, this is one of the measures that define us. This is a tax, a tax on working people, not necessarily our age, but the generation that's right below us, our children who have children in school. I believe that school lunch prices should be allocated through the general fund and not from individual families. The A-plus program is on the increase; school lunch is on the increase. The argument at first was -- oh, it's just 5 cents or it's just 10 cents. Now Mr. President, it's one-third of the cost based on some formula based on three years ago -- 'The price for the school lunch shall be based on average cost of preparing the school lunch over the three years preceding the second year in the fiscal biennium.'

"Mr. President, my opposition is, as Democrats we need to form our philosophy, our platform, and I think we're getting lost because if it's 5 cents this year, a third this year, next year, why not the whole cost in five years. And A-plus, we can pay for the whole program. Let the people that are using it pay for the entire program. Pretty soon we'll be charging for library books. Pretty soon we'll be charging just to go to school. Going against everything that we as a party believed in back in the time of the Revolution. This is what I believe defines us. These are the issues, the small issues, the working people, the young people, the people who choose to live in Hawaii, that's their choice. And we should make it easy for them because they do have a future here. There is hope. But these are the issues that eat away at the fabric of who we are.

"And for that reason, Mr. President, I do not believe it is appropriate to raise the school lunch fees. Thank you."

Senator Slom rose in support of the bill with reservations and said:

"Mr. President, I rise to support the bill with reservations.

"Interestingly, I have to vote with reservations in a totally opposite manner from my good friend and colleague from Kaneohe, and that is I think just the opposite. We should require people to pay more than just one third of the actual cost. The reason we are so economically illiterate in Hawaii is because we think there is such a thing as a free lunch. And we're mixing up education and instruction and knowledge with food. We're adding more and more people to the food programs. We're subsidizing more and more people all the time. Now we have lunches and we have breakfasts; then we have A-plus, then we have after-school snacks. We have all these other things.

"If we're going to, as I said earlier, prioritize, then the priority should be on education, on the classroom instruction itself. And then let's talk about nutrition and let's talk about food from another manner, but it doesn't belong in the educational part of the budget. And in addition to that, as I said, the fact that we're only paying one-third of the actual cost

and complaining about that is an indication of what's wrong with our economy.

"Thank you."

Senator M. Ige rose and said:

"Rebuttal, Mr. President. This is my point exactly. This is the bright line between a Republican and a Democrat.

"Thank you."

Senator Anderson rose with reservations and said:

"Mr. President, I have the same reservations the Minority Floor Leader did. I attended public schools and I feel sorry for Mr. Kaneshiro who has to try to work out a budget. And there's nothing wrong with paying for your lunch. What's happened over the years is everybody has voiced different food preferences. My child is a vegetarian; my child doesn't like tuna fish sandwiches; my child wants hamburgers or Mexican food. School lunches have evolved into a fast food type of service for the school kids. For information for the good Senator from Kaneohe, I've had to get up in the morning and cook breakfast for my kids or make a lunch. I've seen other parents go down and buy a doughnut and a soda because they didn't get up early enough.

"The responsibility for children lies with the parents. And if cost increases, then it should be passed on to the consumers. I paid for school and I went to a public school. There's nothing wrong with paying for what you get. I recently visited a school that badly needs books. I went into an empty classroom with a whole bunch of books and during this interim I'm going to find out why.

"We must realize that there is a cost to everything; nothing is free. There's no such thing as a free lunch, ladies and gentlemen. So I agree with my colleague and I hope that Mr. Kaneshiro can find some way to get more than one-third because our budget dollars are scarce. Every time somebody comes here, they say you good people don't understand; we need more for human services; we need more for this. We need people to come here and fight to help the economy so that we can put more money into our general fund to fund other projects.

"Thank you very much, Mr. President."

Senators Buen and Tam then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 21 was adopted and H.B. No. 2491, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hanabusa, M. Ige, Matsuura).

Conf. Com. Rep. No. 24 (H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 24 be adopted and H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Buen rose in support of the measure and said:

"Mr. President, I rise to speak in support of this bill.

"This bill was introduced last year at the request of my constituent on Lanai. Like S.B. No. 2311, relating to mandatory use of seat belts, named the 'Tanya Bill,' I'd like to call this bill 'Jennifer's Bill.' In this case, little Jennifer lived.

"She and her dad flew to Oahu from Lanai at their expense to tell the legislators in committee hearings about how the helmet saved her life. As a 12-year-old, Jennifer Ornellas' parents insisted that Jennifer wear a bicycle helmet. Whenever Jennifer took her bicycle out it became automatic that she put on her helmet. It's like buckling up with a seat belt. It's the law.

"Mr. President, fellow colleagues, Jennifer collided with a cement truck and that helmet saved her life. Today at age 17, Jennifer is an athlete scholar. She and her team on Lanai won the MIL Basketball Championship and this past weekend Jennifer qualified to participate in the state track and field meet.

"If we can save just one child's life like Jennifer's and put the safety of our children first, then as lawmakers we can say we have done a good job in protecting our keiki.

"Thank you."

Senator Slom rose in opposition to the measure and said:

"Mr. President, I'll be voting 'no' on this bill as well, for some of the same reasons that I gave on the mandated seatbelts. Here, we're talking about the age of 16 years of age. I'm concerned about who will enforce this law and how it will be enforced, as well, and the fact of the \$25 fine.

"Thank you."

Senator Anderson rose to speak in opposition as follows:

"Mr. President, I'm afraid I also will be voting 'no.'

"I feel that it's a very emotional bill. I listened to the people that came in. I did state in committee that we do pay for insurance for welfare recipients. Will the state need to pay for a helmet? If we don't pay for that helmet and the child gets hurt, we will be liable.

"I have two granddaughters that are riding bicycles right now. The parents bought them knee pads, elbow pads and helmets. I encourage the use of safety devices, but I believe that's our individual responsibility. But we should not mandate it by law.

"I think that we have to look at what we are doing. Because you put it into law, everybody is going to start saying I deserve this and the state should pay for it.

"Thank you very much, Mr. President."

Senator Sakamoto rose in support of the measure with reservations as follows:

"Mr. President, I rise in support with reservations.

"Mr. President, I used to ride a bike a lot and I believe I crashed and a helmet may have saved my life. I highly recommend all children and all people who ride bicycles wear a helmet. However, I feel we should pass laws that will be enforceable, Mr. President, and I feel laws like this are not enforceable because would you want to be the police officer that stops a three-year-old saying, I'm arresting you because you don't have your helmet. Would you be the police officer who speeds down the highway, along Kalaniana'ole Highway, following some bicyclist just to pull him over and say I'm arresting you or charging you for not wearing a helmet.

"So Mr. President, I believe awareness is great and, sadly, people get hurt, but I would not want to pass laws that are not enforceable and have the public just say, you can obey it if you like, they're not enforcing it."

Senators Ihara and Chumbley requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 24 was adopted and H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson, Slom).

Conf. Com. Rep. No. 25 (H.B. No. 1881, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 1881, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 26 (H.B. No. 2572, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Hanabusa and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 2572, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 27 (H.B. No. 749, H.D. 3, S.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 27 be adopted and H.B. No. 749, H.D. 3, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to the bill.

"I have supported the dietitians licensure process; I support everything that they have stood for and asked for. There's only one thing, as you know, that I cannot support, and that is the creation of a special fund. And I'll make my remarks for this special fund which will apply to all the others that I will be voting 'no' on today.

"Again, special funds are an aberration to the budgetary process for understanding truly how the money is taken in and taken out. We have watched over the last several years the disregard of special funds which are earmarked funds for a special purpose. Money is put in there for beautification, for safety, or for something else, and then that money has been drained out of there and put into the general fund to pay for salary increases or to pay for other general matters. Thus it robs the people who believe that they were paying for something and supported what they were paying for, the right to know exactly where that money goes.

"And then when the special funds are drained, as is the current situation with the highway special fund, the department comes back and says we don't have enough money and therefore we have to raise the taxes. So because of this and other reasons, I consistently try to oppose any and every newly created special fund.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 27 was adopted and H.B. No. 749, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

DIETITIANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:55 o'clock p.m.

Conf. Com. Rep. No. 34 (H.B. No. 1925, S.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 34 be adopted and H.B. No. 1925, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Matsunaga rose in support of the measure and said:

"Mr. President, I know there was some concern expressed about this measure with respect to limiting charitable contributions. I just want to clarify that we did make the limit for donations per election cycle tie to the individual contribution limit, which means that a Senator can get \$4,000 in charitable contributions per election cycle. This amount should easily allow for contributions to school huli huli chicken fund raisers, Christmas tree sales, etc. A Senator can also lend his or her name or prestige to help a charity for fund-raising and to have the money go straight to the charity instead of being diverted through the Senator's campaign funds.

"I thought I'd just give you a little poem about this bill (laughter):

Campaigns are fun, we all love to win  
But diverting your funds is really a sin  
Ads, brochures, or buttons are fine  
But seeding the community leaves some sighing  
Timon and Pumbaa, say Hakuna Matata  
And campaign spending has Bob Watada.

"Thank you, Mr. President." (Laughter.)

The motion was put by the Chair and carried, Conf. Com. Rep. No. 34 was adopted and H.B. No. 1925, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 35 (H.B. No. 1912, H.D. 1, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 35 be adopted and H.B. No. 1912, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Sakamoto rose in support of the measure with reservations as follows:

"Mr. President, I rise in support of this measure with reservations.

"Mr. President, this measure clarifies what our rental car companies may recover in the event the rental vehicle is damaged. I understand this measure attempts to create fairness to protect the consumer, however, I'm uncomfortable with the section that allows the rental company to charge the customer for lost income while the car is being repaired. I believe there should be parameters as to how much that should be in relationship to the damage. For example, if the claim for a minor dent is \$200, can the car company charge the consumer \$400 for loss of income while the car is being repaired? If it's a major repair, can the car rental company charge the consumer



for a month of lost income? And obviously the consumer is not in control of how long this lost income goes on.

"I would hate for people from Kauai, Maui, or the Big Island to come for a vacation or work and find that they are faced with high lost income charges for a vehicle that's damaged. And obviously some of us have insurance, but most people do not have the coverage for lost income and will have to pay this themselves unless they have a special rider on their insurance policy.

"We should therefore make this law as clear as possible, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 35 was adopted and H.B. No. 1912, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 37 (H.B. No. 2476, H.D. 1, S.D. 2, C.D. 1):

Senator Nakata moved that Conf. Com. Rep. No. 37 be adopted and H.B. No. 2476, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose to oppose the measure and stated:

"Mr. President, I rise to speak in opposition to the bill.

"The bill mandates that the provider conducting an independent medical exam, an IME, under no-fault, be of the same specialty as the treating provider whose treatment is being reviewed. And IMEs are important, helping to manage very complex cases in which a patient is not improving from his or her medical condition or injury under workers' comp or under the no-fault system. And IMEs also serve an important cost saving function in that they help to discourage unnecessary and inappropriate care.

"This legislation will limit the ability of the employers and insurers to obtain expert opinions on the medical care given to a patient. And for these and other reasons, I think it is a bad bill and I think it will harm a lot of people. I'm voting 'no.'

"Thank you."

Senators Sakamoto and Matsuura requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Anderson rose in opposition and said:

"Mr. President, I'll be going 'no' for the same reasons as the Minority Floor Leader.

"Thank you."

Senator Buen also requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 37 was adopted and H.B. No. 2476, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Bunda, D. Ige, Slom). Excused, 1 (Iwase).

Conf. Com. Rep. No. 38 (H.B. No. 2774, S.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 38 be adopted and H.B. No. 2774, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise to speak in support of the measure with reservations.

"I'm all for breastfeeding. I'm all for the rights of women and mothers to feed their children as the case may be. However, there was a great deal of time and effort put into this bill to try to make it a civil rights violation to confer the civil right of breastfeeding and to have initial heavy fines and penalties. And I think the way it is right now, it still authorizes penalties of not less than \$1,000 or treble damages.

"I think that we are going too far in managing the workplace and also public places in terms of trying to carve out special niches for special considerations. I certainly think that we should all be much more tolerant and understanding, but the way to do that is not through the penalty phase as this bill implies.

"Thank you."

Senator Chumbley rose in support of the measure and said:

"Mr. President, I rise to speak in support of this measure.

"Mr. President and colleagues, with regard to the comments from the Senator from Hawaii Kai, I do want to clarify that the amendments proposed in this bill are not in any way connected now to the Civil Rights Commission. While the measure amends and creates a new Part 2 to Discrimination in Public Accommodations, Section 5 and Section 6 of the bill entirely disconnect this measure from any oversight by the Civil Rights Commission and no longer provides the remedies generally associated with the Civil Rights Commission. It simply allows for a private cause of action and a maximum fine of \$100 with reasonable attorney fees that can be taken to the Small Claims District Court provided in Chapter 604.

"So colleagues, this measure no longer has the teeth that some feared."

Senator Anderson rose to speak with reservations as follows:

"Mr. President, I do have reservations on this bill.

"I am really concerned about the reasons for initiating this bill. A woman believed it was her right to breastfeed if she wanted to and no one could tell her otherwise. It concerned me that we legislate what a few believe is their right and yet ignore anybody else's right as to what they do, moreover, to allow a person to sue if they so feel just to do it. And that concerns me because I don't have any qualms about breastfeeding, but yet if somebody felt that I objected in some way in my business, they might sue me. For that reason I will have reservations.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 38 was adopted and H.B. No. 2774, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 41 (H.B. No. 2429, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Tam, seconded by Senator Chun and carried, Conf. Com. Rep. No. 41 was adopted and H.B. No. 2429, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 47 (H.B. No. 2506, H.D. 1, S.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 47 be adopted and H.B. No. 2506, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise to support the bill with reservations.

"It seems that this session is not only the education session but also the background check session. I'm not sure why we actually need this bill, as a matter of fact, because we seem to have enough requirements, restrictions in place right now making it extremely difficult for adoption to take place. And the background checks that are talked about in this bill, it's my understanding that we're already doing it right now. This and the kinship bill, I think, involves more of an overkill than anything else.

"I'm just wondering if this kind of bill is going to do anything to find Peter Boy or anyone else who's missing at this point.

"Thank you."

Senator Chumbley rose in support of the measure and said:

"Mr. President, I rise to speak in support of the measure.

"Mr. President, colleagues, just to clear up another misunderstanding . . . prospective adoptive parents and the background checks that are being mandated through this bill are federal requirements. If we do not adopt and allow the Department of Human Services the statutory authorization to be able to do these background checks, then the children of our state will lose out because they will not be able to be placed under adoption.

"So therefore I urge all my colleagues to support this measure. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 47 was adopted and H.B. No. 2506, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Hanabusa).

Conf. Com. Rep. No. 48 (H.B. No. 2098, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 48 was adopted and H.B. No. 2098, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Hanabusa).

## MATTER DEFERRED FROM THURSDAY, APRIL 27, 2000

### FINAL READING

Conf. Com. Rep. No. 51 (S.B. No. 2513, S.D. 1, H.D. 1, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 51 be adopted and S.B. No. 2513, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Nakata.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to the bill.

"Several years ago we doubled the conveyance tax and the explanation given at that time was that the bureau needed additional computer hardware and software. They needed to catch up and they needed to become more efficient. And then we talked about raising the tax again. Now, what we're talking about doing is broadening the use of that tax which was to pay for the actual recordation process itself.

"Now we're getting into environmental and non-recording areas and issues. And I'm afraid that right now what happens, I think that the department is generating, according to my notes, \$21 million but it is required to provide funds for other than the recording process and I'm afraid that what we're going to see in a number of years is that the bureau is going to come back and say that they need additional money because the money is being diverted into other functions. So I see this as a potential tax increase and away from the original purpose of the tax in the first place.

"Thank you."

Senator Anderson rose to speak with reservations on the measure and stated:

"Mr. President, I, too, have some concerns. I'm going to go 'WR' primarily because the department needs to stay afloat. But exactly what the Minority Floor Leader said is true. They do generate some \$21 million from their document fees. And since we passed the last increase, they now have some 30-odd percent going for other uses than their own. If we continue to do this, then they're going to have to come back and start charging the consumer more for the documents that we're going to need.

"So I have a deep concern about this bill because it's not for the needs that we normally do. It's for environmental purposes that we do have in different departments for the environment that they could get that money from, rather than go to the Bureau of Conveyance. That's not what it was there for.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 51 was adopted and S.B. No. 2513, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

## MATTER DEFERRED FROM FRIDAY, APRIL 28, 2000

### FINAL READING

Conf. Com. Rep. No. 55 (S.B. No. 2837, S.D. 1, H.D. 2, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 55 be adopted and S.B. No. 2837, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Nakata.

Senator D. Ige rose in support of the measure and said:

"Mr. President, I rise to speak in support of this measure.

"Mr. President, a few months ago this session opened with everyone calling for increased educational accountability as a cornerstone of this session. I am glad to report that we have achieved this measure.

"Senate Bill 2837 fully empowers the superintendent of education to design and implement a comprehensive educational accountability system that will provide a foundation for greater student achievement.

"The superintendent has stated that an educational accountability bill must provide four key elements:

1. It must be collaborative, including all stakeholders in the discussion for the design and implementation of the system;
2. It must provide for multi-party conversations and get away from the paired (quid pro quo) negotiations of collective bargaining;
3. It must be separate and apart for the ongoing contract negotiations of each of the labor units; and
4. It must be innovative and provide support for innovation for changes, necessary changes in our education system.

"Mr. President, there has been much comment about this bill in the press and I would just like to set the record straight. This measure is a result of collaboration without compromise. Chairman Ito and I called all those involved and basically said, we will be working to draft a measure that meets all of the superintendent's requirements with no compromise. This is the only measure drafted this session that meets all of the requirements of the superintendent in what he needs in an accountability system.

"Features of Senate Bill 2837 include:

1. It fully empowers the superintendent to design and implement an accountability system;
2. It requires a collaborative process involving all stakeholders to design and implement the system separate from collective bargaining;
3. It limits negotiations and collective bargaining to the impacts on personnel arising from the implementation of the accountability system. Surely, Mr. President, each and every one of our public employees are entitled to due process when it comes to sanctions;
4. It establishes a firewall between negotiations involved with accountability and the ongoing contract negotiations. Issues will only be allowed to cross the line upon mutual agreement; and
5. It requires annual assessments in core subject matters for all students.

"For many years, we have said that we need to know where we stand in order to measure progress. This measure assures that we will get progress reports on each and every child in the core subject matters, each and every year.

"Mr. President, I would also like to publicly thank Chairman Ito and the superintendent and representatives from UPW, HSTA, and HGEA for their willingness to put the children of Hawaii first.

"I think this is a measure that we can all be proud of and I urge all of you to vote in support.

"Thank you."

Senator Slom rose in support of the measure and said:

"Mr. President, I rise in support of the measure.

"I just want to say that I think it too is a good bill and I compliment the Conference chairs although I do look at it a little bit differently. I think that firewall could be a barrier as well as a protection.

"I would just like to repeat what I repeated earlier on the floor of the Senate, and that is, this was a buzz word for this year, accountability, and we should not think or let other people believe that we are just singling out one group -- teachers or anyone else. If we're talking about true accountability, then the governor must be accountable, both houses of the Legislature must be accountable, and the cabinet level officials and appointees all must be accountable to the public, to the taxpayers that pay all of the bills and bear all the burdens.

"I think that is the message that we have to get across loud and clear. Thank you."

Senator Anderson rose in favor of the measure and said:

"Mr. President, I, too, rise in favor.

"I did promise the teachers and others that we would most certainly watch this bill and make sure that they weren't the only ones we should expect accountability from. As legislators, I think there's a group over the years that has not been accountable, and that's a shame because we are not accountable to the constituents and we're not accountable to those very people that we should.

"I remember when running for a particular political office, candidates were asked by constituents what we would do for them. Each candidate stated he or she would give them a budget if they could. I wrung my hands because I knew that's what the constituents wanted to hear. I told them I wouldn't promise monies during these tough economic times. There's no way in the world I could have promised any group money when the state's treasury is barren. Consequently, I lost and somebody else won, and they didn't get a budget anyway.

"And that's the problem that exists. You go out; you talk to people; you tell them what they want to hear. You don't tell them facts. You don't tell them the truth, and that's not being accountable, my colleagues.

"There's a whole group of us running this year for different offices. When you talk to the different people, you'll be talking to teachers, attorneys and whatever it may be. And I think you should tell them exactly what the facts are and not what they want to hear. You may or may not get elected, but there's nothing better than being able to look in the mirror and say, 'Well I did the damn best I could.'

"So for that reason, I think it's a good bill, and I think the teachers have done everything they can. I strongly believe our public school teachers are accountable to the students that they are taking care of.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 55 was adopted and S.B. No. 2837, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

**FINAL READING**

Conf. Com. Rep. No. 61 (S.B. No. 2121, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 61 was adopted and S.B. No. 2121, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 63 (S.B. No. 680, S.D. 1, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 63 be adopted and S.B. No. 680, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Kawamoto rose in support of the measure and said:

"Mr. President, I rise to speak in favor of this bill.

"I don't know what I can say from what we haven't said about this. To do it justice, I need to say something about the effort that was put into this bill, so I will say a few words here.

"We took a stand on the desire to look at fireworks as a health and safety issue. We went forth and we proceeded to look at trying to limit some fireworks. Therefore, we used fireworks, non-aerial fireworks, only for cultural purposes, specific dates, and banned the general use of aerial fireworks. When we say cultural purposes, we included the arts, customs, traditions, mores, and history of all various ethnic groups of Hawaii.

"We particularly were interested in ensuring that we had a statewide control. We clearly defined where and when non-aerial fireworks can be used, allowed the purchase of five days prior to use, and limited the use to a maximum of 5,000 firecrackers. We did increase the penalties for violations.

"Mr. President, we also wanted to ensure that aerial fireworks were banned. We agreed to ban the general use of aerial fireworks, allowing only licenses and only for authorized displays. We made sure that the penalties are strict enough to ensure this.

"We made sure that possession was a concern. Anything below 25 pounds of aerial fireworks was a misdemeanor, possession of 25 pounds or more was a Class C felony, \$10,000 fine, five years in jail.

"We attached significantly high fees for importers, wholesalers, retailers and special fireworks because we felt that the harbors was an area we could look at. Previously, \$110 was the fee. Now we have an importer fee of \$3,000; a wholesale fee of \$2,000; retail for each site, \$500; storage, \$1,000; a permit fee of \$25; and special displays fee of \$110. Counties will issue the permits and keep the permit fees.

"We clearly defined shipping, licensing, storage requirements and spelled out accountability of all parties concerned. The state and counties will have the joint responsibility to enforce the new law, and distribution of the fines will be an 80/20 formula -- 80 percent going to the counties, 20 percent to the state fund.

"Mr. President, this bill has been three years in the making. We have agreed on details for this very important issue, the effects of health and safety for the well-being of the entire island community. I'd like to thank all those involved with it, especially the SMA staff who probably drafted this bill about ten times. I'd like to thank the Conference chairs and also the House members who worked on this bill, and you, Mr. President, and the Speaker.

"I urge all my colleagues to vote 'aye' on this bill.

"Thank you very much."

Senator Tam rose in favor of the measure with reservations as follows:

"Mr. President, I stand to speak in favor of this bill with reservations.

"Before relaying my reservations with this C.D. 1 of S.B. No. 680, I wish to acknowledge the efforts of the Senate conferees to make the use of fireworks safe throughout the State of Hawaii. It is a tough task when conferees must respect Hawaii's multi-cultures and religious practices, deal with health and safety concerns, and deal with people who are emotionally, emotionally against fireworks. Thus, the fireworks bill before us today needs to be amended again next year because of some errors in the proper use of fireworks, especially for the Chinese culture and religious uses.

"The errors in the fireworks bill are as follows:

1. There's no provision for burning fireworks for Chinese religious occasions -- the bill is silent.

"Although there is permissible burning for culture under the restricted guidelines, Chinese religious practices are not considered culture. For example, one would not consider singing religious songs in church as culture. Thus, there will be illegal burning of fireworks in accordance to the way the bill is written and many, many Chinese, as it currently stands, will be arrested because of the faults of some of the laws.

"Laws cannot be established in observance of religious practices in accordance to the Constitution of the United States and the State of Hawaii. Let me read the definition of religion according to the *Black's Law Dictionary* -- religion: man's relation to divinity, to reverence, worship, obedience and submission to mandates of supernatural and superior beings. Let me also read, at this time, from the Constitution of the United States which reads in Article I, dating back to 1791: Congress (in this case) shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or of the right of the people peaceably to assemble and to petition the government for a redress of grievances. Let me also take hand of the Constitution of the State of Hawaii (it's very similar). It's under the heading of Freedom of Religion, Speech, Press, Assembly and Petition, Section 4 of the Constitution of the State of Hawaii: No law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

"The second reason why we have an error in this bill . . . and once again, I cannot fault the conferees. It takes time to learn about the culture and religious practices of any ethnic group. The second reason for the flaw is:

2. The bill is restrictive in accordance to the Chinese cultural practices.

"The limitation in fireworks purchase, quantity, and the requirement of a fee for all permits encourage the illegal buying and burning of fireworks. Thus, a growing black market -- a black market -- will be encouraged in Hawaii.

"Let me give you an example of what I had experienced. I belong to a Chinese society called Kit An Society. It so happens that I am the president this year. It's a mason society, a religious organization. Every other month, in the clubhouse located on Maunakea Street in a two-story building, we have religious practices and we burn about six packs of firecrackers.

We use a furnace to burn it in. We do it in front of an altar, so we have three altars there and we burn it. What's going to happen with the passage of this bill? Hopefully the police force will not take it into consideration, because many of the Chinese religious organizations would be arrested. Thus, because of these two problems, the police will have difficulty in enforcing the new law.

"During next year's Legislative Session, if you don't mind our sincerity, please expect proposed legislation from the Chinese community to correct the errors. We want to work hand in hand with the legislature and the governor. I have been requested by the Chinese community to organize a legislative committee to correct the errors. The Chinese community would have preferred this bill to sanction a committee of representatives from various multi-culture and religious organizations to formally relay to the legislature and the governor in the usage of fireworks for culture and religious practices.

"Quite frankly, I understand in terms of the emotions out there. Many of you feel like you are up against the wall and in a corner by those who are screaming and yelling and writing letters, making phone calls. So I can't blame you, truthfully. But please, if you don't mind, be patient and we'll correct the law.

"On the positive side, I want to thank all of you for correcting a long, long outstanding error in our Hawaii Revised Statutes. I tried to do it before, but this is a very emotional issue on fireworks. The error was in the proper time the Chinese observe the burning of fireworks for Chinese New Year. The Chinese burn fireworks on Chinese New Year's Day before the first meal and before the family dinner -- not on new year's eve like the American eve.

"I want to especially thank the Senator from Waipahu, God's country, for the burning of fireworks on Chinese New Year at the right times as indicated in the current proposal before us. In fact, the Chinese community thanks you, Senator Kawamoto, for this.

"Thank you."

Senator Chun Oakland rose in support of the measure and said:

"Mr. President, I stand in support of this measure.

"I wanted to extend my appreciation to the chairs of the Senate as well as the House on this Conference Committee in coming up with a very good bill. I did want to express the hope that next session we do look at the provision with regards to Chinese New Year. Unlike my colleague who previously spoke, there are many in the Chinese community who observe the burning of firecrackers prior to the start of the Chinese New Year, and if you understand the practice, it is to ward off certain evil spirits prior to the new year starting so that the new year is a good year.

"So I hope that next session there will be consideration to either revisit this particular part of the law or to expand it back to what was originally identified from 9:00 p.m. to 1:00 a.m., or to extend it from what is now in this bill, 7:00 a.m. to 7:00 p.m., to accommodate what is usually practiced in the New Year's Eve so it would be from 9:00 p.m., Chinese New Year's Eve until what I believe my colleague is expressing as during the New Year's Day.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 63 was adopted and S.B. No. 680, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 1:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:30 o'clock p.m.

Conf. Com. Rep. No. 67 (S.B. No. 2850, S.D. 1, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 67 be adopted and S.B. No. 2850, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise to support the bill with reservations.

"My reservations are similar to those of the foster parents bill. I believe that in some ways this bill is ambiguous and it infringes on the rights of families and erodes various cultural family practices with more government involvement here. And I'm just wondering -- if we continue this trend of criminal background checks in this matter, that we soon might get to the point where we have childless married couples forced to undergo criminal background checks before the state will permit them to procreate.

"Thank you, Mr. President."

Senator Anderson rose to speak on the measure with reservations as follows:

"Mr. President, I will vote with reservations. I'd really like to vote 'no,' but this is almost like the breastfeeding bill.

"In the Hawaiian culture, the 'ohana' would 'hanai' a child. Now, the bill requires you have to have sworn statements. It's now called kinship and if you for any reason have a background that doesn't satisfy anyone, you can't take a child into your home. It's getting to the point where people are afraid to take care of their own family's children.

"And now you have to have so many square feet per child; you have to feed them certain kinds of food. That's what this bill does, Mr. President. The bill defines kinship boarding homes . . . with grandparents, brothers, sisters, aunts, uncles. Why do we need bills to take care of a family's child?

"It really bothers me that we try so hard to pass something every year and instead of making it easier on the people of Hawaii, we make it more difficult although we think it's such a simple thing to do. And it's not that simple. It's burdensome. It becomes cumbersome. Somebody will turn somebody in, and they'll say, didn't you know that uncle was in prison. So what? He happens to be an uncle. He'll take good, good care of his brother's or sister's kids. That's the way things happened years back.

"And I know that the chairman will say something. I have those reservations, Mr. President. And I think we're going backwards rather than forward.

"Thank you."

Senator Chun rose in support of the measure and said:

"Mr. President, I stand in favor of the bill.

"Mr. President, while I appreciate the comments from the Senator from Waimanalo, I agree with some of his concerns about the government interfering too much. I agree with the statements in terms of getting too involved with the time-

honored traditions of 'hanai' not only in the Hawaiian culture but also in the Filipino culture where that kind of relationship of sharing responsibility for raising children are there, but this bill does not even attempt to do that. This bill only concerns situations where family members are boarding a child for a fee or a charge. That is not and has never been part of the 'hanai' process. I don't believe this bill tries to get involved with that only in situations where there is a charge involved.

"So I don't believe the concerns raised by the honorable Senator from Waimanalo are contained in this bill."

Senator Anderson rose and said:

"Short rebuttal, if I may.

"By putting in a bill like this, Mr. President, it is the same as baby-sitting, as I said earlier. Some people had a fee; some didn't. By passing out a bill like this, people will think, 'well, if I'm going to do something, I might as well get a fee.' And they're going to have to undergo all of this so they might as well charge for it. They're not going to take a child for no reason into their home if they're going to be subjected to everything.

"Thank you very much."

Senator Chumbley rose in support of the measure and said:

"Mr. President, I rise to speak in support of the measure.

"It appears that we need some additional clarification, and I would like to encourage our members across the aisle to participate in these discussions when we are hearing these measures and maybe we wouldn't have to have this misunderstanding on the floor.

"This kinship care bill applies only, only in a situation where the state has custody of a child through a court order. It is similar to a foster home care situation where that child is placed in a foster home under a court order and is a ward of the state. Under this kinship care proposal, what we are attempting to do is to create a process that will allow for the families and first degree consanguinity, which is the Senator from Moanalua's favorite term, to be able to take that child into their home and have some deviations from the standards.

"Under the foster home care law right now, you have to have a certain amount of square feet; you have to have a certain bed configuration; you have to have a certain amount of criteria you meet. What this bill simply allows is for families -- for grandparents, for aunts and uncles -- to get involved in a foster home care situation when the child is in custody of the state. It in no way impacts 'hanai' or any other family member that wants to take care of the child for another member of their family. This is a good thing to do and this will give the Department of Human Services more options in placing children into homes where there is a caring, loving relationship.

"I ask all my colleagues to support this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 67 was adopted and S.B. No. 2850, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 69 (S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 69 be adopted and S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Sakamoto rose in support of the measure with reservations and said:

"Mr. President, I rise in support with reservations.

"Mr. President, my reservation is related to this dating relationship which would be added to the family or household member definition, so to speak. I believe the family is a basic unit that we want to protect differently from other units. This extends what family or household member means to now start to include dating relationship, which 'means a romantic, courtship, or engagement relationship, often but not necessarily characterized by actions of an intimate or sexual nature, but does not include a casual acquaintanceship or ordinary fraternization between persons in a business or social context.'

"Mr. President, family and household member should be family and household member and not all the etceteras."

Senator Slom rose with reservations and said:

"I couldn't have said it better myself. Reservations, Mr. President.

"Thank you."

The Chair so ordered.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 69 was adopted and S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Taniguchi).

Conf. Com. Rep. No. 71 (S.B. No. 2151, S.D. 1, H.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 71 be adopted and S.B. No. 2151, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Matsunaga rose and said:

"Mr. President, I just want to clarify some points about this measure. There've been a couple of misstatements in the press about it.

"First of all, this bill does not create a task force to study the firearms issue, rather, it has two major components: (1) it improves some areas of existing firearm laws; and (2) it creates an action coalition to better enforce those laws.

"Specifically, this measure improves the process for surrender or disposal of firearms owned by persons who no longer qualify to own them. It improves the process for providing mental health information to the police for the purpose of evaluating an applicant's fitness to own a firearm. And it improves the role of our courts in notifying county police departments when a person has been ordered to surrender or dispose of firearms.

"In addition, Mr. President, the revised measure establishes a multi-agency coalition charged with reducing violent firearm crime. The coalition will accomplish this through prevention, deterrence and maximum effort and investigation, arrest, detention, and enhanced prosecution. Mr. President, this is an action coalition that will make the best use of existing resources. It is not a study task force.

"A similar coalition has been highly successful in the Seattle area, ensuring better enforcement, more consistent sentencing, and cooperation among various law enforcement agencies. The Seattle coalition was based on the model of violent firearm crime coalition guidelines created by the International Association of Chiefs of Police. These guidelines include the specific objectives and recommended action steps.

"Mr. President, S.B. No. 2151 does charge the coalition with making recommendations in a couple of areas. However, their primary focus will be on reducing firearm crimes.

"Thank you, Mr. President."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 71 was adopted and S.B. No. 2151, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 72 (S.B. No. 3133, S.D. 1, H.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 72 be adopted and S.B. No. 3133, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Slom rose in favor of the measure with reservations as follows:

"Now I'm the poster boy for the prostitution zones. (Laughter.)

"Mr. President, I speak in favor of the bill with reservations.

"We have expanded the zones of prostitution free areas within our county, but the thing that bothers me is, first of all, we don't have a government interaction or interference zone anywhere. This bill specifically allows police officers to arrest without warrant any person within the zone where the officer has probable cause to believe that the person has committed or is engaged in prostitution related activity, and further allows the police to detain a defendant without bail until a hearing is held. I think this is too much of an incursion on the civil rights of an individual.

"Thank you."

Senator Bunda rose in support of the measure and said:

"Mr. President, I rise in favor of the measure.

"I'd like to thank the chairs of the Judiciary Committee for their support in the passage of this measure.

"Mr. President, for years residents of our community in Wahiawa have been plagued with the problem of prostitution. As we all know, a high level of prostitution is nearly always associated with other criminal activities such as theft, robbery, assault, and drug abuse. In recent years, two transvestite prostitutes soliciting sex in the area were brutally murdered.

"Our neighborhood patrol, and I participate in that patrol, really has tried to curb some of these illegal activities in our community and the efforts by the HPD to crack down on prostitution really has had some limited effect. Supportive testimony from the HPD indicated that geographic restrictions like Waikiki, established in the bill, would increase the establishment of law enforcement efforts.

"Mr. President, back in 1998 we had provided for the creation of a prostitution free zone in Waikiki which has been really successful. Recently, the City Council really tried to enact an ordinance to extend the ban to Chinatown and also to Wahiawa, but there was found some conflicts between the city ordinances and also the HRS.

"This bill, Mr. President, really clarifies the uncertainties. Any City Council may enact some of the ordinances upon the recommendation of the City and County Police Chief.

"Mr. President, regarding the issue on bail restriction, this measure is no different than the street solicitation of prostitution for Waikiki. Any person who violates this section may be granted bail, but that bail shall be revoked if the person returns to the geographic restriction area while awaiting a hearing or on probation. This is meant to deter the recurrent problem of prostitutes establishing their territory in Chinatown, in Wahiawa, or Waikiki, or anywhere else that the chief of police determines to be a problem.

"Mr. President, I urge all my colleagues to vote 'yes' on this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 72 was adopted and S.B. No. 3133, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fukunaga).

Conf. Com. Rep. No. 73 (S.B. No. 2722, S.D. 1, H.D. 2, C.D. 1):

Senator Hanabusa moved that Conf. Com. Rep. No. 73 be adopted and S.B. No. 2722, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator D. Ige.

Senator Slom rose on a point of information as follows:

"Mr. President, a point of information.

"Has this bill been introduced and gotten this far by a Republican? (Laughter.) If so, Mr. President, this could be a dangerous trend if bills like this are allowed to be heard and actually pass. I might have to speak against it.

"Thank you."

Senator Chun commented:

"Mr. President, the sponsor of that bill was a Hawaiian first before he was a Republican." (Laughter.)

The motion was put by the Chair and carried, Conf. Com. Rep. No. 73 was adopted and S.B. No. 2722, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 78 (S.B. No. 2729, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 78 was adopted and S.B. No. 2729, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 79 (S.B. No. 2819, S.D. 1, H.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 79 be adopted and S.B. No. 2819, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Tam rose for a conflict ruling as follows:

"Mr. President, I wish to declare a possible conflict of interest. I sell life insurance."

The Chair ruled as follows:

"No conflict, you may vote on this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 79 was adopted and S.B. No. 2819, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Fukunaga).

Conf. Com. Rep. No. 82 (S.B. No. 2467, S.D. 2, H.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 82 be adopted and S.B. No. 2467, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in support of the measure with reservations as follows:

"Mr. President, I rise to speak in support of the bill with strong reservations.

"Some people believe that the unlicensed contractor situation in Hawaii is a major problem and growing because there are more individuals engaging in contracting business. I think it's a sign of the economic times -- even though our governor continues to tell us that things have turned around or are expanding -- that more and more people are finding it more difficult to actually work and to do jobs related to construction, even small construction projects.

"We have had unlicensed contractor measures on the books for a number of years and they have not been enforced. Now what we're doing is we're taking laws that have not been enforced and we're escalating them to the point where we're adding forfeiture, forfeiture of tools which are very broadly defined for people that are working, the same as we do for drug dealers and other people. We're making the argument that because an unlicensed activity exists, it is per se fraudulent and deceptive. And in fact that is not the case whether we're talking about contractors or other people. The fact of a license does not guarantee that there will be no fraud, deception, or problems created. The lack of a license does not guarantee that there will be fraud or deception or other practices.

"I think that we also have a problem within this bill because it mentions fraud and deceptive practices, but does not in fact define them within the bill itself. But I think my main concern is that there are an awful lot of people that are working and are in fact paying taxes. They are not paying the same kinds of taxes that larger licensed contractors with employees are paying -- notably, workers' compensation, TDI, prepaid health, and so forth -- because they're working on their own and they're doing smaller jobs.

"The remedy of confiscating their tools, particularly without a clear understanding that in fact there had been fraud or

deception, I don't think that serves the community interest and it certainly doesn't serve the interest if we're trying to get people off the unemployment rolls and welfare rolls and so forth.

"I support the idea of protecting consumers. I support the idea of having all businesses, including contractors, being on the same footing and being responsible for the same laws, but the fact of the matter is there is a difference between a large business and a small business, a corporate business and a sole proprietor, and I don't think that the link has been established here between fraud and deceptive practices and unlicensed by itself. And I do think that the remedy is too harsh in terms of the broad definition of forfeiture.

"Thank you."

Senator Sakamoto rose in support of the measure and said:

"Mr. President, I rise in support of the measure and just briefly in response to some of the comments made.

"I agree that the laws were not enforced as they should be and part of the enforcement action to make it more timely and in essence more enforceable was a measure such as this. There were many times where homeowners suffer because jobs are not completed, jobs are done poorly, money is taken before jobs are even started. And yes, not all of this is because somebody is licensed or unlicensed. But so many times it is because it's unlicensed. The licensees do come before the contractors license board and other parties, and there are remedies for the homeowners or businesses, but for the unlicensed, there are no remedies. This would aim to make the law more enforceable.

"For someone working on their own, Mr. President and colleagues, I believe that's a good thing. Many contractors who are licensed started working on their own, paying the taxes, getting a contractor's license. I believe many of the skilled people who are now currently unlicensed can be licensed and should avail themselves to the laws to become a legitimate business, even a single employee, just himself, and be a law abiding citizen of our state."

Senator Anderson rose to speak with reservations on the measure and stated:

"Mr. President, I do have some reservations.

"When we were in the committee hearings I did understand that it sometimes is cumbersome to get a contractor's license. But one of the things that I later discovered regarding men and women as handymen and women is a ceiling that they can charge. What I understand is that they have people who have told them that a person goes out to do a job and then the customer will ask, would you go ahead and pay for the ceiling fan or could you purchase this. So they put their money up front. Then they turn around and that person turns them in for not having a license, not completing the job. They go to court and they lose, and they lose all their up-front money.

"So there are some cases that you have to watch the very people who hire you because they in fact can drive up the cost, and then the person who is doing the job does not get their money back. And they are not really doing a contractor's job. It's more of a handyman type of job.

"Thank you very much, Mr. President."

Senator Matsunaga rose in support of the measure as follows:

"Mr. President, I rise in support of this measure.

"Mr. President, I just want to clarify a point in this bill. The Senate version when it passed had a provision that unlicensed contracting is an unfair and deceptive practice under Section



480-2. And the conference draft excluded that provision so it's no longer in the draft that we're voting on today.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 82 was adopted and S.B. No. 2467, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Levin).

Conf. Com. Rep. No. 86 (S.B. No. 2879, S.D. 2, H.D. 2, C.D. 1):

Senator Nakata moved that Conf. Com. Rep. No. 86 be adopted and S.B. No. 2879, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise in opposition to the bill.

"The bill will impose a \$1 surcharge or a tax on each motor vehicle tire imported into the state. This, of course, will translate into higher taxes for consumers and we will not stop at the \$1; we'll be back here and we'll be making \$1, \$2 and \$5 and \$10 later on.

"So it is a new tax; it's an additional tax; it's an additional burden, and I'm voting 'no.'

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 86 was adopted and S.B. No. 2879, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson, Slom).

Conf. Com. Rep. No. 89 (S.B. No. 2021, S.D. 2, H.D. 1, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 89 be adopted and S.B. No. 2021, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun.

Senator Tam rose in support of the measure as follows:

"Mr. President, I rise in support of this measure.

"Mr. President, S.B. No. 2021, S.D. 2, H.D. 1, C.D. 1, provides for the protection of tenants who reside in HUD Section 8 tenant based housing. It requires the HCDCH to provide the owner with some options to continue the project. However, the HCDCH is also required to provide a letter as a 'threat of condemnation,' which will enable the owner to defer any gain on the sale of the housing project should he decide to sell to the state or non-profit corporation.

This bill provides two positive outcomes:

1. It is anticipated that the state will continue to own the land and sell the building to the tenants as a leasehold, limited equity cooperative. Low income housing bonds will be issued and tax credits sold to reduce debt. The non-profit tenant's organization will issue stock as a limited equity cooperative, which will facilitate the transfer of a unit through the sale of stock. The non-profit tenant's organization will be responsible for the

repayment of debt as well as the management and maintenance of the building.

2. Structured in this manner, it is expected that this project shall remain affordable for a minimum of thirty years rather than the fifteen to twenty years with HUD. Conceivably, this project will remain affordable to the low-income population for the life of the building and rents may even be reduced after the debt is retired. This type of project also allows for maximum participation by the tenants who will be more responsible for the condition of their unit and the overall condition of the building, as a cooperative owner.

"This is a positive step in providing adequate and safe public housing this session. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 89 was adopted and S.B. No. 2021, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Taniguchi).

Conf. Com. Rep. No. 93 (S.B. No. 2692, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 93 was adopted and S.B. No. 2692, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kanno). Excused, 2 (M. Ige, Taniguchi).

Conf. Com. Rep. No. 94 (S.B. No. 2988, S.D. 2, H.D. 2, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 94 be adopted and S.B. No. 2988, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Tam rose to speak in support of the measure and stated:

"Mr. President, I rise in support of this measure.

"Mr. President, S.B. No. 2988, S.D. 2, H.D. 2, C.D. 1, specifies that subcontractors provide evidence to contractors of a valid union trust fund contribution bond, a performance bond, any other bond, or any other form of mutually-acceptable collateral in order to receive payment within ten days of payment received from the State of Hawaii. It imposes penalties on contractors who fail to pay on time; repeals rules to be developed by the procurement policy board regarding prompt pay.

"Mr. President, over the years, too many subcontractors were forced into bankruptcy because of a few bad general contractors who decided not to pay certain subcontractors even though the work was good and there were no disputes. We are also informed by subcontractors that payment is not received for one or two years after their work has been completed.

"I want to emphasize that basically, the money that we're using is state money. This is in regards to state contracts, not private contracts. So we only see the money being spent right, rather than wrong.

"The State would like to have more good subcontractors, however, it should recognize that it is directly responsible for the diminishing number of good subcontractors primarily

because it fails to recognize its obligation to subcontractors after all the names of all the subcontractors are disclosed by the contractor.

"This is a positive step in assuring fair procurement laws in the public sector of government this session.

"Thank you."

Senator Anderson rose to speak with reservations on the measure and stated:

"Mr. President, I have some reservations primarily because any good general contractor wouldn't just arbitrarily hold out payment. What happens a lot of times is you have numerous subcontractors on a job. It could be a plumber. It could be for installation of glass. It could be for many other types of jobs that they have done. And then if the contractor doesn't get his money up front, he just can't go ahead and pay right away.

"And this doesn't say the numbers of subcontractors that the contractor may have hired. Consequently, if you're going to be paying 1-1/2 percent to each one on a penalty, it can add up to a considerable sum. So for that reason I did have some reservations and I wish we'd look at it.

"Thank you."

Senator Tam rose and said:

"Mr. President, for clarification, if I may, in reference to the reservation, this is money that's already received by the general contractors and have not paid their bills to subcontractors.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 94 was adopted and S.B. No. 2988, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, M. Ige).

Conf. Com. Rep. No. 102 (S.B. No. 2987, S.D. 1, H.D. 2, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 102 be adopted and S.B. No. 2987, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Tam rose in support of the measure and said:

"Mr. President, I rise in support of this measure.

"Mr. President, S.B. No. 2987, S.D. 1, H.D. 2, C.D. 1, adds provisions to the existing law that prohibits contractors from withholding more than 5 percent of the subcontractor's contract price as retainage, further providing that the retention shall be the same for the subcontractor as applied to the contractor by the State of Hawaii.

"Mr. President, any time funds are withheld from subcontractors our economy is affected. We need to ensure that government dollars are spent in our local economy. Persons employed by the subcontractors will spend government dollars more quickly, which helps our economy to recover more quickly.

"The state as well as the contractor should also recognize that the current 10 percent retention is the subcontractor's profit; his cash flow, which is required to fund his next project. Without this money, the subcontractor faces a 'real world' dilemma of laying-off workers, thus, unemployment or a burden to the State

of Hawaii. The subcontractor could also borrow funds, however, that cost will also be passed on to the state in his next bid.

"This is a second positive step in assuring fair procurement laws in the public sector of government this session.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 102 was adopted and S.B. No. 2987, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson, Bunda).

At 2:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:14 o'clock p.m.

Conf. Com. Rep. No. 106 (S.B. No. 2576, S.D. 2, H.D. 1, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 106 be adopted and S.B. No. 2576, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun.

Senator Tam rose to speak in support of the measure and said:

"Mr. President, I rise in support of this measure.

"Mr. President, S.B. No. 2576, S.D. 2, H.D. 1, C.D. 1, establishes a resident advisory board to advise the HCDCH on public housing. The 21 member resident advisory board is elected by the residents and elects five persons from which the governor selects three to sit on the HCDCH board which is now increased to twelve members from the previous nine. Tenant representation on the HCDCH board is required by the Federal Quality Housing and Work Responsibility Act. The HCDCH and the Resident Advisory Board shall report annually to the Legislature.

"Mr. President, this is an initiative of the residents of public housing. In order for residents of public housing to become self-sustaining, they must learn to involve themselves with the management of property. The opportunity for self-determination is here, now. Members of the HCDCH board, as well as staff and the governor's housing assistant, are reluctant to include low-income persons on the board of the HCDCH.

"The administration is afraid that low-income persons are incapable of making financial judgments especially as it relates to housing bonds and mortgages. They will be surprised that for the last 20 years 40 elderly and disabled persons have been managing their limited equity cooperative with little help from anyone. Their responsibility includes approving the budget each year and negotiating a management contract with the property manager every two years.

"It is interesting that with all the agonizing over finances, there is currently only one public member who sits on the board with any financial background and this person is on the HCDCH board by default as the chair of the Rental Housing Trust Fund advisory board.

"We are making an effort to allow the residents of public housing 'self determination.' There is no reason for doubting the capabilities of people. Perhaps the real reason is that the administration is afraid that the residents will succeed.

"Mr. President and fellow Senators, the Government Operations and Housing goal is to involve housing tenants in a democratic government.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 106 was adopted and S.B. No. 2576, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OWNED PUBLIC HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 107 (S.B. No. 3160, S.D. 2, H.D. 2, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 107 be adopted and S.B. No. 3160, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun.

Senator Tam rose to speak in support of the measure and said:

"Mr. President, I rise in support of this measure.

"Mr. President, S.B. No. 3160, S.D. 2, H.D. 2, C.D. 1, provides marketing requirements that give the sale of residential condominium apartments to owner-occupants priority and streamlines owner-occupancy sales requirements for condominiums.

"Mr. President, the real estate development community is experiencing difficulty with some of the requirements of the condominium law, especially as it applies to owner-occupied units. They have asked for some concessions which will enable them to comply better with sales to owner-occupants.

"Our intent is to provide units for purchase by owner-occupants. One provision allows the family to choose a unit that has not been designated for owner-occupancy as long as the replacement unit is sufficiently similar. Another allows the unit to be placed in trust as long as the apartment is used as the principal residence. Other provisions and procedures are simplified to effect the sale of condominiums to owner-occupants.

"As you can see, we continue to learn more about condominiums, which requires that we address the need to recodify the condominium law through H.B. No. 2222.

"This is the first positive step this year in providing fair laws in the sale and management of condominiums law.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 107 was adopted and S.B. No. 3160, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

At 2:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:20 o'clock p.m.

Conf. Com. Rep. No. 111 (S.B. No. 2706, S.D. 1, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 111 be adopted and S.B. No. 2706, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Kawamoto rose in support of the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, this bill provides a 2 percent income tax credit, also only for airplanes that have the stage three aircraft, primary use as an incentive to buy new airplanes that are less noisy and fuel efficient.

"So therefore, Mr. President, I urge all my colleagues to vote 'aye' on this bill.

"Thank you."

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise in support of the bill with reservations.

"I do support the bill as it has been amended and has come through Conference Committee, but my reservations still have to do with the original form of the bill and what happened with the Aloha Airlines deal that was made behind closed doors between the one inter-island carrier and the state tax department. I have asked for information about what specifically was allowed, what was going to be exempted, and to this date still have not received any information about that.

"I would certainly salute all those people, particularly from Hawaiian Airlines, that have called my office and I'm sure other offices as well, called and wrote and e-mailed, and were concerned about their company. And I would salute the company even more because they had gone ahead already and placed the order for the new stage three compliant aircraft even before there was any kind of tax or income tax credit.

"I would suggest, however, that next year's Legislature take a very hard look at this whole question of leasing of any kind of equipment from out of state because one of the unfairness features of the original bill was that we did single out aircraft and yet there were many other businesses that had to lease equipment from outside the state because it was not available here, and they would be fully taxed.

"So I think, as I say, we should look at the entire process.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 111 was adopted and S.B. No. 2706, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 118 (S.B. No. 2521, S.D. 1, H.D. 1, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 118 be adopted and S.B. No. 2521, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Tam rose in support of the measure and said:

"Mr. President, I rise in support of this measure.

"Mr. President, S.B. No. 2521, H.D. 1, S.D. 1, C.D. 1, establishes criteria for screening committees for contracts for professional services and requires electronic posting of awarded

contracts, the name of the recipient of the contract, and the name of purchasing agency head.

"Mr. President and fellow colleagues, our state economy has been lagging behind the rest of the nation for too many years. Even though we have appropriated more than a billion dollars for construction over the past few years, much of the funds have yet to find its way into our economy. The quickest, most efficient way to spend government dollars is to contract with many smaller contractors.

"As state government, we are constantly criticized about our process of awarding architectural and engineering contracts. The general public is 'fed up' with our procurement practices, which border on being unlawful. However, our Chief Procurement Officer continues to represent that we have adequate laws, which allow for the 'best qualified' to be selected. The public, on the other hand, believes that the best qualified professional is the one who contributed more than the others towards the governor's re-election campaign. Senate Bill 2521 addresses this issue with disclosure of contracts awards.

"We must establish criteria that will enable the selection committee to review the qualifications of our contractors and recommend a short list of the 'best qualified.' The Senate has agreed with the House to establish the criteria and to also pursue monitoring the use of the criteria by screening committees. The American Institute of Architects as well as the American Public Works Association have also committed to participate in future discussions.

"The Government Operations and Housing Committee will also be requesting that the Attorney General investigate the conduct of the Mayor of Honolulu, Jeremy Harris, who required professional contractors to perform services without a contract as seen through the Vision 2000 projects. The state's chief procurement officer has informed us that the law is explicit and prohibits this practice with penalties to be imposed upon a government employee. Should the Attorney General determine that the procurement law does not require a written contract before a contractor to perform any service, we shall be prepared to enact legislation next year. The Government Operations and Housing Committee believes that the 'best qualified' should not be required to perform services without a contract.

"Mr. President, S.B. No. 2521 does not address all of the shortcomings of our procurement law as it applies to design professionals. However, it provides us with a beginning towards achieving what has been tried and tested on a national level. Our priority is establishing appropriate criteria to securing the 'best qualified' contractor for the work. We are also ensuring that the selection process is a fair process, which also allows contracts to be better disbursed to other smaller, qualified professionals.

"In order for our state to adequately support the construction industry, we need to approach awarding contracts with a criteria for selection and a screening process that is fair. In that way, we will be able to ensure the continued growth of the construction industry in Hawaii.

"Also, I want to add a note that many of us before session read the articles about our Director of the Department of Transportation. Well, this bill here hopefully will resolve a lot of the concerns out there as what we had experienced in the State of Hawaii. It is unfortunate that the State of Hawaii had experienced that, but I think this bill will help resolve that in terms of unfair practice in awarding contracts.

"Also, I want to add that this is the second positive step in assuring fair procurement laws in the public sector of government this session.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 118 was adopted and S.B. No. 2521, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL SERVICE CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (M. Ige, Ihara).

Conf. Com. Rep. No. 121 (S.B. No. 2303, S.D. 2, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 121 be adopted and S.B. No. 2303, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Inouye.

Senator Kawamoto rose to speak in favor of the measure and said:

"Mr. President, I rise in favor of this bill.

"Mr. President, the next five years will be crucial for the cruise ship industry. We're looking at about \$60 million worth of improvements needed in the harbors at all the neighbor islands and Honolulu Harbor.

"This bill proceeds to provide the public service company tax on future cruise ships that are coming in December 2000 and January 2001 to dedicate some funds to ensure that there is money to improve the harbors on all the neighbor islands and in Honolulu. And people would be available to use these improvements. Unfortunately, it appears that the concern by the administration is that they would like to see the revenues of these funds come from all the services of the harbors, and that means increasing wharfage fees. Two years ago we had a 25 percent increase in wharfage fees and it affected all of us because the freight, cargo and those things that came in from the mainland, 99 percent of the cargo comes on these ships.

"Looking at this, this is the last bill that we have. We lost the cost containment bill. This is the only bill we have left to provide the necessary revenues to improve all the harbors in this state. Therefore, I urge all my colleagues to vote 'aye' on this bill and hope the governor will pass it.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 121 was adopted and S.B. No. 2303, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 142 (H.B. No. 139, H.D. 1, S.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 142 be adopted and H.B. No. 139, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Kawamoto rose to speak in favor of the measure and stated:

"Mr. President, I rise in favor of this bill.

"Mr. President, this bill has been almost five years in the making. Unfortunately, it comes at a time when our unemployment and the national unemployment is almost the same, and we lost the advantage for the use of this bill. But

still, Mr. President, it provides the capability of addressing the definitions of state resident, state contractors for federal jobs. I think collectively we all want to see the possibility of getting the maximum use of all the federal dollars that are coming down here to Hawaii and being spent here.

"Our goal, again, is to ensure that the federal dollars brought here be spent and used in Hawaii. So I urge all my colleagues to vote 'aye' on this bill. Thank you."

Senator Chumbley rose and said:

"Mr. President, if I may be permitted a question to the chair of the TIA Committee."

The President posed the question to Senator Kawamoto, and Senator Kawamoto having answered in the affirmative, Senator Chumbley proceeded:

"Mr. Chairman, on page 3 of the bill, subsection (e) goes to the maintenance of the principal place of business with regards to a company having been incorporated into the State of Hawaii. Was it the chair's intention to limit the principal place to only areas where there was a company incorporated within the State of Hawaii?"

Senator Kawamoto replied:

"That was the intent of the bill."

Senator Chumbley continued:

"Thank you, Mr. Chairman."

"Mr. President, I'd like to stand in opposition to this measure."

"Mr. President and colleagues, the chairman of the TIA Committee has spent a lot of time working on this proposal, and as he has indicated, it's taken five years to get to this step. I would say to you that there must be a reason why this bill hasn't passed in those five years. And that's because this bill that's before us today is seriously flawed, and, quite frankly, it will put out of business a company that has been doing contracting projects and employing hundreds of people in our state for the past 27 years. I'm speaking specifically to a company by the name of Goodfellow Brothers."

"Under this bill, Steve Goodfellow, who is the principal owner of Goodfellow Brothers, whose company was incorporated in the State of Washington 27 years before he moved to Hawaii and relocated his business here, under this bill would not be permitted to be able to bid on any of these contracts for two reasons -- first, because his company was incorporated outside the State of Hawaii; and secondly, because on page 3, subsection (e) of the bill, he should have maintained his principal place of business within the state for at least two-hundred consecutive days prior -- prior -- to the submission of a bid on any contract."

"While I agree with the good Senator from Waipahu that we want to keep our local state residents working, I don't think that this is the way that we should move to accomplish that goal. What this would do is, if adopted, it goes into effect July 1, 2000. There are companies like Fletcher who has now been bought by Dick Incorporated who has set up their business of operation in the State of Hawaii -- they can bid on these contracts. Kiewit Pacific, they moved to change their state of incorporation to the State of Hawaii -- they can bid on these contracts. But Goodfellow, who is a contractor that's done business here for 27 years would have to sit on the bench, sit on the bench and not be able to bid on any contracts for over 200 days until such time they were able to go through a re-registration process to incorporate their business here."

"Once they accomplished that re-registration, there's a second flaw in the principle of this bill. Goodfellow Brothers could set up a Hawaii based company. They could incorporate. They could list \$500,000 of assets. Goodfellow Brothers is a company with over \$50 million of assets. In the event that something went wrong and there was a bankruptcy or breach of contract, you would only have access to that \$500,000 asset base that was set up, not the \$50 million asset that is the true holdings of that company."

"The bill also goes on to restrict an employer with one or more employees requiring that 85 percent of its employees are state residents. In the situation of Goodfellow Brothers, they are currently building a golf course in Palau and they're also doing work on Guam. Under this bill, if they were incorporated in the State of Hawaii and more than 15 percent of their employees, even if they're working on Guam or Palau, or out of state, were no longer the state's residents but were working for that company, they would be barred from being able to bid on federal contracts."

"Many individuals within the construction industry have indicated that this bill is an anti-competition bill, that the way the bill is structured it prohibits outside companies from being able to bid on these contracts. Well, I think that in some cases that should be our goal that we want these companies to be incorporated here, and we want them to hire local residents, and we want them to get these federal contracts. However, I think this bill misses the point, and could have easily, easily been fixed."

"This morning I drafted up a floor amendment and had spoken to the leadership about proposing an amendment to this bill. And it's a simple fix. However, it takes two to dance, and the House would not go along with the floor amendment to this bill. The simple fix is to delay the implementation date by one year and give those companies who are caught in this Catch 22 situation enough time to be able to develop a corporation status in the State of Hawaii and not lose the qualifications to be able to bid on federal jobs."

"What we're talking about is the potential situation where a couple hundred people may be put out of work because they can't bid possibly on federal jobs. Now, maybe they'll get enough state contracts or maybe they'll get enough private contracts to hold them over during this period of time, but it does stop a legitimate Hawaii company who's been here and operated for 27 years from the same equal level playing field and the ability to bid on contracts as other companies. I want you to think hard about this and think about general contractors in your districts and in your communities who may be in a similar situation."

"This bill proposes just to change Session Law. It doesn't change any statute. And I don't know if under an appeal to the attorney general under 3E if we would have a favorable opinion as to 'has maintained its principal place of business within the state for 200 consecutive days' -- principal meaning a comparable number. Comparable to what? Comparable to the corporation being in Seattle versus the subsidiary being in Kihei, Maui? Principal meaning does it do 51 percent or more of its business in this state?"

"This bill is drafted in a way that it's very vague and it's going to cause a lot of trouble, particularly for residents on my island and a company who has been a major part of the economy not only for Maui but has now started to do more jobs outside of Maui. In fact, they're doing the North Shore road repair right now. I don't want to see this company lose its opportunity to compete with other businesses on the level playing field, so I urge all of you to think before you make a commitment to support this bill."

"Thank you."

Senator Kawamoto rose and said:

"Mr. President, just a slight rebuttal.

"Mr. President, the company that was mentioned, they've been working here for 20 years. They could, they could have, if they wanted to, create a domestic corporation in Hawaii as a branch, but they didn't. You know, what breaks do they have? I just talked to my contractor friend, the Senator from Kalihi, about contractors, and there's a way in which they can funnel the supplies that they would maybe get a break or may not get a break. It would be hard to track if they're outside the state.

"And I beg to differ as far as the overall competition, overall help for the economy. We've seen Midpac Lumber; we've seen different places go out of business because they don't have the capability of selling these supplies to these big companies that come from the mainland, and proceed not to register in Hawaii but also to take jobs from our Hawaii businesses.

"And as far as federal contracts are concerned, we passed a resolution just recently, S.C.R. No. 18, urging the military to use our state resident clause. They are not binding to use. We're just positioning our companies, our local residents in position to get these jobs. They are not bound by this bill to select. So they are not cut out of the bidding position. They can bid. But all we're asking is that the military and the federal PACDIV and those folks to select companies that have state residents as defined by this law.

"Thank you very much."

Senator Buen rose in opposition to the measure and said:

"Mr. President, I thank the good Senator from Waipahu for working hard on this bill for a number of years, and I have spoken with him in regard to my concerns regarding the same company that the Senator from Kihei, Maui has talked about.

"I would like to voice my opposition mainly because good companies like this have been paying their taxes in Hawaii. They have, at one time, employed over 700 employees, local residents, and many of the local residents have worked for the company for about 27 years, and they would be out of a job. And so, I, too, will voice my opposition to this bill.

"Thank you."

At 2:42 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:44 o'clock p.m.

Senator Chun rose in support of the measure and said:

"Mr. President, I rise in support of the bill.

"Mr. President, this bill basically acts as a guideline to the federal government to determine in what situations they will allow a corporation to bid as a resident company. It does not bind the federal government and it in no way sets forth in solid rock who can or cannot bid for a federal contract. That is a matter for the federal contractors board under that jurisdiction.

"What we're trying to do at this point in time is give that board some kind of guideline as to what criteria to use when determining whether a company is a resident company here in Hawaii or a foreign company. And there are questions and I recognize there are questions and there are situations where companies might fall through the cracks on these criteria. But I believe the federal government, when they go through their own rule making procedure, can address those things. What we're trying to set up here are guidelines and these guidelines are valid, and these guidelines can and should be followed by the federal government.

"Thank you."

Senator Hanabusa rose in support of the bill and said:

"Mr. President, I rise in support of the bill.

"When we first became Senators and attended Senator Kawamoto's, the good Senator from Waipahu, seminar which he held on this whole issue of the federal appropriation and the definition of state resident, even then I think that the problem that we have is what we've heard by the discussion here today.

"The definition of a state resident goes to the employee. It does not go to the company itself. What is required in terms of the so-called differential in the unemployment rate between the federal and the state is that when the unemployment rate of the state is higher than that which is the federal level, the national norm, then there is going to be a preference given to contractors that employ state residents. It's the employment of the individuals, not the company itself.

"Over last session as well as this session, what has happened is that the influence of both union members plus companies have attempted to redefine that issue. Unions would like to have companies that are here and unionized to get that preference. Companies want to be sure that they're not somehow cut out of the loop. The issue here is that the employees who are hired are state residents, and that is why we needed the definition of a state resident in terms of who has filed an income tax return.

"For those reasons I believe that this bill will not put Goodfellow or any other company out of business in terms of the federal contracts that we're talking about and the preference that will be given. The preference is to those who hire state residents. We must not lose the focus as to who exactly is being protected by the act. It is the individuals who live here and they should be given the break.

"Thank you, Mr. President."

Senator Sakamoto rose in support of the measure and said:

"Mr. President, I rise in support.

"I agree with the comments from the Senator from Waianae and the Senator from South Kauai as well, and possibly to the fears of the Senator from East Maui if indeed other provisions are put in, but as it currently stands, Hawaii's unemployment rate is approximately 4.5 and the unemployment rate of the nation is approximately 4.4, and ours has been dropping. And I hope it crosses, which means this particular provision will no longer be the issue at hand today, but it could be an issue in the future.

"However, in relation to some of the comments made from the Senator from East Maui, the size of the company or the capitalization on these types of projects is not the issue at hand in that the projects will be bonded, the federal government projects, and bonded for the size of the job irrespective of the capitalization here. And my belief is good companies like Goodfellow would have no problem setting up a company in Hawaii to do what needs to be done.

"Thank you, Mr. President."

Senator Iwase rose to speak in support of the measure and said:

"Mr. President, I'm rising in support of the bill.

"Mr. President, basically it's for the reasons articulated by the three previous speakers, all excellent points are made about the law. I would also like to emphasize the fact that we are looking at a law designed to help a state in need because the trigger mechanism is that the unemployment rate exceeds the national rate. That is not a Hawaii law. That's a federal law,

and the federal government recognizes that if the states have that problem, the state has the right to ask the federal government to employ its people, the state's people, the state residents so that the unemployment rate issue can be addressed. It is basically for those reasons, Mr. President.

"I want to again emphasize that we're looking at a bill, a definition that is needed so that the people of this state -- our laborers, our workers, our people -- are helped when there is a problem with our unemployment rate which has been in excess of the national average. We have made strides to the surprise of the Republicans in this state. We have made great strides and we are improving our economy. It is down to, I think the Senator from Waipahu said, one-tenth of a percentage point above the national average and hopefully within the next few months, with continued Democratic leadership at the federal and state level, it will continue to drop.

"Thank you."

Senator Slom rose to respond and said:

"That does require a response, Mr. President.

"I will be supporting the measure, but I have to point out to the good choked up Senator from Mililani that one of the reasons that the unemployment rate has declined is because so many people have left here and they're no longer in the market for jobs.

"Thank you."

At 2:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:53 o'clock p.m.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 142 was adopted and H.B. No. 139, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Buen, Chumbley, Ihara, Matsunaga, Tanaka). Excused, 1 (M. Ige).

Conf. Com. Rep. No. 146 (H.B. No. 2458, S.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 146 be adopted and H.B. No. 2458, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I guess I rise to support the bill with reservations and also some questions.

"The whole purpose of the bill is to save the state and counties money in paying the Employees' Retirement System. Well, first of all the state tries to steal money from the ERS, then tries to divert money to other things. And then we find out that miraculously, just a few nights ago, the state allegedly overpaid the ERS by some \$52 million and that money became available for increased spending in the state budget. So I don't know what we're actually trying to do here and whether or not we need this bill, and maybe someone can enlighten me further.

"Thank you."

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 146 was adopted and H.B. No. 2458, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 2061, S.D. 1, H.D. 2:

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2061, S.D. 1, and S.B. No. 2061, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 2432, S.D. 1, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2432, S.D. 1, and S.B. No. 2432, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 2545, H.D. 1:

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2545 and S.B. No. 2545, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECOVERY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 2736, S.D. 2, H.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2736, S.D. 2, and S.B. No. 2736, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 2869, H.D. 1:

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2869 and S.B. No. 2869, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

S.B. No. 2870, S.D. 1, H.D. 2:

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2870, S.D. 1, and S.B. No. 2870, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 44 (H.B. No. 2273, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 44 was adopted and H.B. No. 2273, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 46 (H.B. No. 2354, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 46 was adopted and H.B. No. 2354, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

#### **MATTERS DEFERRED FROM FRIDAY, APRIL 28, 2000**

#### **FINAL READING**

Conf. Com. Rep. No. 52 (S.B. No. 2411, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chun and carried, Conf. Com. Rep. No. 52 was adopted and S.B. No. 2411, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 53 (S.B. No. 2530, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chun and carried, Conf. Com. Rep. No. 53 was adopted and S.B. No. 2530, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

#### **FINAL READING**

Conf. Com. Rep. No. 60 (S.B. No. 3199, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 60 was adopted and S.B. No. 3199, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 68 (S.B. No. 2863, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Kawamoto and carried, Conf. Com. Rep. No. 68 was adopted and S.B. No. 2863, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 87 (S.B. No. 2354, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 87 was adopted and S.B. No. 2354, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 96 (S.B. No. 2961, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 96 was adopted and S.B. No. 2961, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 98 (S.B. No. 2486, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 98 was adopted and S.B. No. 2486, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 105 (S.B. No. 3123, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 105 was adopted and S.B. No. 3123, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 113 (S.B. No. 2420, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 113 was adopted and S.B. No. 2420, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 120 (S.B. No. 3026, S.D. 1, H.D. 1, C.D. 1):



By unanimous consent, action on Conf. Com. Rep. No. 120 and S.B. No. 3026, S.D. 1, H.D. 1, C.D. 1, was deferred until later on the calendar.

Conf. Com. Rep. No. 125 (S.B. No. 2134, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Kawamoto and carried, Conf. Com. Rep. No. 125 was adopted and S.B. No. 2134, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 133 (H.B. No. 2650, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Conf. Com. Rep. No. 133 was adopted and H.B. No. 2650, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 136 (H.B. No. 2407, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 136 was adopted and H.B. No. 2407, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 137 (H.B. No. 3014, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chun and carried, Conf. Com. Rep. No. 137 was adopted and H.B. No. 3014, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 141 (H.B. No. 2277, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 141 was adopted and H.B. No. 2277, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 144 (H.B. No. 1873, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 144 was adopted and H.B. No. 1873, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 145 (H.B. No. 2280, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Nakata and carried, Conf. Com. Rep. No. 145 was adopted and H.B. No. 2280, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 147 (H.B. No. 1994, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Nakata and carried, Conf. Com. Rep. No. 147 was adopted and H.B. No. 1994, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 148 (H.B. No. 2801, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chun and carried, Conf. Com. Rep. No. 148 was adopted and H.B. No. 2801, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 149 (H.B. No. 2802, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chun and carried, Conf. Com. Rep. No. 149 was adopted and H.B. No. 2802, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 150 (H.B. No. 2151, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Conf. Com. Rep. No. 150 was adopted and H.B. No. 2151, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 152 (H.B. No. 2835, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 152 was adopted and H.B. No. 2835, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 154 (H.B. No. 3016, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 154 was adopted and H.B. No. 3016, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 155 (H.B. No. 645, S.D. 2, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Levin and carried, Conf. Com. Rep. No. 155 was adopted and H.B. No. 645, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 157 (H.B. No. 2793, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 157 was adopted and H.B. No. 2793, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 158 (H.B. No. 1956, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Inouye, seconded by Senator Taniguchi and carried, Conf. Com. Rep. No. 158 was adopted and H.B. No. 1956, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 159 (H.B. No. 1969, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Levin and carried, Conf. Com. Rep. No. 159 was adopted and H.B. No. 1969, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

#### **MATTER DEFERRED FROM THURSDAY, APRIL 13, 2000**

#### **THIRD READING**

Stand. Com. Rep. No. 3393 (H.B. No. 2569, H.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3393 was adopted and H.B. No. 2569, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

#### **MATTER DEFERRED FROM EARLIER ON THE CALENDAR**

#### **FINAL READING**

Conf. Com. Rep. No. 120 (S.B. No. 3026, S.D. 1, H.D. 1, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 120 be adopted and S.B. No. 3026, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Sakamoto rose to speak in support of the measure and said:

"Mr. President, I rise in support of the measure.

"In discussions on the budget some of the remarks have also related to the repair and maintenance efforts, but I just wanted to reiterate again for the body some of the efforts that we've done, some have yet to be done, but certainly it's a major commitment by our body for repair and maintenance.

"This particular bill does not include everything we hoped for, but it's a major commitment to education and immediate response to the growing backlog of school facility maintenance and repairs. This measure appropriates \$30 million from general funds to facilitate immediate start up of repair and maintenance projects at schools throughout the state and \$15 million for repair and maintenance at the University.

"Mr. President, your Education and Ways and Means members have committed to addressing the entire \$230 million backlog and developing a cyclical maintenance program that will assure that the safety of our children in facilities will provide an environment conducive to proper learning, Mr. President. However, in this bill that particular language wasn't included, so it's my hope or it's our hope that DAGS, in working with the DOE, will be able to implement some of those measures through efforts in this bill. Some have suggested, including the Senator from Waipahu, that having fiscal officers assist the schools in many matters, including R&M, would be a good thing. And it's my hope that some of these dollars could include some of those efforts so that the process will be efficient.

"In summary, Mr. President, for lower ed -- \$30 million in cash; \$15 million in general obligation bonds; \$3 million for playgrounds; \$22.7 million in DAGS, their AGS 807. For the University of Hawaii -- \$15 million in cash; \$5 million in general obligation bonds; \$9.1 million in CIP infrastructure. And that's not including the many, many projects in H.B. No. 1900 that include renovations for our buildings, upgrading electrical, replacements, etc., etc. So, many, many more millions of dollars, as well, Mr. President.

"It's our hope that the schools will see an immediate impact on repair and maintenance and in a few years from now, those that remain here will be able to say the repairs that are outstanding as of this day will be accomplished.

"Thank you, Mr. President."

Senator Slom rose to speak in support of the measure as follows:

"Mr. President, I rise to support the bill.

"In earlier drafts this bill created special funds, and I'm very happy that in this final draft there are no special funds. I do support the purposes of the bill and the repair and maintenance and so forth, which, as I mentioned earlier, were long overdue.

"I would just caution one thing -- we've had maintenance and repair funds before; we've had funds that have been

directed specifically for the repair and maintenance of specific schools; and these funds have been withheld or they have been lapsed in the past.

"So before everybody gets finished patting themselves on the back and calling us the education legislature, let's make sure, let's follow the money, let's make sure that the money is spent for the purposes for which we have spent so much time in this body, and that in fact they go to the schools and the schools do get repair and maintenance.

"Thank you."

Senator Kawamoto rose to speak in favor of the measure with reservations and said:

"Mr. President, I rise in favor of this bill with reservations.

"Mr. President, I congratulate the chair of the Education Committee from Pearl City, also the Ways and Means chairs for providing almost \$70 million worth of repair and maintenance funds available to the schools. I remember the earlier part of the session we had a bill that requested \$50 million so they topped that one by \$20 million, so that's outstanding.

"As indicated by the Senator from Kalihi, the concern I have is a fiscal manager or business manager. It seems as though I stay on a bill for a long time. This bill was five years or six years in the making. When I first came in I asked for a business manager, got laughed at by the people that I tried to pass this through. But the outcry now is accountability. The outcry is send the moneys down, lump sum to the schools.

"We used to have 19 business managers in the schools as a pilot project. Currently, Waipahu High School is the only school that has a business manager, and I am on the SCBM board there and that individual, let me tell you, saves the school four times his salary.

"The headaches that the principals have to go through is just overwhelming. Many, many elementary school principals, if you ask them, throughout the state, if they would like to have a business manager or someone who can deal with the fiscal capability of the schools and concerns of the school's accountability, they would like to have one. Even the department indicated to the Ways and Means Committee that they are indeed aware of the concerns of the principals but have yet to put in any kind of money to support this effort.

"I understand that our conferees fought for that but we need to educate the House and the teachers and principals who have the opportunity to listen to us or read our Journal. Again, we need to educate the people in the House the desire for a business manager, at least in the complex.

"Thank you very much."

At 3:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:08 o'clock p.m.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 120 was adopted and S.B. No. 3026, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

#### FINAL READING

S.B. No. 2745, S.D. 1, H.D. 2:

On motion by Senator Inouye, seconded by Senator Kawamoto and carried, the Senate agreed to the amendments

proposed by the House to S.B. No. 2745, S.D. 1, and S.B. No. 2745, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

S.B. No. 2808, H.D. 2:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2808 and S.B. No. 2808, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 11 (H.B. No. 2183, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Inouye, seconded by Senator Chun and carried, Conf. Com. Rep. No. 11 was adopted and H.B. No. 2183, H.D. 1, S.D. 1, C.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 Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 42 (H.B. No. 2410, H.D. 1, S.D. 2, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 42 be adopted and H.B. No. 2410, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I'm voting 'no' on this bill.

"There are a number of claims here that are very questionable including one to Harold Matsumoto, the governor's special assistant who seems to get a new job every year and who has made claims against the state last year. Now I find it's in this bill here, and I think we need more explanation as to why we're paying certain people from the taxpayers' funds.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 2410, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

Conf. Com. Rep. No. 43 (H.B. No. 540, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 540, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 45 (H.B. No. 2648, H.D. 2, S.D. 2, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 45 be adopted and H.B. No. 2648, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Slom rose in opposition to the measure and said:

"A 'no' vote, please. It creates a special fund."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 45 was adopted and H.B. No. 2648, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

Conf. Com. Rep. No. 50 (H.B. No. 37, H.D. 1, S.D. 2, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 50 be adopted and H.B. No. 37, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose and said:

"A 'no' vote. It creates a special fund."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 50 was adopted and H.B. No. 37, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PRODUCTION FUNDING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

Conf. Com. Rep. No. 64 (S.B. No. 2062, S.D. 1, H.D. 3, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 64 be adopted and S.B. No. 2062, S.D. 1, H.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise to support the bill with reservations.

"I worked with the bipartisan committee on long-term care and as I've mentioned before, the original purpose of that committee was to find and encourage a private market, private initiatives to solving the problem of long-term care, a process which is on going in which the marketplace is well into meeting. But what we've seen in the latter part of discussion, particularly this year, is a continuation of the same people that were pushing the Project Hope tax and state funded policy years ago, and so the direction of the study in this particular bill makes it mandatory that they look at a state sponsored long-term care plan.

"To me that is a misdirection from the objectives of the original committee.

"Thank you."

Senator Anderson then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 64 was adopted and S.B. No. 2062, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

LONG-TERM CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 76 (S.B. No. 2186, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 76 was adopted and S.B. No. 2186, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 80 (S.B. No. 3043, S.D. 2, H.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 80 be adopted and S.B. No. 3043, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose to speak in opposition as follows:

"I rise in opposition to the bill.

"I am fully supportive of the captive insurance industry in the State of Hawaii. We've made great strides in that area. We've passed a number of measures in previous sessions and this session, but what this bill does is put the State of Hawaii into the insurance business even more and creates the state captive insurance company where there are private companies and other alternatives rather than the state being in business and having a lack of oversight.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 80 was adopted and S.B. No. 3043, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (M. Ige).

Conf. Com. Rep. No. 85 (S.B. No. 2427, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 85 was adopted and S.B. No. 2427, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 100 (S.B. No. 2872, S.D. 1, H.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 100 be adopted and S.B. No. 2872, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Levin.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise in opposition to the bill.

"I oppose the bill on a number of reasons not the least of which is that we continue having emergency appropriations for this and other agencies and activities.

"The Hawaii Health Services Systems Corporation, while it has been hampered by certain governmental policies, it was designed to reduce cost and to help with the state-run hospitals. We're still running significant deficits as was brought in testimony at the public hearing. The Hawaii Health Systems Corporation saw fit to raise the salaries of its management people. It also spent more than \$100,000 to lobby us to give it money. And some of the receivables are years old and to me indicates a lack of proper management.

"Thank you."

Senator Anderson rose in opposition and said:

"I'll be going 'no' for the very same reasons."

Senator Tam then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 100 was adopted and S.B. No. 2872, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Kawamoto, Slom). Excused, 1 (M. Ige).

Conf. Com. Rep. No. 101 (S.B. No. 2108, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Hanabusa, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 101 was adopted and S.B. No. 2108, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (M. Ige).

Conf. Com. Rep. No. 103 (S.B. No. 2579, S.D. 1, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 103 be adopted and S.B. No. 2579, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition as follows:

"Mr. President, I'm voting 'no.' It creates a special needs housing special fund.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 103 was adopted and S.B. No. 2579, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (M. Ige).

Conf. Com. Rep. No. 104 (S.B. No. 2873, S.D. 1, H.D. 2, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 104 be adopted and S.B. No. 2873, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Buen rose to support the measure as follows:

"Mr. President, I rise in support of this bill.

"Mr. President and fellow colleagues, for over ten years, the residents of Maui County have been working toward the vision of improving the county's only full service acute care hospital. The last major expansion was 20 years ago in 1980.

"Mr. President, the legislators from Maui, other lawmakers and public officials were invited to Maui Memorial Medical Center (MMMC) and they understand the desperate need to make improvements. Recently, about four months ago, the good Senator from Kaneohe/Enchanted Lake, the good Senator from North Hilo/North Kona, the Senator from Hilo, and the Senator from Wailuku/Kahului attended a meeting with Maui hospital doctors, staff, Friends of MMMC and residents of Maui. They, too, learned of the frustrations and the hold up of all these years of asking the Legislature for funding.

"The residents from Maui County are grateful to the Ways and Means co-chairs and the members of Ways and Means, the Health and Human Services chair and the members of that committee, and all of you for supporting the \$38 million bond for the long overdue improvements to provide increased intensive care unit beds, a dedicated outpatient surgery service, increased parking capacity and other construction to meet current and future needs.

"With the projected increases in the Maui County population and 93 percent hotel occupancy, we must make sure the health infrastructure is there to support both our residents and visitors. This proposal to invest a modest amount of money through this reimbursable bond to upgrade and reposition the facility builds upon an existing asset and preserves previous investments. It is a cost effective, judicious approach toward supporting the ten year old vision of the people of Maui County to insure the availability of quality health care for all.

"Mr. President and fellow colleagues, I ask you to support this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 104 was adopted and S.B. No. 2873, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson, M. Ige).

Conf. Com. Rep. No. 114 (S.B. No. 2838, S.D. 1, H.D. 1, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 114 be adopted and S.B. No. 2838, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise in support of the bill with reservations.

"Basically, the state wants to do some internet commerce and to charge taxpayers an additional fee for it, similar to the announcement made recently by the City and County of Honolulu for the use of their portal. The state's portal would be for a center for government information and access but that's similar to what we already have, and for most people there's plenty of private access now through places like Yahoo, Excite, AOL, etc.

"So I think again this is a situation where we are getting involved in spending money in an area that we really don't have

to do so. I'm all for greater access and more current government and legislative information, but I think there would have been a better and cheaper and more private way of doing this.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 114 was adopted and S.B. No. 2838, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (M. Ige, Ihara).

Conf. Com. Rep. No. 115 (S.B. No. 2859, S.D. 1, H.D. 1, C.D. 1):

Senator Nakata moved that Conf. Com. Rep. No. 115 be adopted and S.B. No. 2859, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Levin.

Senator Nakata rose to support the measure and said:

"Mr. President, it's been a long wait and I think I've run out of adrenaline here (laughter), but I do rise with some pride to support this bill.

"At the beginning of the 1999 session the governor issued a challenge to the entire state by making reform of the public employment system his top priority. At that time he gave very little specifics as to what he wanted. This year he came back with a long list of specifics. What he wanted was a total transformation of the system. This is a monumental task that cannot be accomplished in just one year, not when we must evaluate all of his proposals and those of other stakeholders.

"Thousands of individuals having been engaged in this process have risen to his challenge, many to support his proposals and many to challenge them. Their work and dedication must be honored on all sides. We as the Legislature have stepped up to the task of cleaning up the encrustations and overlaps between the civil service system and the collective bargaining system. These have been collecting for over 30 years now. This task should have been done years ago. We should not be surprised then if it takes several years to accomplish. A good product has emerged but it is only the foundation of work that needs to be done in subsequent years.

"Let me just list some of the accomplishments of this bill:

- In cost containment on the criteria for arbitration, no new or increased taxes can be considered in the award and there are some restrictions on the use of special funds.
- We have drawn a clear line between the civil service system and the collective bargaining system. Collective bargaining will be limited to matters of classification, recruitment, examination in initial pricing. This line will clear up or prevent many of the disputes that currently arise.
- We have instituted in this bill a voluntary separation program designed to accomplish reductions in force with some compassion. It is an alternative to the bumping system that creates so many problems in terms of morale within the system when forced reductions happen, and it can also be used to help reshape state government.
- There is funding there to train managers, another area which is very important; it may not be exciting but important in terms of reducing conflict within the system.

- We have allowed for experimental modernization projects, like what the Board of Water Supply is doing -- alternative personnel systems which may give us models to reform further the entire system.
- We have not done jurisdictional autonomy, but have allowed the counties and several other jurisdictions to set up their own personnel systems. That in itself will give them more flexibility.
- We have emphasized performance and merit. One of the features here is that in addition to a disciplinary track we have created a performance track where employees who are not performing up to par will be evaluated, and in the end if their performance does not come up to standards, they may be released, but of course, there will be appeal rights for them.
- We have set up a system where submissions of cost items to the Legislature will be done in a timely manner.
- In the case of arbitration, the award would come to us in the session before the contract expires. In the case of those unions which preserve the right to strike, chances are that this also will happen. They can declare a strike before the session begins, but because the old contract is still in effect, they will not be able to strike until after the session is over, which means more time for negotiating whatever differences remain.
- As our Senator David Ige mentioned earlier, the DOE superintendent and the UH president will have a vote at the bargaining table, so will the chief justice and the HHSC executive director.
- There will be also a provision for merit pay for division chiefs. Their pay will be de-linked from the negotiated settlements of the unions and they will then be evaluated on merit.

"These are some of the features that are in our bill.

"I want to respond just briefly to one of the sources of criticism. In the Senate bill, we did have a complete autonomy for the counties and for other jurisdictions. That is no longer in the bill, and one of the reasons is that we received almost no testimony. I personally did not hear from any of the mayors or any council person seeking this autonomy. So that is one of the reasons why it is not in the bill in that form. I'm not sure whether the mayors realized the financial implications of complete autonomy or what the reason is, but that did not seem to be a pressing issue.

"And with that, I'd like to say that it has been a lot of work, and really there have been a lot of people involved. I have appreciated the support of committee members and other members of the Senate. There is much work yet to be done and you all know that I was very reluctant to take on this task of being the Labor chair, but so much has been invested now that if the Senate is willing, I am willing and able to continue in this work in subsequent sessions.

"I urge your support for this bill. Thank you."

Senator Slom rose in favor of the measure with reservations as follows:

"Mr. President, bad news . . . I don't have a lack of adrenaline. I'm ready to go. (Laughter.) Let me speak in favor of the bill with reservations.

"First of all, let me thank the fatigued chairman (laughter) for his efforts. It must be all the speaking he's done so far today since ten o'clock. Let me thank him, though, for the hard work and for the difficult job that he had and for the perseverance, because I know at one point early in the session it looked like

we were not going to have any bill whatsoever. And you may recall that at the beginning of the session I said that if this Legislature would be defined by anything, it would be the civil service bill that we would pass or action that we would take. And for a while it looked like we weren't going to pass anything, so I give him a great deal of credit and to all the people that have worked so hard, and I'm very happy to have been a part of that.

"Having said that, let me say that we had in the Senate a very, very good bill which I would have been very pleased to vote without any reservations whatsoever. In fact I did, first time around. And let me tell you that in this bill, in talking to my colleagues when you were plying me with free lunch and free pie, several of my colleagues wanted to use the metaphor of a baseball game, being the sports-minded colleagues that they are. One of them said this bill hits a home run, and another one said it's at least a ground rule double over the fence, and another one said it's a triple. My version of this bill is the batter got hit by the ball and goes to first. We're there. We made a start.

"But I've got to tell you that I'm extremely disappointed in a number of key areas. First and foremost, What was this bill supposed to do? It was supposed to curb excesses. It was supposed to reduce cost and the tremendous financial burden that the taxpayers of this state and the government are facing in terms of health benefits, retirement benefits, and so forth, coming up in a number of very short years.

"It was also supposed to grant autonomy to the counties to allow for the differences, particularly those counties that don't see the sun rise and set in Honolulu, that have their own priorities, their own needs, their own problems with public services and with employees.

"And while we have a lot of good language here, and while we had a lot of academic debate, and while everybody was intrigued by what went on here, I think part of the problem is that when all this smoke clears, and after we try to implement this, we'll find out that in fact we have not cut the cost, because we have not made one step to change the fiscal policies that, if not changed, are going to bankrupt this state.

"And remember again, Mr. President, I have said on a number of occasions here that we could and should have done this without being a threat to any existing public employee and certainly without being a threat to any public employee retiree. I said the state has got to uphold its commitment and its promise no matter how costly, but, we should have, could have, must have drawn a line and said July 1 of 2000, any new employees must come under different rules, but they would know that before coming in so that they would have full choice. But at the same time, the state would have fiscal integrity. We have not done that.

"We have not given full autonomy to the counties, and I don't know if it's the reason that the chairman said, because the mayors didn't show up and the council members didn't show up. I thought this was a personnel matter and all the personnel directors showed up and they were very loud and they were very clear and they were very specific in what they needed, what they wanted, and the independence. And we had it. We had it in our bill and we gave it away. And we went through a period of a month-and-a-half when nothing happened here except the constant droning of the public service unions. And I'm afraid that we blinked. We blinked because we had 6,000 or 8,000 people outside, all chanting 'no.' All saying no -- no reforms, no changes, no this, no that.

"It was our job to explain to them how important this is to everybody. So the mayors didn't show up and the council members didn't show up. The public didn't show up either, because I don't think the public understands the full consequence of what the fiscal implications and ramifications are, and maybe that's our fault too because we didn't make it

clear enough. Oh, and there was someone else who didn't show up and that was the governor. Maybe he was too busy taking measurements at Hemmeter Center, but he didn't show up.

"If it would have been so important to him the third time that he made this his key provision -- the third time -- then he should have shown a little passion and a little direct interest, instead of attacking the people on the Ala Wai and telling people in Pearl City they can have the sex offenders. Maybe that should have been his priority.

"But be that as it may be, we had the bill. We had the good arguments and we let them slip away. We let the drug testing slip away; the two strikes provision that we had.

"We have a provision in there now that says collective bargaining agreements prevail over the statute where conflicts between the two arise. And this seems to be contrary to statutory and constitutional law where it is the statute that determines. We have added areas of collective bargaining, areas that were not there before. We have given more rights and potential benefits to public service unions.

"Experimental modernization initiatives -- boy, that sounds great. That came out of the Board of Water Supply. We're providing that in the bill and that's good except for one thing -- they're subject to collective bargaining.

"We really have not drawn that clear bright line, that home-run-Chun bright line between civil service and collective bargaining. We had a chance. We came very close, but we pulled back. And people have been watching us. And when will these modernizations even start? Not until July 1, 2002 -- for two more years nothing's going to be done! We don't have that kind of time! And we had a commitment; we had a responsibility; and -- as we tell the school teachers -- we have to be accountable.

"So yes, it's a good start. Yes, we accomplished something. Yes, we're on the road, but it shows we didn't have the political will to see the job through, to make sure that it was done correctly.

"There is good language about the arbiter's awards. There is good language about voluntary severance, and so it is a start. But we all know we could have done a better job, and we all know the example that we have from the Senator from God's country -- if you want something long enough, you hold on and you push for that position. And there are certain things you compromise, but you don't compromise principles. If you say you believe in autonomy, if you say you believe in meaningful change, then that's what you do. And you can certainly change other things because we all gave in on this bill. We all gave things; we all compromised.

"So again, kudos to those who were involved. I'm very happy that we got a bill out. There were many people who were saying as recently as last week that nothing was going to come out of here. So that's good. But let's always strive not only to do better but to do the best that we can do.

"Thank you, Mr. President."

Senator Anderson rose to speak with reservations on the measure and said:

"Mr. President, I will be going with reservations.

"I'm very glad that the Minority Floor Leader reminded me that all four of the personnel people came. The governor didn't show up. But we did send a letter when Representative Case took everything out and said that he was very disappointed because his colleagues took everything out that the governor wanted. And the Republicans put it all back in, but he didn't go for that, so I'm very glad that at least we have something and we'll go forward.

"Thank you very much."

Senator Chun rose to support the measure and said:

"Mr. President, I stand in support of the bill.

"Mr. President, I agree with a lot of the comments made by the Honorable Senator from Hawaii Kai. However, we can criticize and we can place blame all we want, but the choice is we can either decide to continue with that blame and continue with that criticism or we can recognize the fear and uncertainty that the unions and the employees have and recognize that and try to explain it to them in an orderly, reasonable fashion and work with them on those fears to alleviate them and to work for a better tomorrow.

"Mr. President, our job is not over. We all know that. The chairman has said that we will go on together next year and try to fashion a better bill and to correct the things that we need to correct. There is still a lot of work that needs to be done. But rather than focus on the things that this bill does not accomplish today, I choose to focus on what this bill does address. And like the chairman indicated, there were a lot of things that we can be proud of.

"I agree with the comments made by the Senator from Hawaii Kai. Just earlier this week, people were saying that this bill would never pass, that we will never make any changes to the civil service system, that we will never make any changes to the collective bargaining system, that the power of the unions was too strong. But we did make some changes. We did begin to cut away at the inefficiencies of the current personnel system. There is a crack in the wall, Mr. President.

"Mr. President, every journey starts with a single step, and this is our first step towards reforming our outdated personnel system. Where we go from here is up to us. Whether we falter and turn away from the challenges is our choice, but for me, I choose to continue the journey with our fellow colleagues and look forward to the work that lies ahead.

"Thank you."

Senator Anderson rose again and said:

"Mr. President, a short rebuttal, if I may. I think my adrenaline just went up.

"I wanted to just point out that the good Senator said you can't explain that to the people. I think when you start explaining that they're going to have to lose their jobs -- and people are losing their jobs, I don't care what anybody says -- then that's how important this bill is.

"Reform is important -- all different forms of reform, not just on civil service. And we don't do our job in that area. We talk a lot. And to sit there and say, well, how do you explain if they don't understand it. And when you can leave a room and they more or less said, 'we won, you lost,' they understand what's going on. They're the ones that are being paid the high salaries, not the people at the lower echelon.

"The people at the lower echelon will eventually lose and that's the problem. If we don't make corrections, they're going to be in trouble. If we don't make corrections so that the people coming in will have a better chance, and the retirees aren't going to be cheated because of contracts that we have agreed to, that's reform.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 115 was adopted and S.B. No. 2859, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout,

passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 122 (S.B. No. 2312, S.D. 1, H.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 122 be adopted and S.B. No. 2312, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 122 was adopted and S.B. No. 2312, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 126 (S.B. No. 2433, S.D. 2, H.D. 2, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 126 be adopted and S.B. No. 2433, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Levin rose in opposition to the measure and stated:

"Mr. President, I rise to speak against the bill.

"Mr. President, let me touch on two points. First, there are at least two ways to address our prison overcrowding -- one is to build more prisons; the other is to examine the causes of crime and try to do some preventive care.

"To me, building a new prison is the equivalent of admitting defeat . . . defeat not just for today, but measured in the decades of use that one would expect to get out of a prison. I'm not yet prepared to admit such a failure of social policy.

"There are alternatives that we can explore. For example, I believe that if we treat drug abuse as a health problem rather than as a criminal problem, our prison overcrowding will be dealt with in a more cost effective and humane way.

"Second, when it comes to rehabilitation, which has been much talked about with respect to this bill, the co-chairs of Judiciary have worked to address the concerns that have been raised. I appreciate their efforts, but they and we are limited to what a Legislature can do. We can call for a unique kind of institution and for positive rehabilitation programs, but in the end we will be dependent on the will of future legislators to fund expensive rehabilitation programs. And since this prison will not be completed for at least a couple of years, we will also be dependent on an unknown governor and an unknown director of corrections who may or may not share the values of those who have argued so passionately and so persuasively that the current process of warehousing prisoners until they are released, offend again and are recommitted, is a failed strategy that needs to be re-thought.

"The community that I represent has shown a willingness and even a desire to host a new type of positive rehabilitation facility. They also have said that they are not interested in being part of the traditional prison industrial complex. I regret that I cannot be sure which we will be getting from the bill before us and therefore I must vote 'no.'

"Thank you."



Senator Anderson rose to oppose the measure and stated:

"Mr. President, I'll be voting 'no' on this particular measure.

"I did vote 'aye' in the Conference Committee and I saw the Judiciary chairman looking at me. I guess if I said nothing, it would go by. In the Conference Committees, we are voting in public and everybody thinks they're having a lot of input, which they don't. I did ask one question, Can the governor build this anywhere else? And he said, no, that provision was taken out. But I did read in the newspaper that they do have to go ahead and pay certain scales. The unions will be involved. There's a whole bunch of things. We just went over one of those and it's called 'The Emergency Appropriation for the Hawaii Health System.'

"If you go ahead and do everything that is stated in this bill, even if it's privatized, we're going to be paying through the nose, because it doesn't give the private entity any chance to do what they have to do.

"When I went to the National Conference of State Legislatures, I asked and went to committees on privatization of prisons and why it works and why it doesn't. And primarily, because when you do something that's privatized, you have to oversee it to make sure that people who underbid don't goof. That's what I think happened with the Hawaii Health System. They accepted the management of the hospital with the continuation of the financial hurdles -- how much the nurses were going to be paid, what the different hospitals were going to do, our collective bargaining problems -- all of the things that we just went ahead with, collective bargaining, and goofed.

"And now we have the prison. The prison is a sad story if we don't allow a private company to take over the way it can be done in the most cost effective manner. We're going to have another dark hole where they're going to have to come to us if it's privatized, and they're going to pay the funds that they do. And that scares the hell out of me, Mr. President, because I'm not worried about the new governor or a new anything. It's the way it's written and the way it was presented in the newspaper.

"Again, when you are a conferee, they don't talk to you. They talk to each other as committee chairs, and they talk to the House leaders. They might even talk to the governor once in a while. . . . I don't know. . . . a lot of union people. But when it came out, I knew about as much as the person on the street. And that's why I'm voting 'no.' This isn't what I was hoping for. I don't think this is what the people of Hawaii wanted. And it's something that I think we're going to regret, not be happy for, and say, what a great bill and we did a helluva job.

"I wanted a private prison built the way it was supposed to be -- not, all of a sudden find out you're going to have to cut corners in order to make it work because that's not fair to the people of Hawaii.

"Thank you very much."

Senator Chumbley rose to speak in support of the measure and said:

"Mr. President, I rise to speak in support of this measure.

"I apologize to the good Senator, the previous speaker, if he feels that we left him out of the debate; that was not intentional.

"Mr. President, as this measure went forward, there were a lot of things that needed to be considered on a very strict time line. Fortunately, I believe that we have come up with a bill that will give an opportunity for the State of Hawaii and the governor to feel comfortable in proceeding with the construction of a new prison in state and bringing home, back to the State of Hawaii, all of our prisoners that are currently outside the state right now.

"The previous speaker had asked a question during the Conference -- Can it be built somewhere else? The bill does identify by a TMK number a reference to a site in East Hawaii. The bill also says that the governor can choose any other appropriate location in the state. When I responded to the question at the Conference hearing, I did indicate to the good Senator that there is a provision in the bill that repeals the governor's ability to construct this facility anywhere outside of the State of Hawaii. And I think there may have been some confusion on that response.

"This measure sets up a pilot process for managed competition to operate a new prison within the State of Hawaii. What we struggled with in the crafting of this legislation was that none of us can define or know exactly what the managed competition process should look like. This is the first step at that. In 1998 when many of us who are here today voted on the managed competition bill, the privatization process, we made a commitment. That's the direction that we were going to go in. We said that we would allow privatization under the managed competition process. And I think that this measure holds true to that commitment that we made several years ago.

"Nothing in this bill would stop the private sector from being the successful bidder on this project. The state will design the operational plan. It will go out to bid and then it will be a competitive process. If our public unions in the State of Hawaii can match that private sector bid, then so be it. Those will be state employees under a public union agreement. What it does allow for is those public entities to create supplemental agreements which the chair of the Labor Committee, in his negotiation on the more extensive civil service reform, created that opportunity to do.

"I think this will be a model that we can look at and review and use through the evaluation of the next year in trying to determine how do you statutorily define what managed competition is and how it will work.

"The good Senator from the Big Island made a comment about health problems versus criminal problems with regards to how we would deal with substance abuse and drugs in our community. I agree with him wholeheartedly and I respect the fact that he voted 'no' on this measure. And all along he had expressed to us his concern that this facility needed to be different. It needed to be something unique and it needed to be in a way that no other prison was built in the state. I hope that we can reach those goals. I hope that's the direction we're moving in.

"And as policy makers, all 25 of us here need to make a commitment to substance abuse. We attempted to do that this year. We tried to set up an interagency council to coordinate the efforts of drug and substance abuse treatment programs and counseling. We weren't successful in that, but we'll be back. We'll be back and we'll continue to push along that way. We have to examine the root causes of what's going on with crime in our communities. And I do believe that drugs are a factor of crime.

"This is a step forward. I believe that the governor, upon his review of this bill, will look at it optimistically, and I believe it is enough to hopefully get a commitment from him to start with the construction of that new facility.

"I urge all my colleagues to vote 'aye.' Thank you."

Senator Anderson rose again and said:

"Mr. President, a short rebuttal.

"I was trying to remember a particular word, if I remember correctly, that Mr. Rodrigues has used in the past and one of the reasons that I'm upset about this particular bill.

"I don't know if the chairman has ever experienced the bidding process, but I used to bid on jobs. And if I remember correctly, Mr. Rodrigues did make a comment once that he wants to assure that the jobs that are available and usually done by union workers are going to be available. And that's why he wanted to make sure that the prison jobs were going to be there.

"But look around you. I bid to clean the stadium. It was previously done by public employees, but it got to the point that the state couldn't afford it, so they put it out for bid. However, in the bid they told me how much I had to pay each person. That's the way the bid read. Now the state couldn't afford it and I had to put in all of the other things. I provided the chemicals. I provided all of these other things which normally the consumers and the taxpayers paid for.

"But look around you right now. I went by the other day, and who's cleaning Washington Place? Who's keeping the yard growing? It's prisoners. The prison population is doing it because it's a lot cheaper for government. This moat that we have right around this capitol, it's being cleaned by prisoners because we can no longer afford the contracts that we've had because this pond continues to be a maintenance nightmare. And that's what bothers me, Mr. President.

"If the bidding process is going to be such that private enterprise is going to be screwed when they bid, that's not fair. Or if it's going to be started by union people and we're going to have to foot that bill because government is going to grow and the taxpayers can't afford it, that worries me. So it's not that I'm opposed to union workers. It's not that I'm opposed to trying to do what's right. I just don't think that we should write bills that take care of one segment of this community. That bothers me.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 126 was adopted and S.B. No. 2433, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson, Levin).

Conf. Com. Rep. No. 135 (H.B. No. 2024, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Fukunaga, seconded by Senator Levin and carried, Conf. Com. Rep. No. 135 was adopted and H.B. No. 2024, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 139 (H.B. No. 2222, H.D. 1, S.D. 1, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 139 be adopted and H.B. No. 2222, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Tam rose to support the measure and said:

"Mr. President, I rise in support of this measure.

"Mr. President, H.B. No. 2222, H.D. 1, S.D. 1, C.D. 1, appropriates the following:

1. A review and recodification of the condominium property regimes law;

2. One full-time temporary condominium specialist; and
3. Other current expenses.

"Mr. President, there are two condominium bills that were considered earlier in this session. Both of the bills are required because of the confusion caused by years of toying with this law. For example, the terminology of 'Apartment' is defined as 'a part of a property intended for any type of use or uses . . .'. The condominium law, on the other hand, requires that building plans be filed with the real estate commission. House Bill No. 2222 will help to recodify the condominium law into a more comprehensive format and help to eliminate confusion.

"The Condominium Management Education Special Fund in this bill will provide up to \$85,000 for staff. However, it is expected that volunteers who are most familiar with the statute will be assisting in order to keep expenses down. By the way, this money is to hire an attorney to review the laws.

"There are at least two condominium groups who are prepared to perform the work of recodifying. Therefore, we fully expect that the cost will be minimized and that the education fund will expend far less than the amount that is budgeted.

"This bill also mandates the involvement of all parties involved in condominiums to the public hearing process. This is the second positive step in this session for providing fair laws in the sale and management of condominium laws.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 139 was adopted and H.B. No. 2222, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 143 (H.B. No. 2392, H.D. 2, S.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 143 be adopted and H.B. No. 2392, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise to speak in opposition to the bill.

"The bill seeks to address the increasing problems of diabetes within the state, and there's no doubt that this is an increasing medical problem; there's no doubt that this is a very costly problem and is a debilitating and very harmful disease. The problem is that the bill seeks to address this problem by adding yet another mandate to Hawaii's only state in the nation prepaid health care act. The act, which was adopted in 1974 and was supposed to be basic medical coverage, has in those 26 years had mandate, after mandate, after mandate added to the health coverage which is paid almost exclusively and totally by employers in this state. And at the same time during those 26 years, no change has been made in the formula or the ratio between what an employer pays and what an employee pays for his or her own health coverage.

"In addition to that, we have not made any changes to the prepaid health care act which allows for a cafeteria style approach to health care so that people that want certain kind of coverages can purchase those coverages or have those included in their bill, in their medical insurance, while others who maybe because of health reasons, age, or other medical conditions want other kinds of coverages may choose different kinds of coverages. We do not allow for choice.

"All we do is ensure that the premiums will continue to go up as they have. In this bill, as you may recall, we put the cart before the horse because there is a legislative requirement and mandate that a study be completed prior to the enactment of another mandate. We haven't done that. We have the mandate in this bill and the study to come with it, but the mandate takes precedence over everything else.

"So it's going to increase the cost. It continues 26 years of bad precedence and bad faith from the state government.

"Thank you."

Senator Kawamoto rose to support the measure and said:

"Mr. President, I rise to support the bill.

"Mr. President, I'm a diabetic and I did receive the training as indicated in this bill. I think that the training I received is going to be worthwhile, and I hope that I will live a long time. The fact that I received the training will cut the cost of my treatment, and I think this would be an avenue in which maybe the premiums will be lowered because of the fact that we don't have to treat diabetes anymore.

"Thank you very much."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 143 was adopted and H.B. No. 2392, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Anderson).

Conf. Com. Rep. No. 151 (H.B. No. 1759, H.D. 2, S.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 151 be adopted and H.B. No. 1759, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Slom rose to oppose the measure and stated:

"Mr. President, I rise in opposition to the bill.

"Three years ago I spoke in opposition to the bill. The bill passed. This is the bill to allow photo enforcement of traffic violations. The bill was passed, and it was enacted and nothing has happened in three years, which shows the difficulties with this measure and the problems that have been encountered already. It's supposed to be a traffic enforcement demonstration project.

"I'm from the old school. I would like to have a police officer or law enforcement official actually confront me if there is a violation, rather than having a photograph taken and then having to go and have the burden of proof upon me to prove that in fact that wasn't me or that didn't occur. I think that as we go into the new economy and the new technology we are continuing to depersonalize and make additional bureaucratic problems for all of our citizens because of over-reliance on technology in certain areas. And this, in terms of traffic enforcement, I believe, is one of them.

"Thank you."

Senator Kawamoto rose in support of the measure and stated:

"Mr. President, I rise in support of the bill.

"Mr. President, we did not start the process because of the funding. Now the funding is available and we have the federal

funds available for this project. We just extended the bill for three years until 2003.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 151 was adopted and H.B. No. 1759, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 160 (H.B. No. 1632, H.D. 3, S.D. 1, C.D. 1):

Senator Inouye moved that Conf. Com. Rep. No. 160 be adopted and H.B. No. 1632, H.D. 3, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak in opposition as follows:

"Mr. President, I rise to speak in opposition to the bill.

"We've been here, done that before. We've tried to bail out sugar. We've tried all kinds of things by using state funds and state loans. With all due respect to the good Senator from the beautiful Garden Island of Kauai, we have passed special purpose revenue bonds. We have passed other projects to help continue the existing sugar operations. I think we would all like to see that but the idea of having the state continue to loan and try to bail out industries rather than to move on or to try to lessen the tax and regulatory and civil service and collective bargaining problems that afflict those industries is the wrong way to go. So I will be voting 'no.'

"Thank you."

Senator Inouye rose to support the measure and said:

"Mr. President, I speak in support of this measure.

"This measure appropriates funds to finance through the agriculture loan revolving fund the major sugar cane operations on the Island of Kauai to encourage the continuation of sugar production on that island, as well as appropriating funds for intensive control of the papaya ring spot virus leading to the eradication of the virus from the Island of Hawaii.

"Mr. President, your Committees have worked hard to dwell with the economy of the state as well as our support of the agricultural industry. We recognize that the sugar cane industry remains a vital component of the Island of Kauai's economic base. The industry employs approximately 700 workers and uses about 25,000 acres of land for cultivation on Kauai. As a user of large tracts of land and a provider of many jobs, the sugar cane industry is without parallel especially to neighbor island rural communities as on Kauai.

"The second part of this bill addresses the papaya industry. Papaya is a vital component of the Island of Hawaii's economic base. The industry grows papaya on 2,500 acres of land across the islands, primarily in the Puna District. Papayas are grown on more than 500 independent family farms and the industry employs approximately 2,000 employees. The Big Island papaya industry has historically produced more than 90 percent of the state's papayas.

"In 1992, the dreaded papaya ring spot virus or PRSV, as we all know, was found in Pahoia, Puna in three years. It virtually eliminated papaya production in the district. So therefore, I need to urge my colleagues to support this measure to address our agricultural industry as well as support of the economic vitality in the state.

"Thank you, Mr. President. I urge my colleagues to support this measure."

Senator Chun rose in support of the measure as follows:

"Mr. President, I stand in support of this measure."

"Mr. President, this bill has been mislabeled the AmFac bail out bill. I want to emphasize to my colleagues this loan is not to bail out AmFac who has threatened to leave the islands and the State of Hawaii from its agricultural commitments. This loan is to allow the sole remaining sugar plantation to take over AmFac land to rejuvenate the land to make it more productive again. The loan will be fully covered by the rolling stock and also other assets of Gay and Robinson which is the sole remaining sugar plantation, and we all anticipate that the money will be paid. This is not a situation of lending money to a company that is going under or threatened to go under. This is money that's going to be lent to make profitable lands which are going to be abandoned by AmFac."

"So I ask all my colleagues to support this bill. Agriculture is still an important and viable industry not only for the neighbor islands but for the rest of the state."

"Thank you, Mr. President."

Senator Anderson rose to speak with reservations on the measure and stated:

"Mr. President, I stand with reservations."

"I would hope that the sugar industry would be able to find more by-products for people all over the world, not just on the mainland but throughout the world. And I am very, very concerned about the papaya industry, so I will be going with reservations on this."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 160 was adopted and H.B. No. 1632, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 161 (H.B. No. 2901, H.D. 2, S.D. 2, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 161 be adopted and H.B. No. 2901, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise to support the bill with reservations."

"Everything is the new economy. But you know, when you ask people to define the new economy, usually they do it in terms of technology. I think the good Senator from Mililani earlier said today the age of information, and certainly we have information . . . of course, a lot of it is misinformation and a lot of it is not usable."

"In looking at the bills that we've had and in looking at what we've done before, we're told that the new economy is based on risk taking and change and all of that, which really is the hallmark of the old economy. We haven't really solved the problems existing in the old economy. We haven't realized the fact that the old economy can access technology to make survival, as the successful businesses in Hawaii that still remain here are doing today, and yet we still want to go to that next level without trying to fix the problems that we have right now."

All of that is laudable but we're getting caught up in some of the national think tanks that are defining the new economy -- forces that are defining the indicators and the comparisons, and how we measure the new economy, and how we measure our participation."

"But I really don't have that much objection to any of that. We passed a very good act last year, the omnibus technology act. I would just remind my colleagues that before we hitch our post to the new economy, that we have an obligation and a responsibility to the thousands upon thousands of women and men that are still in the current economy. And we continue to shirk our responsibilities to them in terms of overall tax reductions and benefits to them. We pick certain companies. We pick certain industries. We pick certain activities. And we give them tax breaks or forgiveness or loans or special rates. But we don't do that for the people that are really still the foundation and support of this economy."

"The other thing in this bill that I'm not really happy about is something that I think we discussed in the early Senate version and we had in our bill, and that is under Part 4, the Governor's Special Advisory Council for Technology Development. If I am correct, in the C.D. 1 version it exempts members of the council from Senate confirmation process and the requirement to file financial interest disclosure statements with the State Ethics Commission. The argument initially was -- well, we couldn't get really high quality people that would have to sit through the scrutiny of the nomination process or to bear their financial interest. Who says? Why not? We've got high quality people within our state. And if it is a process that we say is important, the confirmation process and the disclosure process, then it should be good for everybody including the technocrats and the new economy folks. So the fact that we're carving out an exemption and saying, 'hey, wait a minute, they're really special and they don't have to serve under the same kinds of conditions as everybody else' -- that troubles me."

"So aside from those considerations, Mr. President, I will support the bill with reservations. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 161 was adopted and H.B. No. 2901, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### MATTERS DEFERRED FROM THURSDAY, APRIL 13, 2000

#### THIRD READING

Stand. Com. Rep. No. 3391 (H.B. No. 2555, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3391 be adopted and H.B. No. 2555, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill."

"The bill will create six new full time permanent positions relating to workers' compensation expenses. And it takes money from the workers' compensation special compensation fund in the amount of \$282,595. My problem is, again, that we are creating six new positions to do what should have been done, particularly since everybody is taking credit for reducing the cost of workers' compensation."

"Thank you."

Senator Sakamoto rose to speak in opposition also and said:

"Mr. President, I rise in opposition as well.

"When I asked about the positions in caucus, there was no answer as to even if the positions were in this bill. I think workers' comp has been going down and I fear that when things are labelled as special comp funds, people don't pay attention. But all of these costs are paid by each of you as consumers and these costs may not be paid by employers directly into the comp fund, but certainly we need justification on why we're spending more money here."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3391 was adopted and H.B. No. 2555, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Sakamoto, Slom). Excused, 1 (Iwase).

Stand. Com. Rep. No. 3392 (H.B. No. 2568, H.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 3392 be adopted and H.B. No. 2568, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in opposition and said:

"Mr. President, a 'no' vote for the special fund created."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3392 was adopted and H.B. No. 2568, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

At 4:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:31 o'clock p.m.

#### ADOPTION OF RESOLUTIONS

H.C.R. No. 116, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 116, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

Senator Fukunaga moved that H.C.R. No. 116, H.D. 1, be adopted, seconded by Senator Levin.

Senator Fukunaga noted:

"Mr. President, this reso requests establishment of an advisory council to study issues relating to and encouraging the development of public and private high tech bioscience research in the state, and we'd like to encourage our colleagues to adopt it."

The motion was then put by the Chair and carried, H.C.R. No. 116, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY COUNCIL TO STUDY ISSUES RELATING TO ENCOURAGING AND ATTRACTING THE DEVELOPMENT OF PUBLIC AND PRIVATE HIGH TECHNOLOGY BIOSCIENCE RESEARCH IN THE STATE," was adopted.

H.C.R. No. 47:

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, requested that the referral of H.C.R. No. 47, to the Committee on Transportation and Intergovernmental Affairs be waived, and the Chair granted the waiver.

Senator Kawamoto moved that H.C.R. No. 47 be adopted, seconded by Senator Chun.

Senator Kawamoto noted:

"Mr. President, this is a resolution supporting the efforts of the World Health Organization and Waris Dirie to end the harmful tradition of female genital mutilation."

The motion was then put by the Chair and carried, H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," was adopted.

At 4:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:41 o'clock p.m.

#### RECONSIDERATION OF ACTIONS TAKEN

S.C.R. No. 60, S.D. 1, H.D. 1:

Senator Inouye moved that the Senate reconsider its action taken on April 25, 2000, in disagreeing to the amendments proposed by the House to S.C.R. No. 60, S.D. 1, seconded by Senator Chun and carried.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 60, S.D. 1, seconded by Senator Chun.

Senator Inouye then noted:

"Mr. President, the purpose of this measure is to request the Department of Land and Natural Resources to study the feasibility of establishing, assessing, and collecting user fees to offset the cost of maintaining Kokee State Park and Alakai Swamp on the Island of Kauai.

"The House version has amended the resolution by adding the surrounding forest reserves and changing the title to include surrounding forest reserves. Therefore, S.C.R. No. 60 reads: Requesting the Department of Land and Natural Resources to study the feasibility of establishing, assessing and collecting user fees to offset the cost of maintaining Kokee State Park, Alakai Swamp, Waimea Canyon State Park and surrounding forest reserves on the Island of Kauai."

The motion was then put by the Chair and carried.

On motion by Senator Inouye, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 60, S.D. 1, and S.C.R. No. 60, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, WAIMEA CANYON STATE PARK, AND SURROUNDING FOREST RESERVES ON THE ISLAND OF KAUAI," was Finally Adopted with Senator Slom voting "No."

S.C.R. No. 77, H.D. 1:

Senator Hanabusa moved that the Senate reconsider its action taken on April 25, 2000, in disagreeing to the amendments

proposed by the House to S.C.R. No. 77, seconded by Senator Chun and carried.

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 77, seconded by Senator Chun.

Senator Hanabusa explained:

"Mr. President, this senate concurrent resolution requests the Department of Health to work with service providers and the Department of Land and Natural Resources to determine a reasonable rental fee to improve infrastructure on the Waimano Training School and Hospital grounds."

The motion was then put by the Chair and carried.

On motion by Senator Hanabusa, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 77 and S.C.R. No. 77, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH SERVICE PROVIDERS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE A REASONABLE RENTAL FEE TO IMPROVE INFRASTRUCTURE ON THE WAIMANO TRAINING SCHOOL AND HOSPITAL GROUNDS," was Finally Adopted.

S.C.R. No. 173, S.D. 1, H.D. 1:

Senator Kanno moved that the Senate reconsider its action taken on April 25, 2000, in disagreeing to the amendments proposed by the House to S.C.R. No. 173, S.D. 1, seconded by Senator Taniguchi and carried.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 173, S.D. 1, seconded by Senator Taniguchi.

Senator Kanno noted:

"Mr. President, the purpose of S.C.R. No. 173, S.D.1, was to request the Hawaiian Electric Company to maintain its demand side management programs benefiting electricity customers. I just want to share with the members what the Senate version was before it went over to the House. It addressed Hawaiian Electric Company's reduction in solar rebates effective April 1, 2000, for owners of existing homes from \$800 to \$500, and for newly constructed residences from \$1,500 down to \$1,000.

"The Senate Resolution requested that the higher rebates be retained for a period of one year. Passing it over to the House, the House gutted our resolution and replaced it with a resolution requesting the PUC to address and consider additional demand side management issues and related pending or new commission dockets.

"I just wanted to share that the Senate chairs believe strongly in the original House position and we would like to make a statement that the rebates are very important in having people install solar water heating units in their homes and that we wanted to make a strong statement to Hawaiian Electric to do what they could to maintain those rebates at the previous levels. However, we are supporting with reservations the House amendments to the resolution.

"Thank you."

Senator Taniguchi rose in support and said:

"Mr. President, I stand in support with reservations.

"On S.C.R. No. 173, I would have preferred our S.D. 1 as crafted by my co-chair."

The motion was then put by the Chair and carried.

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 173, S.D. 1, and S.C.R. No. 173, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADDRESS AND CONSIDER ADDITIONAL DEMAND SIDE MANAGEMENT ISSUES IN RELATED, PENDING, OR NEW COMMISSION DOCKETS," was Finally Adopted.

S.C.R. No. 179, S.D. 1, H.D. 1:

Senator Kanno moved that the Senate reconsider its action taken on April 25, 2000, in disagreeing to the amendments proposed by the House to S.C.R. No. 179, S.D. 1, seconded by Senator Taniguchi and carried.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 179, S.D. 1, seconded by Senator Taniguchi.

Senator Kanno then noted:

"Mr. President, the purpose of S.C.R. No. 179 is to require the Public Utilities Commission to resolve avoided cost issues."

The motion was then put by the Chair and carried.

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 179, S.D. 1, and S.C.R. No. 179, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUIRING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES," was Finally Adopted.

S.B. No. 2160, S.D. 1, H.D. 1:

Senator Fukunaga moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2160, S.D. 1, seconded by Senator Levin and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 2160, S.D. 1, seconded by Senator Levin.

Senator Fukunaga then noted:

"Mr. President, S.B. No. 2160, relating to the general excise tax, provides for cash basis accounting for contractors. That bill had minor technical and nonsubstantive amendments made by the House to that bill."

The motion was then put by the Chair and carried.

At 4:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:51 o'clock p.m.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2160, S.D. 1, and S.B. No. 2160, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2785, S.D. 1, H.D. 1:

Senator Fukunaga moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2785, S.D. 1, seconded by Senator Levin and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 2785, S.D. 1, seconded by Senator Levin.

Senator Fukunaga then noted:

"Mr. President, S.B. No. 2785, H.D. 1, relating to unclaimed property, establishes a trust fund for said property. The House made minor technical and nonsubstantive amendments to that measure."

The motion was then put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2785, S.D. 1, and S.B. No. 2785, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2791, H.D. 1:

Senator Fukunaga moved that the Senate reconsider its action taken on April 11, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2791, seconded by Senator Levin and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 2791, seconded by Senator Levin.

Senator Fukunaga then noted:

"Mr. President, S.B. No. 2791, H.D. 1, provides an emergency appropriation to pay the share of health insurance carrier refund and rate credit amounts due to the federal government. The House added the correct dollar amount into the bill which is \$2.623 million."

The motion was then put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2791 and S.B. No. 2791, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2938, S.D. 1, H.D. 1:

Senator Fukunaga moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2938, S.D. 1, seconded by Senator Levin and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 2938, S.D. 1, seconded by Senator Levin.

Senator Fukunaga then noted:

"Mr. President, with respect to S.B. No. 2938, H.D. 1, relating to conformity of the Hawaii income tax laws to the

Internal Revenue Code, the House made minor technical, nonsubstantive amendments to the bill."

The motion was then put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2938, S.D. 1, and S.B. No. 2938, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2905, H.D. 2:

Senator Nakata moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2905, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2905 on the following showing of Ayes and Noes:

Ayes, 3 (Nakata, Fukunaga, Chun). Noes, none. Excused, 1 (M. Ige).

Senator Nakata moved that the Senate agree to the amendments proposed by the House to S.B. No. 2905, seconded by Senator Chun.

Senator Nakata noted:

"Mr. President, S.B. No. 2905, S.D. 1, extended the life of the employment training program for five years at the current level of assessment. The House amendments would sunset the employment training fund over three years and also calls for an auditor's report to make recommendations on the fund.

"We are now agreeing to the House amendments. Thank you."

The motion was then put by the Chair and carried.

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2905 and S.B. No. 2905, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2945, S.D. 1, H.D. 3:

Senator Taniguchi moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2945, S.D. 1, seconded by Senator Kanno and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2945, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Taniguchi, Kanno, Fukunaga, Levin). Noes, none. Excused, 1 (Anderson).

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 2945, S.D. 1, seconded by Senator Kanno.

Senator Taniguchi noted:

"Mr. President, H.D. 3 made technical amendments to Act 70 and 71, Session Laws 1999. It also imposed the use tax on contracts imported for resale or use in Hawaii. It provided pyramiding relief from the general excise tax for the sale of amusements. It also provided public service company tax rate relief for telecommunication services resold to long-distance telecommunications providers and motor carrier transportation services which are sold to contractors.

"The Department of Taxation sent a letter to the conferees on April 18, 2000, stating their preferences for the House draft. We were not able to get the House to agree to the other provisions that were in S.D. 1, so the conferees have agreed to agree to the House draft."

The motion was then put by the Chair and carried.

On motion by Senator Taniguchi, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2945, S.D. 1, and S.B. No. 2945, S.D. 1, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2166, H.D. 2:

Senator Inouye moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2166, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2166, on the following showing of Ayes and Noes:

Ayes, 4 (Inouye, Kanno, Nakata, Slom). Noes, none. Excused, 1 (Ihara).

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 2166, seconded by Senator Chun.

Senator Inouye noted:

"Mr. President, the purpose of this measure, S.B. No. 2166, is to assist electricity producing wind farms by: (1) allowing these farms to benefit from the state's enterprise zone program; and (2) exempting the sale of electric power produced from wind energy to the public utility for resale to the public from the general excise and use tax.

"Mr. President, H.D. 2 removes item 2, deleting the general excise and use tax exemptions, thus allowing the farms to benefit from the state's enterprise zones only.

"I ask my colleagues to adopt this measure.

"Thank you, Mr. President."

The motion was then put by the Chair and carried.

On motion by Senator Inouye, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2166 and S.B. No. 2166, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WIND FARMS,"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2536, S.D. 1, H.D. 2:

The President discharged the managers who were appointed on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 2536, S.D. 1.

Senator Chumbley moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2536, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2536, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley then noted:

"Mr. President and members, this is the measure which repeals the existing uniform principal and income act under HRS 557 and then reestablishes a new uniform principal and income act.

"The House made primarily technical, nonsubstantive amendments to the measure and we are in agreement with those.

"Thank you."

The motion was then put by the Chair and carried.

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2536, S.D. 1, and S.B. No. 2536, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 4:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:12 o'clock p.m.

S.C.R. No. 123, H.D. 1:

Senator D. Ige moved that the Senate reconsider its action taken on April 25, 2000, in disagreeing to the amendments proposed by the House to S.C.R. No. 123, seconded by Senator Chun and carried.

Senator D. Ige moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 123, seconded by Senator Chun.

Senator D. Ige noted:

"Mr. President, S.C.R. No. 123 urges the Department of Education to comply with existing law and regulations concerning conducting criminal history record checks prior to hiring of personnel in close proximity to children.

"The House added one resolve clause that asks the Board of Education to investigate the feasibility of conducting pre-employment criminal history record checks of applicants in lieu of the current policy of conducting criminal history record checks upon hiring.



"I would encourage all my colleagues to agree with that amendment."

The motion was then put by the Chair and carried.

On motion by Senator D. Ige, seconded by Senator Chun and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 123 and S.C.R. No. 123, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO COMPLY WITH EXISTING LAW AND REGULATIONS TO PREVENT THE EMPLOYMENT OF PERSONS WITH CRIMINAL CONVICTIONS IN POSITIONS WHICH PLACE THEM IN CLOSE PROXIMITY TO CHILDREN," was Finally Adopted.

S.B. No. 873, S.D. 1, H.D. 2:

The President discharged the managers who were appointed on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 873, S.D. 1.

Senator Taniguchi moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 873, S.D. 1, seconded by Senator Ihara and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 873, S.D. 1, seconded by Senator Ihara.

Senator Taniguchi noted:

"Mr. President, S.B. No. 873 provides that lease rent based on fair market value as determined by appraisal shall prevail over current contract provisions. It also provides that fair market value negotiation disagreements are to be resolved by Sections 171-18.5(b) and 10-13.6(b) Appraisal Procedures.

"The Senate bill which was unanimously adopted by us last year was permissive but it had an effective date of 2004. The House bill is mandatory and has an effective date upon approval.

"This bill will help small businesses leasing land from major land owners that are struggling to keep their businesses afloat. A reasonable fair market rent is necessary to help the bottom line of our small businesses.

"While the co-chairs would have preferred something different and there may be constitutional questions with this version, I ask that my colleagues support it at this point to provide an opportunity for further scrutiny by the governor and possibly by the courts." (Laughter.)

At 5:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:18 o'clock p.m.

The motion was then put by the Chair and carried.

Senator Taniguchi moved that S.B. No. 873, S.D. 1, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Ihara.

Senator Anderson rose in opposition to the measure and said:

"I'll be going 'no', Mr. President, primarily because I've read the bill and I used to lease land.

"Mr. President, I do have my concerns and I don't see it anywhere in here that says if the appraisal goes up that the rent can go up. What it says is if fair market value goes down, then the lease rent can go down. It doesn't say anything about raising the lease rent.

"And I do know that we circumvented laws for the state leases. And I'm not sure whose land this is anymore, but I do know that prior to this we were, I guess, beneficiaries of certain lands that were leased and people wanted to renegotiate a lease after the contract expired, and I fought for both sides. And that's what concerns me about this. I see it nowhere. Somebody said it's an assumption that it can be and I guess he's an attorney, he must know.

"But that's why I'm going 'no' on this particular measure, Mr. President. It doesn't really explain itself.

"Thank you very much."

Senator Matsunaga rose in opposition and said:

"Mr. President, I rise in opposition to this measure.

"Mr. President, first let me commend the author of this measure and its supporters for trying to do something to help out small businesses. Unfortunately, I oppose this measure for three reasons:

1. The bill is unconstitutional;
2. The bill is bad public policy; and
3. The bill will adversely affect tenants in negotiations on new leases.

"With respect to the unconstitutionality, the previous speaker mentioned that there were questions on the constitutionality. Unfortunately, Mr. President, there's no question -- it's a slam dunk -- it's clearly unconstitutional. I have an attorney general's opinion dated April 20 that states, 'Senate Bill No. 873 violates Section 10, Article I, of the United States Constitution,' which is the contracts clause provision. I'd like to submit this opinion letter into the Journal. (The Chair so ordered.)

"Number two, the bill is bad public policy. The bill will actually increase congestion in Hawaii courts. It will require the Hawaii courts to make determinations which are really better left to professional appraisers; such as whether appraisers followed the Uniform Standards of Professional Appraisal Practice in determining the fair market value of property.

"The bill will give an unfair advantage to parties with 'deep pockets' who may be those landlords who are willing to relitigate the determination of fair market value already made by professional appraisers.

"And number three, this bill will actually adversely affect tenants in their negotiations on new leases. Under current practices, landlords often give tenants lower initial rents to help them get started, relying on the rent floor in future reopeners to protect their income stream. Mr. President, if this bill passes, they will be less inclined to trade existing rents for future rents and the floor on rent reopeners is deleted. If the bill is passed, landlords will be less likely to agree to set future rents using the appraisal process which is based upon fair market value, and instead will seek to fix rents for the entire term of the lease making their best guess as to what is a fair rent 30 to 50 years in advance. Mr. President, I can guarantee that that best guess will be much higher than it is currently.

"I urge my colleagues to vote 'no.' Thank you."

The Chair having so ordered, the attorney general's opinion letter is identified as ATTACHMENT "A" to the Journal of this day.

Senator Chun rose to speak in opposition and said:

"Mr. President, I stand in opposition to this bill.

"Mr. President, I agree with the comments made by the Senator from Palolo, especially in regards to the fact that this bill is unconstitutional. I have also read the attorney general's opinion on this bill and I agree with it.

"More importantly, Mr. President, by my voting 'no' on this bill, I'm not saying there is no public purpose involved in granting a lease, basically a lease renegotiation benefit, to the small businesses. What I'm saying is that if we are going to take that action we need to adequately put down in the bill itself and in public hearings the expressed public purpose behind that. Right now that is not here in the bill. It is not contained in it. We have had no public input either from one side or the other in regards to whether or not there is a valid public purpose in awarding this kind of benefit to a small business over the constitutional rights of the land owner. And without that kind of input I believe I cannot support that bill as it stands.

"I would be very interested to have a bill like this come before the Senate in open meetings, in public debate and input so we can see what the benefit is and what is the overriding public policy that we need to decide.

"Until that happens, I will vote 'no' on this bill, Mr. President."

Senator Chun Oakland rose in support of the measure and said:

"Mr. President, I stand in support of this measure.

"Mr. President, S.B. No. 873, H.D. 2, would assist many small businesses in our community and end the practice that keeps lease rent prices artificially high in Hawaii. Inflated values of the Japan bubble period would no longer prevail. This would prevent further bankruptcies of lessees from occurring because they are unable to pay these artificially inflated lease rent values. Fair lease rents to lessees and fair returns to the lessors would be the result.

"It would also protect thousands of condominium residents from losing their homes during upcoming lease rent renegotiations.

"Thank you."

Senator Chumbley rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to this bill.

"Colleagues, I agree completely with the Senator from Palolo on the issue of the violation of the Constitution. I think it's very clear when you read the attorney general's opinion that we're going into an area of contract clauses and contract laws where, unless there is a significant public policy, the Legislature has no business involving itself.

"If you look at page 1 of the bill, lines 10 through 12, the stated public policy is and I quote: 'The legislature finds that it is in the public interest that the lease rents and the sublease rents should be based on the fair market value of the land.' If you applied that same public policy purpose as to the leasehold conversions under the Bishop Estate situation, you in no way compare this to that level, and that's the standard that you have to rise to in order to state the public policy and interest for us to be taking this action.

"In addition to that, there are two provisions of the existing statutes that this proposed measure conflicts with. So it's unclear what would prevail as far as the law or the policy.

"In addition, when there are cases of hardship, there is nothing that would prohibit a landowner, under a mutual agreement, to renegotiate lease rents in a hardship situation. So

I think there is more than adequate provisions in existing law that would allow for high bubble rents to be taken care of.

"So I urge all my colleagues to vote 'no' on this measure."

Senator Inouye rose to speak in opposition and said:

"Mr. President, I stand in opposition to this bill.

"I concur with the comments made by my colleagues from Palolo, South Kauai, and East Maui/North Kauai. I also am in receipt of a copy of the attorney general's opinion, thereby I'll be voting 'no.'

"Thank you."

Senator Anderson rose and said:

"Mr. President, if I may. I received the attorney general's opinion like everybody else, but I would hope that we'd go on good common sense as far as I was concerned.

"If I went to the bank to make a loan and then everything else went lower, I'm not going to tell them 'I have a fixed loan, however, my property value decreased, my business is losing money, therefore I think you should drop my loan to an amount that I can afford.' And that's what I looked at, and that's what I based it on.

"When we first discussed this, one attorney told me, 'I don't know where you're coming from, but I think it's not bad.' And then he voted no. I was concerned. I wasn't sure if he was voting up or down. But because somebody cited the attorney general's opinion, then everybody said 'well that's a good opinion.'

"What happened to good common sense in this place? If you believe something is wrong, then you say it's wrong. If you believe that it's right for the reasons that you have looked at, then vote that way. Just because the attorney general issues an opinion, it is not law. That's what scared me when we confirmed the attorney general. Because now he is going to come down with an opinion and everybody says that's right, regardless of how you feel. I think good common sense has got to prevail at times. And that's why I will vote 'no.'

"Thank you very much, Mr. President."

Senator Slom rose to support the measure with reservations and said:

"Mr. President, I rise in support of the measure with reservations.

"It's a very difficult issue and the arguments that have been made on both sides are both tenable. And I go back to the origin of this legislation which was, first of all, to change the appraisal process for which we voted. And then as was previously mentioned, our original bill last year was a permissive or voluntary bill, and we all supported that and that was a good measure as well. It got confusing this year as we had draft after draft and we had additional things that were put in, in terms of tax credits for the landowners and so forth.

"I certainly concur 100 percent with my colleague, the Minority Leader. In the past, we have had attorney general's opinions -- and that's what they are, they are opinions -- and they have proven to be wrong. Most recently and most notably, of course, had to do with the blank ballot situation where the former attorney general assured us that blank ballots would not count and later on they did with the Supreme Court. So it is an opinion and certainly we have to do what is right.

"I am troubled by a number of things here because first of all we are again, as we do so many times, looking at the symptom rather than the cause of a problem here.

"Secondly, I don't like the idea of the Legislature, as you know, interfering in any kind of business and certainly in terms of contracts, no matter what the contracts have been. As long as people are free to make those contracts, free to reject very harsh terms, then there is no problem. And that has not been demonstrated that that's not the case. The statements that are made that the Legislature should not get involved unless there are strong public policy provisions . . . come on . . . we get involved and we interfere all the time -- that's what 90 percent of our legislation is, then we make up the public policy arguments.

"We have a real problem here. Will it help small businesses? Yes, it will help certain small businesses. And that's where I'm caught too, because I have a great deal of respect for the small businesses that have been caught in this particular situation. But I also remember that small businesses are landowners too in certain cases. And so it does affect them.

"I guess the bottom line for me is, as it was in another issue about a year ago, my constituents. And my constituents, because they are caught up in the leasehold problem both commercial and condominium residential, are very, very, very adamant that they want some relief and they want something done. And they have told me that over and over again and it was a subject of our neighborhood board meetings and so forth.

"So, from that standpoint, with reservations and with concerns not only about constitutionality but about additional legislative involvement, I will vote, as I say, with reservations. If anything, I would probably like to have some of the royalty money from Land and Power in Hawaii because this should stimulate a new revised edition of that book in publication.

"I think what we really have to do, though, as I say, is look at the cause of our problems in terms of land. And most people that talk in this building have never met a private payroll in their lives and they've never been in a situation where they understand what the landowner has to go through in terms of additional costs and uncertainties and everything else.

"But to keep the discussion alive, to listen to my constituents, I will be voting with reservations. Thank you."

Senator Tam rose to speak in favor of the measure and said:

"Mr. President, I stand in favor of this bill.

"The purpose of being in favor of this bill is because the whole essence of this bill is to stimulate the economy based on the viability of business being able to survive, especially with their leases.

"In regards to the attorney general, it's only an opinion what he's saying. I would have more confidence in the attorney general if he was elected into office.

"Thank you."

Senator Sakamoto rose in opposition to the measure and said:

"Mr. President, I rise in opposition.

"Mr. President, many of the points in opposition are very valid points. I will not restate those. I think one valid point for our body is that this goes against legislative policy.

"This is such an important matter. The appraisal process was discussed, and we did vote on that. But for this last minute effort, the last bill of the day, after a heavy, heavy agenda . . . in the morning an opponent to the bill trying to say here's a little message and it's a very important message . . . This is a sad day if this body, this Legislature, passes a bill of such importance in such a manner as this. We shouldn't do this.

"There are many, many measures that we have passed. Some of these resos . . . when the chairs go w/r on their own reso, we shouldn't have passed that maybe. But certainly this is a heavy issue that deserves full and public debate, deserves both sides of the issue coming to the table. We had open decision-making. This is foolish if we pass something like this. We talk about open decision-making and then we have a bill to be reconsidered with amendments that haven't even been discussed. I think the proponents of openness in legislature really ought to vote no on principle of lack of openness on this particular measure."

Senators Kanno, Hanabusa, Buen, Nakata, D. Ige and Kawamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was then put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 873, S.D. 1, and S.B. No. 873, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Anderson, Bunda, Chumbley, Chun, Inouye, Iwase, Matsunaga, Matsuura, Sakamoto, Tanaka).

### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 100 to 107) were read by the Clerk and were disposed of as follows:

#### Senate Resolution

No. 100 "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE INDIVIDUALS WHO OPENED A DAY OF THE SENATE, TWENTIETH LEGISLATURE OF THE STATE OF HAWAII, REGULAR SESSION OF 2000, WITH AN INSPIRATIONAL INVOCATION."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 100 was adopted.

No. 101 "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE TWENTIETH LEGISLATURE, REGULAR SESSION OF 2000."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 101 was adopted.

No. 102 "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 102 was adopted.

No. 103 "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTIETH DAY."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 103 was adopted.

No. 104 "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 104 was adopted.

No. 105 "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 105 was adopted.

No. 106 "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE TWENTIETH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 106 was adopted.

No. 107 "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE."

Offered by: Senators Ihara, Anderson.

On motion by Senator Ihara, seconded by Senator Anderson and carried, S.R. No. 107 was adopted.

Senator Anderson rose on a point of personal privilege as follows:

"If I may, very briefly, Mr. President, rise for a point of personal privilege.

"I'm going to break my 100 percent vote with my colleague next door on certain things, but twice today he mentioned sex offenders and the governor. I happen to believe that Waimano Home has been there forever. In fact, as a very young man, my aunt used to work up at Waimano Home. That land is owned by us. It's always been for the mentally ill or those persons who had mental problems. I do know that we should have spoken a little more with the residents, the community, and the neighborhood boards. But I believe that it's a fair place.

"In fact, I want to remind everybody again, because they keep mentioning how close the schools are, that on the Windward side we do have the boy's and girl's reform schools and we have the women's prison right next door to Kailua High School. We do have the state hospital on Windward College. So, close proximity of institutions to neighborhood schools is nothing new. And I do apologize to those people because the government didn't sit out there and talk to them more.

"But really what got me, Mr. President, is something else that I read in yesterday's paper. The Sunday paper says 'Island economy picks up steam.' And then on the back of the paper which I normally read, the want ads (I'm always looking for a job; I figure I can get something part-time) two-and-a-half pages of foreclosures. The economy is picking up steam? Also, many, many businesses are for sale. In fact, I was looking at one a few months ago and the people that owned it were working, oh I'd say, 14 to 16 hours a day, 7 days a week. And after reading the paper, I found out (and it's in Chinatown) that the space is now available; the business is gone.

"So it worries me that our people read things like this in the paper, listen to what we're doing and the money we're spending and yet the economy is picking up and there's a lot of our people who don't realize it because there in a very sad condition.

"So I just wanted to make it a point that when we close today, remember that everything that we do, the people that we represent count on us to do the very, very best job we can.

"Thank you, my colleagues."

Senator Tam rose on a point of personal privilege as follows:

"Mr. President and colleagues, on behalf of the Chinese community and the Hawaiian/Chinese Multi-Cultural Museum, we want to thank you very much for the \$100,000 as grant money for the operations of the museum. And if I may, I'd like to take the pleasure of inviting any one of you and your families to visit our museum so that we can show you in terms of how we are using taxpayers' dollars wisely.

"Thank you."

Senator Matsunaga rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, today is the last day of session of at least one of our members, and I wanted to just share some of my thoughts on what he has meant to me as a Senator, as a person, and as a community leader. I'm talking, of course, about our beloved Senator from Mililani.

"I first met Randy about ten years ago when he spoke to me about getting younger Japanese Americans involved in politics. I think I wrote him a little note saying I was intrigued by his comments and he immediately called me up right away and said, 'What did you mean intrigued?' And two things struck me -- his perverse curiosity was only outweighed by his paranoia. (Laughter.)

"And I guess the second time I ran into him was when he was a judge for the Ten Outstanding Young People Award and I was nominated as a finalist. The very first question he asked me was -- What is the sound of one hand clapping? From that moment, I knew that was a taste of tough questions of what was to come. And watching him as a committee chair and on the Special Investigative Committee, Randy always asked the hard questions like: How much deeper would oceans be if sponges didn't live there? (Laughter.) And, What would you do if you see an endangered animal that is eating an endangered plant? And also, If the cops arrest a mime, do they tell him he has a right to remain silent?

"Mr. President, when I was first elected to the Senate, he soon became one of my mentors. I'm sure he'll deny that now, but he gave me that rookie neck tie which I passed on to the Senator from Waipahu, and I'm not sure what has ever happened to that. He also gave me some wise words of advice. He said, 'Go ahead and take risks, just be sure that everything will turn out okay.' He also told me, 'If you can't be kind, at least have the decency to be vague.'

"The very first day of session, we were photographed together and he was shaking my hand welcoming me to the Senate. And normally, he takes pretty good pictures, but I've got to admit, this was the worst picture I've ever seen of him -- he was kind of hunched over, shaking my hand and he kind of looked like a cross between Quasimodo and George Costanza. (Laughter.) It was also the first Corky cartoon in which he and I had ever been drawn together, so I take pride in that. He told me he would never take another picture with me because I had too much hair and because my hair was able to stand straight up. Mr. President, at that time, I didn't know that Senator Iwase had trouble with his hair standing up.

"Mr. President, notwithstanding the fact that we took opposite sides on numerous high profile issues and I've always admired his ability to organize his arguments and clearly

articulate them, I thought I'd read a quote that reminded me of him from one of his favorite presidents, John F. Kennedy:

'When at some future date the high court of history sits in judgment on each one of us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we may hold, will be measured by the answers to four questions: Were we truly men of courage? Were we truly men of judgment? Were we truly men of integrity? Were we truly men of dedication?'

And I think in Senator Iwase's case, the answers are, absolutely.

"I would also like to read a farewell speech I hope the Senator can appreciate, because it is in light of his favorite rock group, the Beatles.

'Yesterday,' I was contemplating what I would say about my colleague from Mililani. For Senator Iwase, his career has been a 'long and winding road.' Sometimes, Senator Iwase was referred to as the 'bad boy' of the Senate 'because' of his pension for dissidence and every once and a while a minor 'revolution.' Despite this reputation, Senator Iwase was always able to 'come together' with his colleagues, knowing that 'we can work it out' and do what is right for the people of the state.

On the night before final decking and after many 'a hard day's night' of running around 'helter skelter,' I reflected that 'a day in the life' of Randy Iwase was pretty good. Being without a chairmanship, Senator Iwase would oftentimes be the 'nowhere man' or a 'day tripper' skipping off to other Senators' offices to see what was going on. Occasionally you could be caught 'daydreaming' or strolling down 'Penny Lane,' romping in 'strawberry fields,' or taking a ride on a 'yellow submarine.' And sometimes I would hear him wondering out loud if 'I am the walrus' or if 'I should have known better,' or just 'let it be.'

'Imagine,' as a member of the Labor and Industrial Relations Appeals Board, Senator Iwase will 'get back' to his legal roots. Hearing countless cases on worker's compensation disputes, Senator Iwase will have new colleagues to depend on, and if not, I'm sure that he can always get by 'with a little help from his friends.' I'm sure that under his guidance, 'if I fell' I would attain a fair judgment from him.

Whatever you do, Senator Iwase, 'I've got a feeling' that this 'magical mystery tour' that you're on will take you beyond the 'misery' of the Legislature, because you've got 'something' that keeps you striving to succeed.

'In my life,' I don't think I've met many people who are as interesting as Senator Iwase. Serving with you in the Senate has been enlightening, and your insight on issues, 'that means a lot' to me.

On behalf of my colleagues, I ask that you 'don't ever change' and 'don't let us down' during your term as a member of the Labor and Industrial Relations Appeals Board.

Mr. President, I'd like to ask that we rise 'all together now,' and wish Senator Iwase good luck and aloha to his new job.

"Thank you, Mr. President."

At this time, the members of the Senate rose and extended a resounding round of applause for their colleague, Senator Iwase.

Senator Slom rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"First of all, I have to say, with all those accolades, the good Senator from Mililani broke his first promise . . . he was supposed to bring his guitar today and I was supposed to sing 'Don't Be Cruel' for you. I know you were all looking forward to that. So that's a sorry thing.

"I want to tell you, Mr. President, and I want to thank you, first of all, for your leadership, particularly this session, and for the courtesies and generosity that you've extended. Also to my colleagues, I have enjoyed being here in this stint of four years that has gone just like phew, just like that. We have laughed and we have debated and we have battled and we have done things, and hopefully we have made some good, we've made some progress and made some change. Because along with the new economy, there's got to be some new changes for Hawaii. And I think that more than any other agency or body, that the State Senate has the ability to make those changes and we certainly have the capabilities and the people within this body.

"We have agreed and we've disagreed and we've argued and, quite frankly, I am very honored to have been a member of this Senate. I would not like to have been in the House across the hall there because they're so boring. (Laughter.) They don't seem to have as much passion as we do. And you know, we have such colorful characters -- the Beatle, the opihi, all the folks that make up this Senate body. And it shows something about determination and it shows something about being able to resurrect bills and measures that have long been counted as dead.

"The thing that, as I say, I will remember during my four years here, and hopefully I'll be back with some of you to spend some more time, is that all of us, particularly those of us that enunciate a different point of view, need to speak up, need to talk. We need more full and open discussion of issues -- not personalities, but issues -- within this body and within this state. For too long, we have accepted things because that's the way it was always done or because somebody was in favor of it. We have the responsibility to question not only authority, but the basis for our own decisions and decisions that are made by others, but, that we have responsibility for.

"So I would just say that we can compromise on many things, but we can never and should never compromise on principle, and that we should never, never, never, never forget who sent us here -- the taxpayers of this state who pay for every drink of water, every paper clip, every piece of paper, everything that we do here. And we owe them courtesy and respect and responsibility. And even though we may not be in total agreement with ourselves or with them, we owe them that respect to explain why we have taken a position as we have.

"So I want to thank you all for your courtesy and for your kindness and wish you all very well. I'm going to miss this. I'll wake up tomorrow and I won't be able to stand up and speak.

"Thank you very much, Mr. President. Aloha."

Senator Sakamoto rose on a point of personal privilege as follows:

"Mr. President, a point of personal privilege.

"It sounded almost like a farewell speech from the Senator from Hawaii Kai.

"We talk about time -- more time to do a bill. We talk about ten years ago. We talk about many things -- building trust or violating our own rules. We talk about thinking about our re-elections -- is our heart right; is this the time to do something?

We talk about the proper times -- whether it's celebrating fireworks or other things. We talk about the time we had or wish we had. We talk about journeys. We talk about opportunities for the future. We talk about some future date. We talk about agrees/disagrees.

"I want to read something about time, then relate a little bit to our good Senator from Mililani.

'To everything there is a season, a time for every purpose under heaven -- a time to be born, and a time to die; a time to plant, and a time to pluck what is planted; a time to kill, and a time to heal; a time to break down, and a time to build up; a time to weep, and a time to laugh (I'm going to miss your laughter, Senator); a time to mourn, and a time to dance; a time to cast away stones, and a time to gather stones; a time to embrace, and a time to refrain from embracing; a time to gain, and a time to lose; a time to keep, and a time to throw away; a time to tear, and a time to sow; a time to keep silent, and a time to speak; a time to love, and a time to hate; a time of war, and a time of peace.'

"In my four years here, I appreciate the time you spent with me and with others. I'm going to miss that time. Should I return, should all of us return, or most of us, I would hope that there will be more times to cast away stones, and not to gather them; more times to embrace, and not to refrain; and as the Senator from Hawaii Kai said -- more times that more people speak, and speak openly. And one thing that I appreciate about the Senator from Mililani is that he was able, in a concise manner, to speak and make issues that are sometimes murky, very clear. So I'm going to miss that . . . we're going to miss that.

"I hope and pray that you will do well in your new assignment, but I also hope that you will share your wisdom with us periodically, whether in person or on the phone. And even if you don't step foot in the capitol, your spirit will always be here. God Bless."

Senate President Mizuguchi then delivered his closing remarks as follows:

"Members of the Senate, you've worked long and hard and your well-deserved R&R is just minutes away. Please bear with me as I take a few moments to congratulate all of you.

"Will Rogers said, 'Get someone to blow your trumpet and the sound will carry twice as far.' I'll 'toot your horn' because the legislation that you have constructed with your House counterparts is an outstanding list of accomplishments.

"Much credit must go to you for putting aside personal conflicts and not let them interfere with your deliberations in shaping good public policy -- which is our ultimate responsibility.

"Listen to the trumpet's sounds of legislative accomplishments this session.

"You took to heart people's concerns about the fireworks issue -- one that greatly affects the health, safety, and well being of our island community. While we could not agree on a statewide ban, we were able to limit the display of non-aerial fireworks only for cultural purposes and to ban the general use of aerial fireworks. Concurrently, we imposed stricter penalties for violations.

"You also passed an educational accountability measure that allows the superintendent, teachers, parents, and the unions to work together to set up a system of academic standards and performance measurements. And, you increased the Department of Education's budget.

"You recognized the need for repair and maintenance projects at our schools and generously gave DOE nearly \$71 million in cash and bonds.

"You also gave \$30 million to the University of Hawaii for its R&M projects and agreed to put the issue of amending the state constitution to provide UH with autonomy over its own interests on this year's ballot.

"You passed a comprehensive measure to bring about government efficiency and accountability through civil service reform and cut more red tape in government bureaucracy by streamlining the burdensome regulatory requirements.

"You selected a site for a new prison on the Big Island and established a pilot project for managed competition. You also provided \$400,000 for substance abuse treatment for inmates.

"You went beyond last year's high-tech omnibus bill by providing even more tax credits and other incentives to stimulate the increasing momentum of Hawaii's New Economy.

"Although the Regular Session of the Twentieth Legislature ends today, we must work together to continue the good work we did this session. Since the improvements we seek are incremental and do not flower overnight, I'm asking the committee chairs to determine what issues should be studied during the interim and submit their proposals to me.

"I also ask that you plan to reserve several days during the first week of August to return to these chambers for a special session to confirm three judges, including the replacement for soon-to-be Associate Justice Simeon Acoba.

"While the Senator from Mililani won't be with us when we meet in August, I'd like to take this opportunity to congratulate Senator Iwase on his confirmation to the Labor and Industrial Relations Appeals Board. I'm certainly proud that one of our own has been selected for this important position. Randy, our warmest aloha and best wishes go with you as you start a new chapter of public service.

"This has indeed been a productive session. You can all go back to your constituents with your head high knowing that you worked on their behalf toward the greater good.

"I'm grateful to you and your staffs for all the hard work in taking care of the people's business. I'll see you in August.

"Mahalo and aloha."

At this time, the President appointed Senators Ihara, Chumbley, Chun, Anderson and Slom to inform the House of Representatives that the Senate is ready to adjourn, Sine Die.

At 5:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:25 o'clock p.m.

## ADJOURNMENT

Senator Chun moved that the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, adjourn Sine Die, seconded by Senator Slom and carried.

At 6:26 o'clock p.m., the President rapped his gavel and declared the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, adjourned Sine Die.

ATTACHMENT "A"

STATE OF HAWAII  
DEPARTMENT OF THE ATTORNEY GENERAL  
425 Queen Street  
Honolulu, Hawaii 96813  
(808) 586-1300

April 20, 2000

The Honorable Ron Menor  
Representative  
House of Representatives  
State Capitol, Room 320  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Re: S.B. No. 873, S.D. 1, H.D. 2

Dear Representative Menor,

We are responding to your request for a follow-up memorandum regarding the constitutionality of S.B. No. 873, S.D. 1, H.D. 2 ("S.B. No. 873"), which was further amended by the Committee on Finance of the House of Representatives in pertinent part as follows:

- 1) Deleted requirement that any reduction in a sublessor's rent shall result in a corresponding reduction in rent between the sublessor and the sublessee;
- 2) Deleted the state income and general excise tax credits for lessors to cover loss lease rental income due to the new renegotiation provisions in S.B. No. 873; and
- 3) Added a requirement that disputes arising during rent renegotiation regarding the fair market value of the leased land be resolved by appraisal under section 10-13.6(b), Hawaii Revised Statutes ("HRS") or section 171-18.5(b), HRS, rather than by arbitration under chapter 658, HRS.

Based on the changes to S.B. No. 873, we are of the opinion that S.B. No. 873 violates Section 10, Article I of the United States Constitution ("Contracts Clause"). Additionally, the proposed amendment to present section 519-1(b), HRS, which adds a new rent dispute resolution mechanism utilizing appraisals as provided in sections 10-13.6(b) and 171-18.5(b), HRS, is in direct conflict with the requirement in present section 519-2(b), HRS, that rent reopening disputes be resolved by binding arbitration by the Housing Finance and Development Corporation ("HFDC").

As noted in our legal memorandum of April 6, 2000, the United States Supreme Court has said with regard to Contract Clause claims that "the prohibition is not an absolute one and is not to be read with literal exactness like a mathematical formula." United States Trust Co. v. New Jersey, 431 U.S. 1, 21, 97

S.Ct. 1505, 1517, 52 L.Ed.2d 92, 109 (1977). However, the United States Supreme Court stated in Allied Structural Steel Co. v. Apannaus, 438 U.S. 234, 242, 98 S.Ct. 2716, 2721, 57 L.Ed.2d 727, 734 (1978), that "[i]f the Contracts Clause is to retain any meaning at all,...it must be understood to impose some limits upon the power of a State to abridge existing contractual relationships, even in the exercise of its otherwise legitimate police power." [Emphasis in original].

Thus, in analyzing Contracts Clause claims, the United States Supreme Court in United States Trust Co. v. New Jersey, 431 U.S. at 22, 97 S.Ct. at 1517-1518, 52 L.Ed.2d at 109-110, noted as follows:

Yet private contracts are not subject to unlimited modification under the police power. The Court in Blaisdell recognized the laws intended to regulate existing contractual relationships must serve a legitimate purpose. [Citation omitted.] A State could not "adopt as its policy the repudiation of debts or the destruction of contracts or the denial of means to enforce them." [Citation omitted.] Legislation adjusting the rights and responsibilities of contracting parties must be upon reasonable conditions and of a character appropriate to the public purpose justifying its adoption.

The Hawaii Supreme Court in Applications of Herrick & Irish, 82 Haw. 329, 340, 922 P.2d 942, 953 (1996) stated the test to be used in determining whether a statute is constitutional under the Contracts Clause as follows:

In deciding whether a state law has violated the federal constitutional prohibition against impairment of contracts, U.S. Const., art. I, §10, cl. 1, we must assay the following three criteria: (1) whether the state law operated as a substantial impairment of a contractual relationship; (2) whether the state law was designed to promote a significant and legitimate public purpose; and (3) whether the state law was a reasonable and narrowly-drawn means of promoting the significant and legitimate public purpose.

As was discussed in our prior memorandum, it is clear that existing leases could be impaired by the provisions of S.B. No. 873, and that the consequent loss of lease rent income which the lessors may rely upon to pay mortgages, bills, and other expenses could be substantial. Unlike the prior House version of S.B. No. 873, however, the present draft deleted the provision for state net income and general excise tax credits to reimburse lessors for any lease rent revenue lost due to a reduction in lease rent that may result from S.B. No. 873. Consequently, the potential harm to lessors and existing contractual rights and expectations under the present bill could indeed be a substantial impairment of their contractual relationships with lessees. Therefore, the only questions remaining are whether the bill "changes the contractual and property rights on reasonable conditions and is of a character appropriate to its public purpose." (Anthony v. Kualoa Ranch, Inc., 69 Haw. 112, 120, 736 P.2d 55, 60 (1987)).

In this regard, the only public policy noted in S.B. No. 873 is stated as follows:

"The legislature finds that it is in the public interest that the lease rent and sublease rent should be based on the fair market value of the land."

Viewing this public policy against the potentially substantial loss of rental income and the ensuing impairment of existing leases that would occur should S.B. No. 873 be enacted, it would appear that the change in law proposed to be effected by S.B. No. 873 would not be reasonable and would not be "of a character appropriate to its public purpose." Anthony v. Kualoa Ranch, Inc., 69 Haw. 112, 120, 736 P.2d 55, 60 (1987).

In this regard, S.B. No. 873 is similar to the statute at issue in Anthony v. Kualoa Ranch, Inc., 69 Haw. 112, 736 P.2d 55 (1987), wherein a provision in section 516-70, HRS, which required lessors to purchase a lessee's leasehold improvements at the expiration of the lease term was struck down as unconstitutionally impairing the obligation of existing leases in violation of the Contracts Clause. In Kualoa Ranch, the Supreme Court noted that the public purpose sought to be advanced by section 516-70



was to accomplish equity. In rejecting this justification for the statute in question, the Supreme Court in Kualoa Ranch, 69 Haw. at 124, 736 P.2d at 63, noted as follows:

This statute, as applied to leases already in effect, purely and simply, is an attempt by the legislature to change contractual remedies and obligations, to the detriment of all lessors and to the benefit of all lessees, without relation to the purposes of the leasehold conversion act; without the limitations as to leaseholds subject thereto contained in the conversion provisions; not in the exercise of the eminent domain power, but simply for the purpose of doing equity, as the legislature saw it. If there is any meaning at all to the contract clause, it prohibits the application of HRS §516-70 to leases existing at the time of the 1975 amendment. Accordingly, that section, as applied to leases existing at the time of the adoption of the 1975 amendment, is declared unconstitutional.

Like the legislative action that was at issue in Kualoa Ranch, the legislature has not cited any broad societal benefits that support the changes proposed by S.B. No. 873. In fact, the public purpose behind the prior versions of S.B. No. 873 has been lost by the deletion of the requirement that rent reductions that may result under the bill be passed onto the sublessees by sublessors. By deleting this pass-through requirement, S.B. No. 873 now denies the benefits of S.B. No. 873 to those lessees most in need of rent relief.

Consequently, it appears that a court could find that the changes proposed in S.B. No. 873, "as applied to leases already in effect, purely and simply, is an attempt by the legislature to change contractual remedies and obligations to the detriment of all lessors...." without advancing any broad societal interest. Anthony v. Kualoa Ranch, Inc., 69 Haw. 112, 124, 736 P.2d 55, 63 (1987). S.B. No. 873, as presently worded, does not appear "...to promote a significant and legitimate public purpose," and does not appear to be "...a reasonable and narrowly-drawn means of promoting the significant and legitimate public purpose," thereby failing the final two criteria for determining whether a law is violative of the Contracts Clause. Applications of Herrick & Irish, 82 Haw. 329, 340, 922 P.2d 942, 953 (1996).

Additionally, it should be noted that S.B. No. 873 creates a conflict between the provisions of sections 519-1 and 519-2, HRS, in that S.B. No. 873 now proposes to amend section 519-1 to provide that "[a]ny disagreement over fair market value that cannot be resolved by negotiation shall be settled by the procedure of appraisal set forth in sections 10-13.6(b) and 171-18.5(b) and not by arbitration under chapter 658." Present section 519-2(b) requires binding arbitration by the HFDC "[i]n the event the parties to a lease are unable to achieve an agreement under any reopening provision." This latter provision is in direct conflict with the "appraisal" dispute resolution process provided for in S.B. No. 873.

Also, section 10-13.6(b) and section 171-18.5(b), HRS, provide that "[f]air market value shall be determined on a per acre basis...." Very few residential lots are one acre in size, with most residential lots being under 10,000 square feet in size. Under normal appraisal practice, the use of one acre lot size to determine fair market value is more appropriate for valuing large parcels and may not result in an appropriate or accurate valuation of smaller lots, which are typically appraised using comparable sales of lots of similar size. Thus, in addition to creating a conflict with the arbitration requirement of section 519-2(b), S.B. No. 873 may also result in erroneous and inaccurate land valuations.

In conclusion, S.B. No. 873 as presently worded, will substantially impair existing leases without furthering any apparent public purpose. The elimination of the net income and general excise tax credits to compensate lessors for any rental income losses that may result from the changes effected by S.B. No. 873, and the deletion of the requirement that any reduction in lease rent be passed on to sublessees by sublessors, make it unlikely that S.B. No. 873 will be found to be a "reasonable and narrowly-drawn means of promoting...[a] significant and legitimate public purpose." Applications of Herrick & Irish, 82 Haw. 329, 340, 922 P.2d 942, 953 (1996). Consequently, it appears that S.B. No. 873, as presently worded, would be found to violate the Contracts Clause.

---

Very truly yours,

/s/ Jeffery Kato  
Jeffery Kato  
Deputy Attorney General

Approved:

/s/ Earl I. Anzai  
Earl I. Anzai  
Attorney General

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE

**Gov. Msg. No. 328**, informing the Senate that on May 2, 2000, he signed the following bills into law:

House Bill No. 2066 as Act 88, entitled: "RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND";

House Bill No. 2409 as Act 89, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION"; and

House Bill No. 2760 as Act 90, entitled: "RELATING TO THE COLLEGE SAVINGS PROGRAM."

**Gov. Msg. No. 329**, informing the Senate that on May 16, 2000, he signed the following bills into law:

House Bill No. 1491 as Act 91, entitled: "RELATING TO SUBPOENAS";

House Bill No. 2129 as Act 92, entitled: "RELATING TO PAWN BROKERS AND SECONDHAND DEALERS";

House Bill No. 2471 as Act 93, entitled: "RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION";

House Bill No. 2485 as Act 94, entitled: "RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE";

House Bill No. 2649 as Act 95, entitled: "RELATING TO NONCONSENSUAL COMMON LAW LIENS";

Senate Bill No. 1095 as Act 96, entitled: "RELATING TO HUNTING";

Senate Bill No. 2849 as Act 97, entitled: "RELATING TO REVIEW HEARINGS"; and

Senate Bill No. 2930 as Act 98, entitled: "RELATING TO CONTROLLED SUBSTANCES."

**Gov. Msg. No. 330**, letter dated May 19, 2000, informing the Senate that S.B. No. 539, which proposes a constitutional amendment, was filed with the Office of the Lieutenant Governor on May 18, 2000.

**Gov. Msg. No. 331**, informing the Senate that pursuant to Section 17-3(b)(1), HRS, he appointed Representative Ron Menor to fill the vacancy in the State Senate, 18th District, effective May 16, 2000, and Mr. Menor's term will expire on General Election Day of 2000.

**Gov. Msg. No. 332**, dated May 19, 2000, transmitting his statement of objections to Senate Bill No. 2869 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

May 18, 2000

STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
2869

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2869, entitled 'A Bill for an Act Relating to Safe Drinking Water.'

The purpose of this bill is to amend section 340E-8, Hawaii Revised Statutes, to assure that administrative, civil, and criminal monetary penalties in state law are consistent with requirements for federally approved state drinking water programs. Specifically, the bill clarifies that multiple violations on one day may each be penalized up to a set amount.

This bill is objectionable because it duplicates Act 84, Session Laws of Hawaii 2000, which I signed on April 27, 2000.

For the foregoing reason, I am returning Senate Bill No. 2869 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature, and

WHEREAS, Senate Bill No. 2869, entitled 'A Bill for an Act Relating to Safe Drinking Water,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2869 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2869 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 18th day of May, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 333**, informing the Senate that on May 19, 2000, he signed into law House Bill No. 1925 as Act 99, entitled: "RELATING TO ELECTIONS."

**Gov. Msg. No. 334**, informing the Senate that on May 21, 2000, he signed the following bills into law:

House Bill No. 1457 as Act 100, entitled: "RELATING TO THE TRAFFIC CODE"; and

House Bill No. 2513 as Act 101, entitled: "RELATING TO UNCLAIMED CORPSES."

**Gov. Msg. No. 335**, informing the Senate that on May 22, 2000, he signed the following bills into law:

House Bill No. 2514 as Act 102, entitled: "RELATING TO PUBLIC ASSISTANCE";

House Bill No. 2555 as Act 103, entitled: "RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES"; and

House Bill No. 2559 as Act 104, entitled: "RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL."

**Gov. Msg. No. 336**, dated May 23, 2000, transmitting his statement of objections to Senate Bill No. 2409 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

May 22, 2000

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2409

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2409, entitled 'A Bill for an Act Relating to Taxation.'

The purposes of Senate Bill No. 2409 are to provide an exemption from general excise and public service company taxes for call centers and to provide a qualified improvement tax credit.

The objections to this bill center on the qualified improvement tax credit provisions, which provide a credit against net income, general excise, and public service company taxes for costs of qualified improvements to property primarily intended for hotel or resort use. The amount of the credit varies between four and twenty percent depending on the amount of costs over a three-year period.

This bill is objectionable because it is unfair and because it results in a substantial revenue loss. The bill is unfair because it does not provide the same rate of credit to all taxpayers. It provides the greatest tax benefits to taxpayers with the largest financial resources, providing them with a credit that is five hundred percent greater than the credit available to those taxpayers with more limited financial resources. Moreover, it is estimated that this bill will result in an annual revenue loss of approximately \$62,800,000. Couple this with the fact that the bill's credit provisions are retroactive to January 1, 1999, and the immediate revenue impact is disastrous.

Finally, this bill is at least partially duplicative of another passed bill. During the Regular Session of 2000, the Legislature also passed Senate Bill No. 2781, also entitled 'A Bill for an Act Relating to Taxation.' Senate Bill No. 2781 provides for a four percent hotel construction and remodeling tax credit and tax exemptions for call centers. Senate Bill No. 2781 has similar purposes to this bill, but will accomplish those purposes in an evenhanded and less costly manner. Because I intend to approve Senate Bill No. 2781, there is no necessity to also approve this bill.

For the foregoing reasons, I am returning Senate Bill No. 2409 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2409, entitled 'A Bill for an Act Relating to Taxation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2409 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2409 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 22nd day of May, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 337**, informing the Senate that on May 22, 2000, he signed the following bills into law:

House Bill No. 1939 as Act 105, entitled: "RELATING TO KAHOLAWE ISLAND RESERVE COMMISSION";

House Bill No. 2490 as Act 106, entitled: "RELATING TO THE HAWAII TEACHER STANDARDS BOARD";

House Bill No. 2501 as Act 107, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 2506 as Act 108, entitled: "RELATING TO PROSPECTIVE ADOPTIVE PARENTS";

House Bill No. 2521 as Act 109, entitled: "RELATING TO SCHOOL HEALTH REQUIREMENTS";

House Bill No. 2572 as Act 110, entitled: "RELATING TO KANEOHE BAY";

House Bill No. 2643 as Act 111, entitled: "RELATING TO ABANDONED MOTOR VEHICLES";

House Bill No. 2650 as Act 112, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 2653 as Act 113, entitled: "RELATING TO THE JUDICIARY";

Senate Bill No. 2427 as Act 114, entitled: "MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS";

Senate Bill No. 2533 as Act 115, entitled: "RELATING TO CRIME VICTIM COMPENSATION";

Senate Bill No. 2535 as Act 116, entitled: "RELATING TO PROBATE";

Senate Bill No. 2621 as Act 117, entitled: "RELATING TO HEALTH";

Senate Bill No. 2779 as Act 118, entitled: "RELATING TO STATE ENTERPRISE ZONES"; and

Senate Bill No. 2843 as Act 119, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

**Gov. Msg. No. 338**, informing the Senate that on May 26, 2000, he signed the following bills into law:

House Bill No. 2568 as Act 120, entitled: "RELATING TO STATE PARKS";

House Bill No. 2569 as Act 121, entitled: "RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND";

House Bill No. 2573 as Act 122, entitled: "RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION";

Senate Bill No. 185 as Act 123, entitled: "RELATING TO EDUCATION";

Senate Bill No. 915 as Act 124, entitled: "RELATING TO CANDIDATE VACANCIES";

Senate Bill No. 2108 as Act 125, entitled: "RELATING TO THE PUBLIC LAND TRUST";

Senate Bill No. 2115 as Act 126, entitled: "RELATING TO FALSE CLAIMS";

Senate Bill No. 2151 as Act 127, entitled: "RELATING TO FIREARMS";

Senate Bill No. 2545 as Act 128, entitled: "RELATING TO GLASS RECOVERY";

Senate Bill No. 2667 as Act 129, entitled: "RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE"; and

Senate Bill No. 2670 as Act 130, entitled: "RELATING TO ELECTIONS."

**Gov. Msg. No. 339**, informing the Senate that on May 30, 2000, he signed the following bills into law:

House Bill No. 2218 as Act 131, entitled: "RELATING TO INSURANCE";

Senate Bill No. 3043 as Act 132, entitled: "RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION"; and

Senate Bill No. 3190 as Act 133, entitled: "RELATING TO CAPTIVE INSURANCE."

**Gov. Msg. No. 340**, informing the Senate that on May 30, 2000, he signed the following bills into law:

House Bill No. 1949 as Act 134, entitled: "RELATING TO ALIEN AQUATIC ORGANISMS";

House Bill No. 2017 as Act 135, entitled: "RELATING TO COLLECTION AGENCIES";

House Bill No. 2183 as Act 136, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES";

House Bill No. 2273 as Act 137, entitled: "RELATING TO THE HAWAII CHILDREN'S TRUST FUND";

House Bill No. 2476 as Act 138, entitled: "RELATING TO INSURANCE";

Senate Bill No. 2112 as Act 139, entitled: "RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT";

Senate Bill No. 2254 as Act 140, entitled: "RELATING TO PRIVACY OF HEALTH CARE INFORMATION";

Senate Bill No. 2521 as Act 141, entitled: "RELATING TO PROFESSIONAL SERVICE CONTRACTS";

Senate Bill No. 2692 as Act 142, entitled: "RELATING TO SALARIES"; and

Senate Bill No. 3133 as Act 143, entitled: "RELATING TO CRIME."

**Gov. Msg. No. 341**, informing the Senate that on May 30, 2000, he signed the following bills into law:

House Bill No. 1902 as Act 144, entitled: "RELATING TO THE STATE WATER CODE";

House Bill No. 1912 as Act 145, entitled: "RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY";

House Bill No. 2098 as Act 146, entitled: "RELATING TO CRIMINAL HISTORY";

House Bill No. 2406 as Act 147, entitled: "RELATING TO AGRICULTURE";

House Bill No. 2432 as Act 148, entitled: "RELATING TO LOW-INCOME HOUSING TAX CREDIT";

House Bill No. 2481 as Act 149, entitled: "RELATING TO THE UNIFORM SECURITIES ACT";

House Bill No. 2530 as Act 150, entitled: "RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION";

House Bill No. 2797 as Act 151, entitled: "RELATING TO INSURANCE CODE"; and

House Bill No. 2835 as Act 152, entitled: "RELATING TO WATERSHED PROTECTION."

**Gov. Msg. No. 342**, informing the Senate that on May 31, 2000, he signed the following bills into law:

House Bill No. 2314 as Act 153, entitled: "RELATING TO INSURANCE"; and

House Bill No. 2405 as Act 154, entitled: "RELATING TO PESTICIDES."

**Gov. Msg. No. 343**, informing the Senate that on June 1, 2000, he signed the following bills into law:

House Bill No. 2407 as Act 155, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE";

Senate Bill No. 2791 as Act 156, entitled: "MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT"; and

Senate Bill No. 2872 as Act 157, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION."

Gov. Msg. No. 344, dated June 5, 2000, transmitting his statement of objections to House Bill Nos. 101 and 2469 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 1, 2000

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 101

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 101, entitled 'A Bill for an Act Relating to Buyback of Employees' Retirement System Membership Service Credit.'

The purpose of House Bill No. 101 is to allow retired members of the Employees' Retirement System of the State of Hawaii who had at least thirty years of credited service to purchase membership service credit for the months in 1942 when they were temporarily loaned to another government's agencies for purposes of civil defense fingerprint identification.

It is my understanding that this bill to allow the purchase of membership service credit for a service period fifty-eight years ago, although ostensibly providing the opportunity to any retired member, is limited in actual operation and is intended to benefit a single individual. I believe that we should not devote the limited resources of the State to the enactment of a statewide law that will benefit only a single individual.

For the foregoing reason, I am returning House Bill No. 101 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 101, entitled, 'A Bill for an Act Relating to Buyback of Employees' Retirement System Membership Service Credit,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 101 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 101 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 1st day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 1, 2000

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2469

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2469, entitled 'A Bill for an Act Relating to Subpoenas Issued by the Department of Commerce and Consumer Affairs.'

The purpose of this bill is to allow the Director of Commerce and Consumer Affairs to delegate to any designee of the director the authority to issue subpoenas and the authority to appoint and commission investigators.

The subject of this bill as expressed in its title is the subpoenas issued by the Department Commerce and Consumer Affairs. However, the contents of the bill pertain to the delegation of the director's authority to issue subpoenas and the director's authority to appoint and commission investigators. Therefore, the bill violates the single subject requirement of Section 14 of Article III of the State Constitution.

For the foregoing reason, I am returning House Bill No. 2469 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2469, entitled 'A Bill for an Act Relating to Subpoenas Issued by the Department of Commerce and Consumer Affairs,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2469 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2469 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,

Honolulu, State of Hawaii,  
this 1st day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 345**, dated June 5, 2000, transmitting his statement of objections to Senate Bill Nos. 2062, 2736 and 2850 which he has returned to the Senate without his approval and which reads as follows:

**"EXECUTIVE CHAMBERS  
HONOLULU**

June 1, 2000

**STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2062**

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2062, entitled 'A Bill for an Act Relating to Long-Term Care.'

The purposes of Senate Bill No. 2062 are to extend the cessation date for the joint legislative committee on long-term care; to mandate that the committee contract for an actuarial study ('study') to determine the cost of establishing a state-sponsored program through a funding approach that considers certain factors; to establish selection criteria for selecting the contractor for the study; to mandate that all state agencies cooperate with the contractor; to extend the time for the contractor's submission of findings and recommendations to the governor and legislature and for the submission of draft legislation; to extend the study to include within its scope the largest number of people reasonably possible; to provide that funds that are unexpended or unencumbered at the close of the fiscal year 1999-2000, may be expended during fiscal year 2000-2001 and shall not lapse until June 30, 2001; and to provide that the sums appropriated be expended by the legislature instead of the committee.

Section 8 of the bill is defective and makes sections 4 and 6 of this bill ineffective. Sections 4 and 6 are intended to extend the time for the use of unexpended or unencumbered funds under sections 11 and 13 of Act 93, Session Laws of Hawaii 1999, from the close of fiscal year 1999-2000 to June 30, 2001. Without allowing an extension, these funds would lapse at the end of fiscal year 1999-2000, i.e., on June 30, 2000. However, section 8 of this bill states that sections 4 and 6, i.e., the extensions, shall take effect on July 1, 2000. Because the unexpended or unencumbered funds lapse on June 30, 2000, there are no funds on July 1, 2000, that may be extended for use until June 30, 2001. As a result, there would appear to be no moneys to fund the actuarial study that is the mainstay of this measure.

For the foregoing reason, I am returning Senate Bill No. 2062 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**P R O C L A M A T I O N**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return

with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2062, entitled 'A Bill for an Act Relating to Long-Term Care,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2062 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2062 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 1st day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**"EXECUTIVE CHAMBERS  
HONOLULU**

June 1, 2000

**STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2736**

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2736, entitled 'A Bill for an Act Relating to Kikala-Keokea.'

The purpose of this bill is to provide funds for infrastructure development to benefit residents of Hawaiian ancestry in the Kikala-Keokea homestead area of the island of Hawaii by amending Act 242, Session Laws of Hawaii (SLH) 1991, to create the 'Infrastructure Development Fund' to be administered by the Department of Land and Natural Resources and to transfer money into that new fund from the Housing Finance Revolving Fund.

If there is an unexpended and unencumbered balance of the money originally appropriated in 1991 still remaining in the Housing Finance Revolving Fund and if that money can be legally transferred to the new Infrastructure Development Fund, no money can be expended from the Infrastructure Development Fund, because there is no appropriation out of the Infrastructure Development Fund. Section 5 of Article VII of the State Constitution requires that '[n]o public money shall be expended except pursuant to appropriations made by law.' Consequently, this bill will not accomplish its stated purpose of providing funds for infrastructure development at Kikala-Keokea.

For the foregoing reasons, I am returning Senate Bill No. 2736 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and,

WHEREAS, Senate Bill No. 2736, entitled 'A Bill for an Act Relating to Kikala-Keokea,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2736 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2736 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the State Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 1st day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 1, 2000

## STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2850

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2850, entitled 'A Bill for an Act Relating to Kinship Care.'

The purpose of this bill is to add a new section to chapter 346, Hawaii Revised Statutes, that would require the Department of Human Services (DHS) to develop placement and eligibility requirements for 'kinship boarding homes' apart from other foster care placement and eligibility requirements, except for placement and eligibility requirements relating to safety. Foster children who cannot safely return to their homes would be able to remain with relatives, and the relative caring for the foster child would be paid by DHS for the relative's caretaking services.

This bill's definition of 'kinship boarding home' is illogical. The bill defines the term 'kinship boarding home' as 'any boarding home in which a child is placed with the child's consanguineous father or mother, grandparent, brother, sister, aunt, uncle or first cousin, who provides care and maintenance to the related child apart from the child's parents or guardians on a twenty-four hour basis for a fee or charge.' The first portion of the definition anticipates that a child may be placed with the child's father or mother, but the second portion of the definition requires that the child be placed apart from the child's parents.

For the foregoing reason, I am returning Senate Bill No. 2850 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days after [sic] adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2850, entitled 'A Bill for an Act Relating to Kinship Care,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2850 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2850 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 1st day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 346**, informing the Senate that on June 5, 2000, he signed the following bills into law:

House Bill No. 1946 as Act 158, entitled: "RELATING TO ENERGY CONSERVATION";

House Bill No. 2309 as Act 159, entitled: "RELATING TO LAND EXCHANGE IN NORTH KONA, HAWAII";

Senate Bill No. 2166 as Act 160, entitled: "RELATING TO WIND FARMS";

Senate Bill No. 2574 as Act 161, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

Senate Bill No. 2731 as Act 162, entitled: "RELATING TO INSURANCE";

Senate Bill No. 2961 as Act 163, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR"; and

Senate Bill No. 2988 as Act 164, entitled: "RELATING TO PUBLIC CONTRACTS AND PROCUREMENT."

**Gov. Msg. No. 347**, dated June 6, 2000, transmitting his statement of objections to House Bill Nos. 2062, 3016 and 3021 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU



June 5, 2000

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2062

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2062, entitled 'A Bill for an Act Relating to Higher Education.'

The purpose of House Bill No. 2062 is to allow the University of Hawaii greater flexibility in managing its fiscal resources by permitting it to carryover unexpended general funds for one additional fiscal year. In addition, this bill allows the University to expend a sum equal to its end-of-the-fiscal-year faculty payroll using funds appropriated for the following fiscal year.

This bill allows the University to carryover unexpended general funds from one fiscal year to the next fiscal year with no limitation regarding the moneys that may be carried over. In direct contrast, the Department of Education's carryover provision, which serves as the model, specifies a carryover limit of five percent and the use exclusively for school-based programs. With increased authority and autonomy to manage its programs, I believe that the University must also exercise increased fiscal responsibility to accomplish its objectives within the limitations of the appropriation made by the Legislature and the appropriation period designated. Consequently, I believe that this carryover provision is inconsistent with prudent fiscal policy.

Moreover, this bill proposes to permit the University to expend an appropriation from a future fiscal year for its end-of-the-fiscal-year faculty payroll, in violation of Section 11 of Article VII of the Constitution of the State of Hawaii, which requires that all general fund appropriations be for specified periods. Moneys appropriated for a future fiscal year cannot be expended prior to that fiscal year, because the Legislature has specified the period of time during which the appropriation may be expended. Consequently, this bill will not accomplish its purpose of funding the end-of-the-fiscal-year faculty payroll with moneys from a future fiscal year.

In addition, permitting the University of Hawaii to expend moneys from a future fiscal year in the current fiscal year may cause problems in complying with the general fund expenditure ceiling requirements of Section 9 of Article VII of the Constitution of the State of Hawaii. The Legislature's declaration regarding appropriations made in excess of the expenditure ceiling, if required, is based on appropriations made for a particular year. Allowing general fund appropriations from a future fiscal year to be used in the current fiscal year could misstate the Legislature's declaration.

For the foregoing reasons, I am returning House Bill No. 2062 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or

presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2062, entitled 'A Bill for an Act Relating to Higher Education,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2062 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2062 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 5th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 5, 2000

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 3016

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3016, entitled 'A Bill for an Act Relating to Medical Assistance to Low-Income Persons.'

The purpose of this bill is to add a new section to chapter 321, Hawaii Revised Statutes, to require the State to cover a certain amount of medical expenses for people on social security who have a terminal or life threatening illness.

This bill is objectionable because no funds were appropriated for the purpose of this bill.

For the foregoing reason, I am returning House Bill No. 3016 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days after [sic] adjournment sine die or presented to the Governor after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 3016, entitled 'A Bill for an Act Relating to Medical Assistance to Low-Income Persons,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3016 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3016 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 5th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 5, 2000

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 3021

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3021, entitled 'A Bill for an Act Relating to Gasoline.'

The purposes of House Bill No. 3021 are to ban the sale of gasoline, for use in motor vehicles, which contains methyl tertiary-butyl ether (MTBE), and to penalize 'any person who violates this section . . . not more than \$25,000 for each separate occurrence or in an amount equal to three times the cost of cleaning up the contamination, whichever is greater.'

Although I support the Legislature's intent to protect Hawaii's drinking water supply from contamination by MTBE, this bill appears to go too far by not allowing the sale of gasoline that may contain only a trace amount of MTBE. Without an exception for even a trace amount of MTBE, this bill may prohibit the importation and sale of less expensive gasoline when the cost of gasoline to the consumer is rising.

Moreover, no state agency presently administers a program that inspects the content of gasoline or enforces any requirement regarding the content of gasoline. This bill merely prohibits the sale after July 1, 2000, of gasoline containing MTBE and does not assign to any state agency the duty to inspect the content of gasoline or to enforce the prohibition. Furthermore, no money has been appropriated to implement a gasoline content inspection and enforcement program.

In addition, the penalty provision is ambiguous and will be difficult to implement. This bill prohibits the sale of gasoline containing MTBE for use in motor vehicles. Consequently, this bill's fine of not more than \$25,000 for 'each separate occurrence' would appear to refer to each sale of the gasoline. However, the fine could also be 'in an amount equal to three times the cost of cleaning up the contamination, whichever is greater,' which then raises doubt as to whether the 'separate occurrence' refers to a contamination instead of a sale. If the bill's treble penalty provision applies to a contamination, the treble penalty provision duplicates existing law. Section 128D-8, Hawaii Revised Statutes (HRS), already provides a similar treble penalty for cleaning up contamination, and chapters 342L and 342H, HRS, regulate, under various circumstances, releases of gasoline into the environment.

For the foregoing reasons, I am returning House Bill No. 3021 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days after [sic] adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3021, entitled 'A Bill for an Act Relating to Gasoline,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3021 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3021 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 5th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 348, dated June 6, 2000, transmitting his statement of objections to Senate Bill Nos. 278, 2301, 2303, 2433, 2706 and 2711 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 5, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 278

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 278, entitled 'A Bill for an Act Relating to Higher Education.'

The purpose of Senate Bill No. 278 is to change the present ten-member composition of the Board of Directors of The Research Corporation of the University of Hawaii (RCUH), by adding an additional position to the board and reducing the representation by the five members of the Board of Regents of the University of Hawaii who sit on the RCUH board to two members. The remaining nine positions of the RCUH board would be constituted as follows: two who are a vice president or dean nominated by the President of the University and selected by the Board of Regents, two who are faculty of the University nominated by the President and selected by the Board of Regents, and five members appointed by the Governor.

This change substitutes the Board of Regents representatives, who are the policymakers at the highest level of the University, with faculty and administration representatives of the University. By this change, the RCUH would conceivably be more responsive to the researchers and faculty who use the services of the RCUH. The purpose of the change is to allow for the involvement of University faculty and administration in the determination of policy for the RCUH.

It is my belief that this is not a wise change for the RCUH or for the University. In 1995 the composition of the RCUH board was specifically changed to include the five Board of Regents representatives. The reason for that change was to increase the participation and oversight over the RCUH activities by the University's Board of Regents. It was stated that the oversight and coordination of the activities of the RCUH with the University required direct oversight by the Board of Regents. Reducing the Board of Regents membership from five to two will upset the balance that presently exists in the board's composition and negate the objective of increased Board of Regents oversight.

The RCUH primarily serves the University's research needs and must take a much more prominent and critical role in helping the University in commercializing its research. The President of the University has described the RCUH as the new commercialization arm of the University. With such enormous and critical responsibilities assigned to the RCUH, it is imperative that the policymakers from the highest levels of the University continue to provide guidance to the Executive Director of the RCUH. Delegation of this oversight to faculty and administration officials of the University is not appropriate. Participation as board members by faculty and administration representatives who may be directly involved with the operations of the RCUH could create conflicts of interest problems for these officials. Faculty members need to concentrate on their primary responsibilities of teaching and research. Adding board responsibilities to their duties would detract from their University activities. There is ample opportunity for the University administration and faculty to provide input to the RCUH through the Board of Regents representatives.

For the foregoing reasons, I am returning Senate Bill No. 278 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 278, entitled 'A Bill for an Act Relating to Higher Education,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 278 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 278 with my

objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 5th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 5, 2000

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2301

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval, Senate Bill No. 2301, entitled 'A Bill for an Act Relating to Harbors.'

The purpose of Senate Bill 2301 is to limit current and future use of certain lands to maritime purposes by establishing a definition for 'maritime lands' and placing the control and management of 'maritime lands' under the Department of Transportation (DOT). The bill defines 'maritime lands' to include any 'public lands required for commercial and industrial activities that are dependent on being adjacent to the harbor,' but excluding the Sand Island Business Association industrial lease area, state boating facilities under chapter 200, Hawaii Revised Statutes (HRS), that are managed by the Department of Land and Natural Resources (DLNR), and land under the jurisdiction of the Hawaii Community Development Authority. The bill also provides that the DOT shall exercise all the powers and shall perform all the duties that may lawfully be exercised by or under the State relative to the control and management of 'maritime lands.'

The provisions of this bill are in direct conflict with the provisions of section 171-3, HRS, which specifically provides that the DLNR shall manage, administer, and exercise control over public lands that would encompass 'maritime lands' as defined by this bill. In addition, other state agencies pursuant to executive orders may have jurisdiction over public lands now included within the definition of 'maritime lands.' This overlap will result in confusion and potential conflicts respecting jurisdiction between the various state agencies over management of state lands and the uses to which they may be put. Additionally, the bill will unduly limit and restrict land use decisions and thus may detract from and limit the flexibility necessary to maximize the highest and best use of public lands.

For the foregoing reasons, I am returning Senate Bill No. 2301 [sic] without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or

presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2301, entitled 'A Bill for an Act Relating to Harbors,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2301 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2301 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 5th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 5, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2303

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution [sic] of the State of Hawaii, I am returning herewith without my approval, Senate Bill No. 2303, entitled 'A Bill for an Act Relating to Harbors.'

The purpose of Senate Bill 2303 is to allocate a part of the public service company (PSC) tax revenue derived from passenger cruise vessels to the Department of Transportation harbors special fund and the Department of Land and Natural Resources boating special fund for the construction and improvement of cruise ship facilities in the State. The bill will reduce the State's general fund revenues by diverting certain PSC tax revenue to the harbor and boating special funds where the use of the PSC tax revenue will be restricted to improving and constructing cruise ship facilities.

This bill will restrict and severely limit the flexibility to allocate and prioritize the allocation and expenditure of the PSC tax revenue based on the particular needs of the State. This bill will also reduce general fund revenues to fund improvements and construction that can be better addressed by utilizing revenue bonds to finance any needed improvements.

For the foregoing reasons, I am returning Senate Bill No. 2303 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the

Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2303, entitled 'A Bill for an Act Relating to Harbors,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2303 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2303 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 5th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 5, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2433

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2433, entitled 'A Bill for an Act Relating to Prisons.'

The purpose of Senate Bill No. 2433 is to provide for privatized correctional facilities. Unfortunately, the bill in its current state of compromise cannot, as a practical matter, accomplish this goal.

First, the bill requires the State to establish an operational plan for the new prison facility with which the private contractor must comply. But the operational plan must be based upon the current collective bargaining agreement. Accordingly, many of the current inefficiencies and expenses built into the current system must be perpetuated by the private contractor, thereby defeating an essential advantage of privatization. Private operators are not allowed to innovate, experiment, or react to changing circumstances. They are locked into the operational plan designed by the State based upon the current collective bargaining agreement. Furthermore, if the operational plan is inadvertently inconsistent with any of the numerous provisions of the collective bargaining agreement, the union would have a basis to attack the plan.

Second, the bill also provides for only six years in this pilot project. Given the enormous investment of resources and capital, however, private contractors need assurances of a relationship with the State beyond six years.

Third, any continuation of the contract depends upon the legislature's willingness to amend the statutes beyond the proposed six years. This bill not only fails to provide assurances of a potentially long-term relationship, it signals a clearly ambiguous attitude by the Legislature and an unwillingness to commit to the project.

Fourth, the bill contains various provisions which restrict or penalize a private contractor, but does not restrict or penalize public employees. For example, the bill provides for replacing a private contractor who does not implement the operational plan or who exceeds costs. The bill does not provide an equivalent right to replace a union that provides substandard work or which incurs cost overruns. A private contractor is penalized for escapes and escape attempts and is evaluated based upon recidivism rates. The union is not. A more balanced and equitable approach is needed.

Fifth, the bill sets forth various mandatory requirements regarding the operation of the new prison facility. For example, the State must offer various programs 'to ensure that when inmates are released from the facility, they will successfully make the transition back to society equipped with employable skills.' As a practical matter, some inmates refuse to be rehabilitated, and no program can 'ensure' that they make the transition back to society. Other requirements relating to gender specific programming, or an 'integrated approach,' are vague, and subject to varying interpretations which can only be resolved by additional litigation. Inmates do not need additional grounds upon which they can sue the State.

Sixth, the bill does not provide any moneys for the new prison or for an environmental impact statement (EIS). The bill anticipates that the construction will be paid through private financing and that the EIS would be prepared by the contractor. But no commitments or assurances of appropriations are made. Furthermore, aside from the increased interest costs in utilizing private financing, the State may want the information in the EIS before choosing the site, design, or developer. Accordingly, the EIS should be done before any final decisions are made regarding the site, design, or developer.

Finally, the bill is unfairly biased against the private sector. Union representatives are part of the committee that develops the operational plan upon which the private sector must base their bids. Consequently, the union representatives help to set the rules of the game. After the private sector devotes large amounts of time and money to submit the bids, the unions are shown 'the specific details and price' of the best private proposal and given an opportunity to meet the private sector's bid. In this sense, therefore, the unions not only help to set the rules of the game, but also get to declare the winner. In this obviously biased system, private companies are discouraged from bidding and the lack of competition will tend to increase the amounts of the bids.

In conclusion, the bill sets forth an interesting and complex approach to privatization. The effort is to be applauded, even if the result is ultimately unsatisfactory. If the resolve and good faith remain, however, additional time and consideration may provide the State with practical and workable legislation next year.

For the foregoing reasons, I am returning Senate Bill No. 2433 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2433, entitled 'A Bill for an Act Relating to Prisons,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2433 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2433 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 5th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 5, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2706

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2706, entitled 'A Bill for an Act Relating to Taxation.'

The purpose of Senate Bill No. 2706 is to provide a two percent refundable income tax credit to lessees of an aircraft for lease rent paid to a lessor for a stage 3 aircraft under an operating lease during the taxable year. The credit may be claimed for tax years beginning after December 31, 1999, for lease rent paid after June 30, 2000.

The objections to this bill center on the fact that there is no justification for providing an income tax credit to lessees of an aircraft for rent paid to a lessor. In addition, there is no justification to single out the airline industry for this tax benefit, much less a single airline; every business that rents equipment should be equally deserving of a tax credit if that is the tax policy call. The approval of this tax credit is bad tax policy and sets a precedent for other taxpayers to seek similar tax benefits for their industries that have no justifiable bases.

For the foregoing reasons, I am returning Senate Bill No. 2706 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2706, entitled 'A Bill for an Act Relating to Taxation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2706 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2706 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 5th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 5, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2711

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2711, entitled 'A Bill for an Act Relating to Administrative Procedure.'

The purpose of this bill is to revise rulemaking procedures by: authorizing the repeal of a rule within six months after the enabling statute or ordinance has been repealed without regard to the 'notification requirements' of the Hawaii Administrative Procedure Act (HAPA), chapter 91, Hawaii Revised Statutes; requiring agencies to provide written justification for rules that are in excess of what is necessary to comply with federal law; and requiring the 'head of an agency' to ensure that a proposed rule has a 'rational nexus to the law and conforms to the letter, spirit, and intent of the law.'

Although the HAPA requirement to publish notice of a public hearing will be eliminated for repeals of obsolete rules, the HAPA requirement to hold the public hearing will still apply. The portions of the bill that require agencies or their directors to ensure that rules have a rational nexus to and conform to the spirit of enabling laws already are part of the responsibility of agencies adopting rules. The requirements that agencies justify any rule that exceeds federal requirements and make the rule and the justification available for review will accomplish little, because rules have to be justified under the existing procedures and already become public records after adoption. Consequently, this bill appears to be largely unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 2711 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2711, entitled 'A Bill for an Act Relating to Administrative Procedure,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2711 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2711 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 5th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 349**, informing the Senate that on June 7, 2000, he signed the following bills into law:

House Bill No. 1893 as Act 176, entitled: "RELATING TO ENERGY";

House Bill No. 1955 as Act 177, entitled: "RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION";

House Bill No. 1983 as Act 178, entitled: "RELATING TO THE LAND COURT";

House Bill No. 1994 as Act 179, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURE";

House Bill No. 2024 as Act 180, entitled: "MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES";

House Bill No. 2213 as Act 181, entitled: "RELATING TO BINDING ARBITRATION AWARDS";

House Bill No. 2472 as Act 182, entitled: "RELATING TO INSURANCE";

Senate Bill No. 1276 as Act 183, entitled: "RELATING TO THE SUPERINTENDENT OF EDUCATION";

Senate Bill No. 2056 as Act 184, entitled: "RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS";

Senate Bill No. 2152 as Act 185, entitled: "RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS";

Senate Bill No. 2154 as Act 186, entitled: "RELATING TO PROTECTIVE ORDERS";

Senate Bill No. 2218 as Act 187, entitled: "RELATING TO NEW CENTURY CHARTER SCHOOLS"; and

Senate Bill No. 2530 as Act 188, entitled: "RELATING TO AGRICULTURE."

**Gov. Msg. No. 350**, informing the Senate that on June 6, 2000, he signed the following bills into law:

House Bill No. 750 as Act 165, entitled: "RELATING TO ISLAND SYMBOLS";

House Bill No. 755 as Act 166, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 1773 as Act 167, entitled: "RELATING TO THE MOTOR CARRIER LAW";

House Bill No. 2410 as Act 168, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 2418 as Act 169, entitled: "RELATING TO CERTIFICATES OF IDENTIFICATION";

House Bill No. 2423 as Act 170, entitled: "RELATING TO TOBACCO PRODUCTS REPORT";

House Bill No. 2491 as Act 171, entitled: "RELATING TO SCHOOL LUNCH";

Senate Bill No. 2785 as Act 172, entitled: "RELATING TO UNCLAIMED PROPERTY";

Senate Bill No. 2879 as Act 173, entitled: "RELATING TO MOTOR VEHICLE TIRES";

Senate Bill No. 2938 as Act 174, entitled: "RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE"; and

Senate Bill No. 2939 as Act 175, entitled: "RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION."

**Gov. Msg. No. 351**, informing the Senate that on June 8, 2000, he signed the following bills into law:

House Bill No. 1881 as Act 189, entitled: "RELATING TO USE OF INTOXICANTS";

Senate Bill No. 2480 as Act 190, entitled: "RELATING TO ANNULMENT, DIVORCE, AND SEPARATION";

Senate Bill No. 2536 as Act 191, entitled: "RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT";

Senate Bill No. 2741 as Act 192, entitled: "RELATING TO THE STATE WATER CODE";

Senate Bill No. 2745 as Act 193, entitled: "RELATING TO AQUACULTURE";

Senate Bill No. 2758 as Act 194, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

Senate Bill No. 2781 as Act 195, entitled: "RELATING TO TAXATION";

Senate Bill No. 2870 as Act 196, entitled: "RELATING TO SAFE DRINKING WATER";

Senate Bill No. 2905 as Act 197, entitled: "RELATING TO EMPLOYMENT SECURITY";

Senate Bill No. 2945 as Act 198, entitled: "RELATING TO TAXATION";

Senate Bill No. 2946 as Act 199, entitled: "RELATING TO TAXATION APPEALS";

Senate Bill No. 3079 as Act 200, entitled: "RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE"; and

Senate Bill No. 3179 as Act 201, entitled: "RELATING TO TOBACCO."

**Gov. Msg. No. 352**, dated June 7, 2000, transmitting his statement of objections to House Bill Nos. 2277 and 2701 which he has returned to the House of Representatives without his approval and which reads as follows:

**"EXECUTIVE CHAMBERS  
HONOLULU**

June 6, 2000

**STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2277**

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2277, entitled 'A Bill for an Act Relating to the Hawaii Tobacco Settlement Special Fund.'

The purposes of House Bill No. 2277 are to prohibit the administration from using tobacco settlement moneys to supplant or diminish general funding for any existing health programs; allow funds to be transferred rather than appropriated from the Hawaii tobacco settlement special fund to the emergency and budget reserve fund, the Department of Health (DOH) tobacco special fund (which the bill also creates), and the Hawaii tobacco prevention and control trust fund; require the DOH to make annual reports to the Legislature concerning these funds; require that moneys transferred to the DOH tobacco special fund be used for the healthy Hawaii initiative and the children's health insurance program, which shall include services for immigrant and other children; enlarge the membership of the advisory group that is to develop a strategic plan and make recommendations for expenditure of moneys transferred to the DOH tobacco special fund; increase the amounts appropriated to the DOH tobacco special fund; and exempt the DOH tobacco special fund from contributing to central service and administrative expenses as is usually required by chapter 36, Hawaii Revised Statutes.

Section 6 of Act 304, Session Laws of Hawaii 1999, contains an existing appropriation of \$5,055,665 for fiscal year 1999-2000 and \$13,506,527 for fiscal year 2000-2001 out of the Hawaii tobacco settlement special fund for the DOH to expend for the purposes specified in section 328L-4, Hawaii Revised Statutes. Section 6 of this bill will amend that appropriation to require that the appropriated money be deposited into the DOH tobacco special fund to be created by this bill. Unfortunately, this bill does not contain an appropriation out of the new DOH tobacco special fund to authorize the expenditure of the money deposited into that new special fund. Section 5 of Article VII of the State Constitution provides in pertinent part: 'No public money shall be expended except pursuant to appropriations made by law.'

Consequently, if this bill becomes law, the money appropriated by Act 304, Session Laws of Hawaii 1999, must be deposited into the new DOH tobacco special fund, but no expenditure can be made from the new DOH tobacco special fund for fiscal years 1999-2000 and 2000-2001 because there is no appropriation out of that new special fund. On the other hand, if this bill does not become law, the existing appropriations out of the existing Hawaii tobacco settlement special fund made by Act 304, Session Laws of Hawaii 1999, for fiscal years 1999-2000 and 2000-2001 may be expended by

the DOH for the purposes specified in section 328L-4, Hawaii Revised Statutes.

For the foregoing reasons, I am returning House Bill No. 2277 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2277, entitled 'A Bill for an Act Relating to the Hawaii Tobacco Settlement Special Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2277 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2277 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 6th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 6, 2000

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2701

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2701, entitled 'A Bill for an Act Relating to Public Schools.'

The purpose of this bill is to establish a renewable energy demonstration project in the Department of Education (DOE) to demonstrate the feasibility and cost-effectiveness of installing photovoltaic or other renewable energy systems and energy storage devices in the public schools using performance contracting and net metering. One school in each school district is to be selected to participate in the demonstration project.

The DOE has already installed photovoltaic panels in twelve public schools. Based on the review of the installation and use of these panels, the DOE concluded that the installation of photovoltaic systems would be costly and not cost-effective and that the period to recover the costs would be between thirty to fifty-five years. Given the lengthy payback period, the DOE

believes that it is unrealistic to expect that this project will be paid for by performance contracting.

The start-up costs for the project will include costs to design and construct the systems, including the photovoltaic panels, electrical equipment and connecting electrical systems, battery storage, storage cell shelters with appropriate security against vandalism, and school building roof reinforcement. Although a demonstration project need only be performed in one school district to determine the feasibility of a renewable energy system, this bill requires that one school in each public school district be selected for this demonstration project. For this large demonstration project, the Legislature has not provided any funds. Due to other competing educational priorities and the urgent repair and maintenance needs of existing public schools, the DOE does not have funds in its budget that can be made readily available to implement this bill's project.

For the foregoing reasons, I am returning House Bill No. 2701 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2701, entitled 'A Bill for an Act Relating to Public Schools,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2701 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2701 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 6th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 353, dated June 7, 2000, transmitting his statement of objections to Senate Bill Nos. 568 and 2074 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 6, 2000

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 568

Honorable Members  
Twentieth Legislature  
State of Hawaii



Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 568, entitled 'A Bill for an Act Relating to Historic Preservation.'

The purposes of this bill are to require the Department of Land and Natural Resources (DLNR) to establish, maintain, and support a burial sites program and to require DLNR to provide administrative support to the island burial councils. This bill will amend section 6E-3, Hawaii Revised Statutes (HRS), to add a new paragraph (18) that will include as part of the historic preservation program the '[e]stablishment, maintenance, and support of a burial sites program, to include administrative support to the island burial councils under section 6E-43.5 and handling inadvertent discovery of burial sites under section 6E-43.6.' This bill will also amend section 6E-43.5(a), HRS, to add '[t]he department shall provide administrative support to the island burial councils.'

This bill is totally unnecessary. Section 6E-3, HRS, established a division in DLNR to administer a comprehensive historic preservation program and described the program to include in paragraph (10) the '[c]oordination of the evaluation and management of burial sites as provided in section 6E-43.' Because the coordination of the evaluation and management of burial sites is already a function of the historic preservation program, the statutory establishment of another program within the existing program is unnecessary. Section 6E-43, HRS, provides for the review of burial sites by island burial councils to determine whether the burial sites should be preserved in place or relocated. Section 6E-43.5, HRS, requires in subsection (a) that DLNR establish island burial councils to implement section 6E-43 and states in subsection (c) that the 'councils shall be a part of the department for administrative purposes.' Adding another sentence in subsection (a) to require administrative support is unnecessary. Pursuant to section 26-35, HRS, the administrative support desired for the island burial councils should be addressed during the budgetary process.

For the foregoing reasons, I am returning Senate Bill No. 568 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 568, entitled 'A Bill for an Act Relating to Historic Preservation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 568 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 568 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,

Honolulu, State of Hawaii,  
this 6th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 6, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2074

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2074, entitled 'A Bill for an Act Relating to Corrections.'

The purpose of this bill is to establish a task force on parity for female offenders that will review all programs currently offered to female adult and juvenile offenders in the custody of the Department of Public Safety.

The Department of Public Safety is reviewing its programs on an ongoing basis and currently meets with representatives from community agencies providing services to female offenders. The Director of Public Safety may call upon the criminal justice agencies, the community agencies, and the business community for assistance as needed in the ongoing review. Because the objective of this bill can be accomplished administratively, this bill is unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 2074 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2074, entitled 'A Bill for an Act Relating to Corrections,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2074 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2074 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 6th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 354**, dated June 13, 2000, transmitting his statement of objections to Senate Bill Nos. 2448, 2490, 2579 and 2722 which he has returned to the Senate without his approval and which reads as follows:

**"EXECUTIVE CHAMBERS  
HONOLULU**

June 9, 2000

**STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
2448**

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2448, entitled 'A Bill for an Act Relating to Autism.'

The purpose of this bill is to establish the Hawaii autism center of excellence within the University of Hawaii at Manoa School of Medicine.

This program is well-intentioned; however, the Legislature did not include the appropriate funds to support the center. Mandating such a program without providing funds is contrary to the Legislature's stated desire to grant autonomy to the University of Hawaii over its internal structure, management, and operational decisions. Moreover, this bill infringes on the powers of the University's Board of Regents to formulate policy for the University. Accordingly, I am forced to disapprove this measure and hope that the Legislature would, in the future, provide adequate funding when it establishes such programs.

For the foregoing reasons, I am returning Senate Bill No. 2448 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**"P R O C L A M A T I O N**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2448, entitled 'A Bill for an Act Relating to Autism,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2448 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2448 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 9th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**"EXECUTIVE CHAMBERS  
HONOLULU**

June 9, 2000

**STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
2490**

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2490, entitled 'A Bill for an Act Relating to Long-Term Residential Care.'

The purpose of this bill is to require the Executive Office on Aging (EOA) to establish a long-term care information and referral system that shall include a uniform initial information and referral screening tool to be developed by the EOA. This bill will also require the Subcommittee on Residential Care of the Joint Legislative Committee on Long-Term Care to study the reorganization of all adult residential care homes and facilities into a new 'adult residential care facilities' category for regulatory purposes.

Everyone knows of someone who has or will become a caregiver to a relative who is in need of long-term care. A long-term care information and referral system that includes a screening tool would have assisted callers in deciding on appropriate care based upon an individualized need for services. Although I believe that such a system is highly desirable and I support the establishment of such a system, the Legislature provided no funds for the costs associated with the establishment and maintenance of such a system.

For the foregoing reason, I am returning Senate Bill No. 2490 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**"P R O C L A M A T I O N**

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2490, entitled 'A Bill for an Act Relating to Long-Term Residential Care,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2490 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of

Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2490 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 9th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 9, 2000

STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
2579

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2579, entitled 'A Bill for an Act Relating to Housing.'

The purpose of this bill is to create a special needs housing special fund to provide money for the purchase, renovation, or construction of supportive housing for homeless persons with mental illness and substance abuse addictions. The special fund is to be administered by the Housing and Community Development Corporation of Hawaii.

The Department of Health provides funds for various housing options with supportive services for adults with mental illness and substance abuse problems, including the homeless. The Legislature could have increased the funds appropriated to the Department of Health instead of creating a special fund for only the homeless persons. Although this bill will create the special fund, there is no appropriation of money to be deposited into the special fund and there is no appropriation of money to authorize expenditures out of the special fund. Consequently, this bill will not provide any supportive housing for homeless persons with mental illness and substance abuse addictions.

For the foregoing reasons, I am returning Senate Bill No. 2579 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2579, entitled 'A Bill for an Act Relating to Housing,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2579 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2579 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 9th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 9, 2000

STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
2722

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2722, entitled 'A Bill for an Act Relating to Hawaiian Language Immersion Program.'

The purpose of this bill is to statutorily establish the Hawaiian Language Immersion Program (HLIP) and to enable its full implementation by authorizing the Department of Education (DOE) to create a separate office of Hawaiian language immersion instruction and to employ necessary qualified personnel, to provide additional benefits to HLIP teachers, and to provide facilities and transportation when fifteen or more qualified children in any one departmental school district wish to enroll in the HLIP.

Section 302A-1128(a), Hawaii Revised Statutes, authorizes the DOE to 'establish and maintain schools for secular instruction at such places and for such terms as in its discretion it may deem advisable and the funds at its disposal may permit.' Pursuant to this authority, the DOE established in 1987 and has expanded the HLIP. Consequently, I question the need for this bill, especially because this bill may create unrealistic expectations of the DOE's ability to accommodate all students who may be interested in participating in the HLIP. No additional funds have been provided for the separate office, additional personnel, additional HLIP teacher benefits, additional facilities, and additional transportation.

For the foregoing reasons, I am returning Senate Bill No. 2722 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2722, entitled 'A Bill for an Act Relating to Hawaiian Language Immersion Program,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2722 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2722 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 9th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 355**, dated June 13, 2000, transmitting his statement of objections to House Bill Nos. 1956, 2023 and 2160 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 9, 2000

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1956

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1956, entitled 'A Bill for an Act Relating to Small Business.'

The purpose of this bill is to transfer the Small Business Defender from the Legislature to the Department of Business, Economic Development, and Tourism (DBEDT). In addition, this bill allows the Small Business Defender to hire its own attorneys and deletes the sunset date of June 30, 2002, relating to the repeal of the Hawaii Small Business Regulatory Flexibility Act and the Small Business Defender.

House Bill No. 1956 allows the Small Business Defender, on a discretionary basis, to provide legal representation to a small business in certain types of legal disputes. There is no constitutional requirement that the State provide legal representation to a private business in a civil dispute. By transferring the Small Business Defender from the Legislature to DBEDT to defend a small business against State-issued civil citations, this bill creates an inherent conflict between the Small Business Defender and DBEDT. Moreover, no appropriation was made to fund the Small Business Defender.

For the foregoing reasons, I am returning House Bill No. 1956 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1956, entitled 'A Bill for an Act Relating to Small Business,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1956 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1956 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 9th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 14, 2000

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2023

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2023, entitled 'A Bill for an Act Relating to Agricultural Infrastructure.'

The purposes of this bill are to provide an income tax credit in the amount of ten percent of the cost of agriculture infrastructure improvements over \$200,000 made by the taxpayer for the taxable year in which the improvements were made and to provide an income tax credit in the amount of ten percent of the cost of construction of a new water storage facility or the reconstruction or improvement of any existing water storage facility paid by the taxpayer for the taxable year in which the water storage facility was constructed, reconstructed, or improved. Any tax credit in excess of a taxpayer's income tax liability in that taxable year may be used as a credit against the taxpayer's income tax liability in subsequent years until exhausted.

Our tax laws already provide some preferential tax treatment to agriculture-related producers. The sale of certain items are taxed at the general excise tax wholesale rate of one-half percent instead of the four percent higher rate. In addition, equipment purchased for use in the producer's business that is subject to the general excise tax at the retail rate of four percent is eligible for the capital goods excise tax credit on the producer's net income tax return. The capital goods excise tax credit also may be taken for tangible property used as an integral part of manufacturing or production, including storage facilities. Because the number of taxpayers who will apply for the tax credit and the number and cost of agriculture infrastructure and water storage facility improvements are unknown, the revenue impact of the tax credits that will be

provided by this bill is unknown. In view of the existing preferential tax treatment for agriculture-related producers and in view of the unknown tax revenue impact, I believe that this bill's tax credits are inappropriate at this time.

For the foregoing reasons, I am returning House Bill No. 2023 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2023, entitled 'A Bill for an Act Relating to Agricultural Infrastructure,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2023 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2023 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 14th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 9, 2000

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2160

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2160, entitled 'A Bill for an Act Relating to the Traumatic Brain Injury Trust Fund.'

The purpose of this bill is to create the traumatic brain injury trust fund for funding services relating to education, professional training, research, evaluation, and advocacy programs on traumatic brain injuries. The trust fund will be administered by the existing Traumatic Brain Injury Advisory Board, which is renamed the 'Traumatic Brain Injury Board.' Moneys to be deposited into the trust fund will be any received traumatic brain injury grants of federal funds and gifts and donations from individuals, private organizations, or foundations, especially donations 'by an individual or entity from the initial issuance of a driver's license and each subsequent renewal.'

The reliance on the voluntary donations of individuals at the time of the initial issuance of a driver's license or at the time of renewal every six years appears to be misplaced. I believe that the voluntary donations from this source are unlikely to result in a significant amount of money for the trust fund. Annual fund drives by a private nonprofit organization will more likely result in a larger amount of donations than voluntary donations sought from individual driver's license holders at six-year intervals for a government-administered trust fund.

This bill does not require any organization or government agency to collect the donations from the driver's license holders. Pursuant to chapter 286, Hawaii Revised Statutes, driver's licenses are issued by county agencies. However, Section 5 of Article VIII of the State Constitution states, 'If any new program or increase in the level of service under an existing program shall be mandated to any of the political subdivisions by the legislature, it shall provide that the State share in the cost.' Because this bill does not provide for any reimbursement to county agencies for the costs of soliciting and collecting donations from driver's license holders, the county agencies cannot be compelled to solicit and collect the donations and there is no indication that the county agencies will voluntarily implement this bill's funding mechanism.

For the foregoing reasons, I am returning House Bill No. 2160 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2160, entitled 'A Bill for an Act Relating to the Traumatic Brain Injury Trust Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2160 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2160 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 9th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 356, informing the Senate that on June 14, 2000, he signed the following bills into law:

House Bill No. 2492 as Act 202, entitled: "RELATING TO EDUCATION";

House Bill No. 2574 as Act 203, entitled: "RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND";

House Bill No. 2576 as Act 204, entitled: "RELATING TO THE WATER RESOURCE MANAGEMENT FUND";

House Bill No. 2648 as Act 205, entitled: "RELATING TO PROBATION";

House Bill No. 2793 as Act 206, entitled: "RELATING TO AGRICULTURE";

House Bill No. 2801 as Act 207, entitled: "RELATING TO AGRICULTURE";

House Bill No. 3014 as Act 208, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS";

Senate Bill No. 3129 as Act 209, entitled: "RELATING TO HAWAIIAN HEALING PRACTICES";

Senate Bill No. 3160 as Act 210, entitled: "RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS"; and

Senate Bill No. 3199 as Act 211, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE."

**Gov. Msg. No. 357**, informing the Senate that on June 14, 2000, he signed the following bills into law:

House Bill No. 1969 as Act 212, entitled: "MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS";

House Bill No. 2222 as Act 213, entitled: "RELATING TO CONDOMINIUMS";

House Bill No. 2429 as Act 214, entitled: "RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII";

House Bill No. 2446 as Act 215, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 2458 as Act 216, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 2468 as Act 217, entitled: "RELATING TO THE PUBLIC UTILITIES COMMISSION";

House Bill No. 2480 as Act 218, entitled: "RELATING TO LIMITED LIABILITY PARTNERSHIPS";

House Bill No. 2483 as Act 219, entitled: "RELATING TO BUSINESS REGISTRATION";

Senate Bill No. 2354 as Act 220, entitled: "RELATING TO PUBLIC ACCESS";

Senate Bill No. 2729 as Act 221, entitled: "RELATING TO SERVICE CONTRACTS"; and

Senate Bill No. 2987 as Act 222, entitled: "RELATING TO PUBLIC CONTRACTS."

**Gov. Msg. No. 358**, informing the Senate that on June 14, 2000, he signed the following bills into law:

House Bill No. 540 as Act 224, entitled: "RELATING TO HUMAN SERVICES";

House Bill No. 2278 as Act 225, entitled: "RELATING TO SOCIAL WORKERS";

House Bill No. 2534 as Act 226, entitled: "RELATING TO CRITICAL ACCESS HOSPITALS";

House Bill No. 2774 as Act 227, entitled: "RELATING TO DISCRIMINATION IN PUBLIC PLACES";

Senate Bill No. 862 as Act 228, entitled: "RELATING TO MEDICAL USE OF MARIJUANA"; and

Senate Bill No. 2475 as Act 229, entitled: "RELATING TO GENDER EQUITY IN SPORTS."

**Gov. Msg. No. 359**, informing the Senate that on June 15, 2000, he signed the following bills into law:

House Bill No. 645 as Act 230, entitled: "RELATING TO VETERANS RIGHTS AND BENEFITS";

House Bill No. 2262 as Act 231, entitled: "ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII";

House Bill No. 2354 as Act 232, entitled: "MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION"; and

Senate Bill No. 680 as Act 233, entitled: "RELATING TO FIREWORKS."

**Gov. Msg. No. 360**, informing the Senate that on June 14, 2000, he signed into law House Bill No. 1632 as Act 223, entitled: "RELATING TO AGRICULTURE," and transmitting his statement of objections to an appropriation item in House Bill No. 1632 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 14, 2000

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1632

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1632, entitled 'A Bill for an Act Relating to Agriculture.'

The purposes of this bill are to appropriate funds for agricultural loans to finance major sugar cane operations on the island of Kauai and to appropriate funds for intensive control of the papaya ringspot virus on the island of Hawaii. This bill also authorizes the Board of Agriculture to waive, for the sugar cane operations loans, certain of the statutory requirements specified in chapter 155, Hawaii Revised Statutes.

Although the additional funding to be provided by this bill is clearly needed, the agricultural loan revolving fund may not be able to fully support all of the funding needs. This bill will appropriate \$2,500,000 out of the general revenues of the State for fiscal year 2000-2001 for deposit into the agricultural loan revolving fund, but will appropriate twice that amount, \$5,000,000, out of the agricultural revolving fund to finance major sugar cane operations on the island of Kauai. Due to increased demands on the revolving fund resulting from recent enactments, the fund is not expected to have sufficient moneys to provide the additional \$2,500,000. Consequently, I have indicated my objection to that amount of the appropriation in

section 3 of this bill by reducing the \$5,000,000 out of the agricultural revolving fund to \$2,500,000.

For the foregoing reasons, I am returning House Bill No. 1632 with the appropriation in section 3 reduced to \$2,500,000.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1632, entitled 'A Bill for an Act Relating to Agriculture,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III, the Governor may veto any specific item or items in any bill that appropriates money for specific purposes by striking out or reducing the same; and

WHEREAS, House Bill No. 1632 appropriates money for specific purposes and a certain appropriation item in that bill is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1632, with my objection to a certain appropriation item contained therein, to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 14th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 361, dated June 19, 2000, transmitting his statement of objections to Senate Bill Nos. 2021, 2312 and 3201 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2021

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2021, entitled 'A Bill for an Act Relating to Housing.'

The purposes of this bill are to protect the residents of federally assisted housing projects in the State and to maintain the inventory of these assisted units by requiring, among other things, the private owners to notify the Housing and Community Development Corporation of Hawaii (HCDCH) one year before they intend to terminate their federal subsidy contracts with the United States Department of Housing and Urban Development.

This bill violates Section 20 of Article I of the Constitution of the State of Hawaii and Article V of the United States Constitution. Under section 201G-C(a)(4) of the new subpart to be added to chapter 201G, Hawaii Revised Statutes, by this bill, when an owner of a federally assisted housing project notifies the HCDCH of the owner's intent to terminate the subsidy contract, the HCDCH shall issue a letter to the owner expressing a desire to purchase the property. This letter is to be construed as a threat of condemnation by the HCDCH. However, this bill has no provision that either requires or enables the HCDCH to condemn the property and has no provision that defines the method and manner for assessing compensation to the owner.

This bill also conflicts with section 101-24, Hawaii Revised Statutes. Section 101-24 requires that the costs and damages that are required to be paid to the owner be assessed from the date of summons of the filed condemnation complaint. This bill does not amend section 101-24 and does not require that the issuance of the HCDCH letter serve as a substitute or alternate summons or as the indicator of the date from which costs and damages are to be assessed.

Furthermore, section 201G-C(b) of the new subpart added by section 2 of this bill is ambiguous, because it does not establish a time limit or priority when the first opportunity to purchase the housing development is to be exercised and, therefore, the bill may unreasonably encumber and cloud the landowner's property.

For the foregoing reasons, I am returning Senate Bill No. 2021 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2021, entitled 'A Bill for an Act Relating to Housing,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2021 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2021 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 2000

# STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2312

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2312, entitled 'A Bill for an Act Relating to a Hoisting Machine Operators Certification Revolving Fund.'

The purposes of this bill are to appropriate out of the general revenues of the State the sum of \$50,000 for deposit into the Hoisting Machine Operators' Certification Revolving Fund and to appropriate the \$50,000 out of the revolving fund for fiscal year 2000-2001 for purposes specified in section 396-20, Hawaii Revised Statutes.

Section 396-20(a), Hawaii Revised Statutes, provides for the deposit into the Hoisting Machine Operators' Certification Revolving Fund of all fees, penalties, fines, and interest collected from the certification of hoisting machine operators. Because no fees have been collected yet, the revolving fund has no money, but the activities of the Hoisting Machine Operators Advisory Board have been supported by the Occupational Safety and Health Training and Assistance Fund, which is a special fund that may be used for certification programs to enhance safety and health pursuant to section 396-4(c)(3)(E), Hawaii Revised Statutes. There is no necessity to appropriate general revenues when special fund moneys already set aside may be used for the same purpose.

For the foregoing reason, I am returning Senate Bill No. 2312 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

## "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2312, entitled 'A Bill for an Act Relating to a Hoisting Machine Operators Certification Revolving Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2312 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2312 with my

objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 2000

# STATEMENT OF OBJECTIONS TO SENATE BILL NO. 3201

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3201, entitled 'A Bill for an Act Relating to a Scenic Highways System.'

The purpose of this bill is to encourage the highest quality design to ensure that road and bridge projects adequately meet the State's transportation needs, exist in harmony with their surroundings, and add value to the communities they serve. This bill will require the Director of Transportation to establish on or before June 30, 2003, new design guidelines to govern new construction, reconstruction, resurfacing, restoration, or rehabilitation of bridges, principal and minor arterial roads, collector and local roads, and streets after soliciting and considering the views of elected officials and organizations.

Although such design guidelines are desirable, the Director of Transportation already has the statutory authority to develop such design guidelines and does not need the enactment of this bill to establish the guidelines. Consequently, the subject matter could have been addressed in a more expeditious and less costly manner, such as by a concurrent resolution of the Legislature, and enactment of this bill is unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 3201 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

## "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2301 [sic], entitled 'A Bill for an Act Relating to a Scenic Highways System,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2301 [sic] is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this



proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2301 [sic] with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 362**, dated June 20, 2000, transmitting his statement of objections to House Bill Nos. 284, 2060 and 2280 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 2000

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 284

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 284, entitled 'A Bill for an Act Relating to Education.'

The purposes of this bill are to statutorily establish a Hawaii State Student Council with responsibility for conducting an annual conference of secondary school students and to repeal chapter 317, Hawaii Revised Statutes, which provides for an annual conference of secondary school students.

There already is a Hawaii State Student Council that is a program that has been implemented and coordinated by the Department of Education (DOE) for some time. That council was established under the regulations and policies of the DOE. The Board of Education adopted guidelines in 1972 that made the State Student Council a part of the school system. Consequently, this bill is not necessary to provide for the proper operation of the council and there is no compelling need to statutorily establish an amended council at this time.

This bill also will give the council the authority to determine the number of council members. Any increase in the number of members will increase the council's operating costs beyond the current funding. Moreover, this bill will require the DOE to assign a staff member to be known as the 'staff adviser to the Hawaii state student council' and a staff member to be known as the 'staff adviser to the conference committee.' Currently, a DOE staff member is assigned to assist the student council concurrently with other student activities. No funds are provided in this bill or in the DOE's operating budget for the salaries of these staff advisers.

For the foregoing reasons, I am returning House Bill No. 284 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to

give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 284, entitled 'A Bill for an Act Relating to Education,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 284 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 284 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 2000

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2060

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2060, entitled 'A Bill for an Act Relating to the University of Hawaii.'

The purposes of this bill are to clarify that the legal services to the University of Hawaii shall be provided by the University General Counsel, to establish a new provision relating to the service of process on the University, and to provide for the payment of all claims and judgments against the University from moneys appropriated by the Legislature.

This bill is objectionable because it allows the University, upon advice of its attorneys, to settle lawsuits against the University and pay for such settlements from moneys appropriated by the Legislature for whatever purpose as well as from appropriations secured from the Legislature to fund claims against the University. While the intent of this bill is to enhance the University's autonomy without jeopardizing the University's fiscal stability, such efforts could impact the State's financial stability. Under this bill the University would be able to settle lawsuits without coordination with the Attorney General and without regard to the impact on the State's fisc.

Finally, while the intent of this bill is to also ensure and preserve to the University the sovereign immunity defense enjoyed by the State of Hawaii and its agencies, there should be no question that the University of Hawaii is and has always been an agency of the State and is covered by the immunity of the State. Nothing in the legislative history of Act 115, Session Laws of Hawaii 1998, which conferred the University certain statutory autonomy, suggests that Act 115 was intended to waive the sovereign immunity or Eleventh Amendment immunity of the University. Such waiver must be clear and

unequivocal. The language of Act 115 was not intended to be a clear and unequivocal waiver of the State's sovereign immunity. This bill's attempt to reconfirm those immunities is, therefore, unnecessary.

For the foregoing reasons, I am returning House Bill No. 2060 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2060, entitled 'A Bill for an Act Relating to the University of Hawaii,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2060 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2060 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 2000

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2280

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2280, entitled 'A Bill for an Act Relating to School-to-Work.'

The purpose of this bill is to amend the School to Work Opportunities Pilot Project to delete the statutory reference to a 'pilot project' and to amend the name, composition, and powers of the project's executive council to make the executive council an advocacy board for the school-to-work system. This bill will also appropriate \$200,000 for fiscal year 2000-2001 for the executive council.

The School to Work Opportunities Pilot Project was established by Act 343, Session Laws of Hawaii 1997. Under the federal School-to-Work Opportunities Act of 1994, Hawaii will have received, by September 2000, \$10,625,000 to assist in

developing a school-to-work system. The supplemental appropriations bill contains an appropriation of \$935,000 of federal funds for the school-to-work system, but the current balance of the federal grant is actually far less in amount and will be expended by September 30, 2000. With the expiration of the major federal funding, continuation of the school-to-work system beyond September 30, 2000, will require a commitment of state general funds in an amount in excess of the \$200,000 to be appropriated by this bill. This commitment has not been made.

For the foregoing reasons, I am returning House Bill No. 2280 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2280, entitled 'A Bill for an Act Relating to School-to-Work,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2280 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2280 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 2000

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 873

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval, Senate Bill No. 873, entitled 'A Bill for an Act Relating to Real Property Appraisals.'

The purpose of Senate Bill No. 873 is to amend chapter 519, Hawaii Revised Statutes (HRS), which deals with lease rent renegotiations for both commercial and residential leases, to provide that, at the time of renegotiation, a lease rent based on fair market value, if less than the rent currently being paid, will prevail over any existing contract provision that bars the lowering of lease rent upon renegotiation.

An earlier version (House Draft 1) of Senate Bill No. 873 than that which finally passed contained a provision providing tax benefits to landowners to cover lost or reduced rent caused by the bill. An Attorney General review of that version of the bill was inconclusive as to whether the modification of contracts caused by the bill would be regarded as substantial. The final version of the bill deleted the tax benefits for owners. Also, the earlier version of the bill had required that if lease rent were reduced because of the bill, a sublessor was to pass on the rent reduction to the sublessee. The bill as passed no longer provides for this pass through. Prior to the passage of the final version of this bill, the Attorney General expressed the view that it violated the Contracts Clause in Section 10 of Article I of the United States Constitution.

Given the decision of the Supreme Court of Hawaii in *Anthony v. Kualoa Ranch, Inc.*, 69 Haw. 112, 736 P.2d 55 (1987), I do not believe this bill will pass constitutional muster.

In *Kualoa Ranch*, the court struck down section 516-70, HRS, because it constituted an impermissible impairment of contracts. The provision applied to all residential leases. It required that at the end of the lease, at the lessee's option, the lessor had to purchase the leasehold improvements from the lessee. The statute applied to all residential leases, not just those that were included in development tracts subject to condemnation under the lease-to-fee conversion mechanisms of chapter 516. For those leases that were not included in chapter 516, the only finding by the Legislature to support such an exercise of the police power was the 'expressed desire of the legislature to accomplish equity.' 69 Haw. at 124, 736 P.2d at 63.

The court said that if this desire of the Legislature could

justify this substantial and material change in the contractual obligations and remedies in all existing leases, it could also be used to justify changing any of the other material terms of existing lease agreements, such as rent, term of lease, etc. Such changes can be made in emergency situations and for limited periods. See *Home Building & Loan Association v. Blaisdell*, 290 U.S. 398, 54 S.Ct. 231, 78 L.Ed. 413 (1934). Here, there was no emergency and no limitation on the duration of the change.

Id.

For Senate Bill No. 873, the only legislative finding in support of the bill is, 'The legislature finds that it is in the public interest that the lease rent and sublease rent should be based on the fair market value of the land.' It does not appear that under the decision in *Kualoa Ranch*, this bill would be upheld with just this simple expression as justification.

It may be asserted that legislative findings made twenty-five years ago when Act 185, Session Laws of Hawaii 1975, was enacted to become section 519-2, HRS (which deals with leases for residential land), could be used to support Senate Bill No. 873 to the extent that the bill applies to residential leaseholds. There is, however, nothing in Senate Bill No. 873 that adopts, reaffirms, or refers to the findings in Act 185 and those findings are more than two decades old. Moreover, there is nothing in Senate Bill No. 873 or the Act 185 findings that supports the treatment of commercial leases by the bill.

There are other problems with Senate Bill No. 873. It provides that appraisals of fair market value will not be settled by arbitration under chapter 658, HRS, but instead will be

settled by the procedures for appraisal in sections 10-13.6(b) and 171-18.5(b), HRS. The appraisal method under both sections is to determine fair market value on a per-acre basis, a procedure that is ill-designed for residential property much of which is in 10,000-square-foot lots or less. I believe a per-acre methodology may result in erroneous and inaccurate valuations.

If Senate Bill No. 873 were to become law, it will amend section 519-1, HRS, to provide, in part, that rental renegotiations will not be determined by arbitration and will conflict with section 519-2(b), HRS, which requires arbitration for residential leases whenever parties are unable to achieve an agreement under a reopening provision. The bill will thus create an inconsistency in chapter 519 with respect to residential leaseholds.

For the foregoing reasons, I am returning Senate Bill No. 873 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "PROCLAMATION"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 873, entitled 'A Bill for an Act Relating to Real Property Appraisals,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 873 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 873 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 2000

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2576

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2576, entitled 'A Bill for an Act Relating to State Owned Public Housing.'

The purpose of this bill is to authorize the Housing and Community Development Corporation of Hawaii (HCDCH) to establish a resident advisory board, composed of no more than twenty-one members representing federal, section 8, state, and senior citizen housing projects, to advise the HCDCH in matters relating to the planning and operation of housing programs. In addition, this bill will amend the composition of the HCDCH's board of directors by adding three members representing public housing appointed from a list of candidates compiled by the resident advisory board.

Although this bill states its purpose to be to comply with the federal Quality Housing and Work Responsibility Act of 1998 (QHWRA), that federal act requires the resident advisory board to assist only in the development of a public housing agency plan and does not specify how the resident advisory board should be established. This bill states that the HCDCH, 'upon consultation with the state election office and with oversight conducted by an independent monitor,' may establish the board, thereby implying that the board's members are to be selected through a statewide election. No funds were provided for the cost of establishing and operating the resident advisory board.

Furthermore, QHWRA requires the public housing agency's board of directors to include a minimum of one member who is directly assisted by the public housing agency. This bill's requirement of three members will result in a reevaluation of the favorable bond rating presently given to HCDCH. The bond rating service has expressed its concern that the change in composition of the HCDCH's board of directors to have twenty-five percent of the members representing the public housing projects may cause the board of directors to favor the capital needs of various public housing properties and thereby alter the future expense allocation and the financial strength of the HCDCH.

For the foregoing reasons, I am returning Senate Bill No. 2576 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2576, entitled 'A Bill for an Act Relating to State Owned Public Housing,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2576 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2576 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 364**, informing the Senate that on June 19, 2000, he signed the following bills into law:

House Bill No. 1873 as Act 234, entitled: "RELATING TO EDUCATION";

House Bill No. 1874 as Act 235, entitled: "RELATING TO EDUCATIONAL ACCOUNTABILITY";

House Bill No. 2092 as Act 236, entitled: "RELATING TO EDUCATION";

Senate Bill No. 2420 as Act 237, entitled: "RELATING TO TECHNOLOGY";

Senate Bill No. 2837 as Act 238, entitled: "RELATING TO EDUCATIONAL ACCOUNTABILITY"; and

Senate Bill No. 3026 as Act 239, entitled: "RELATING TO SCHOOL FACILITIES."

**Gov. Msg. No. 365**, informing the Senate that on June 19, 2000, he signed the following bills into law:

House Bill No. 1759 as Act 240, entitled: "RELATING TO TRAFFIC ENFORCEMENT";

House Bill No. 1938 as Act 241, entitled: "RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9-SECURED TRANSACTIONS";

House Bill No. 1984 as Act 242, entitled: "RELATING TO ELECTIONS";

House Bill No. 2392 as Act 243, entitled: "RELATING TO HEALTH";

House Bill No. 2484 as Act 244, entitled: "RELATING TO THE CORPORATIONS";

House Bill No. 2539 as Act 245, entitled: "RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND";

House Bill No. 2556 as Act 246, entitled: "RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT";

House Bill No. 2624 as Act 247, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 3018 as Act 248, entitled: "RELATING TO CHILD ABUSE";

Senate Bill No. 2486 as Act 249, entitled: "RELATING TO TAXATION";

Senate Bill No. 2655 as Act 250, entitled: "RELATING TO HEALTH";

Senate Bill No. 2766 as Act 251, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES";

Senate Bill No. 2819 as Act 252, entitled: "RELATING TO INSURANCE";

Senate Bill No. 2859 as Act 253, entitled: "RELATING TO PUBLIC EMPLOYMENT"; and

Senate Bill No. 2927 as Act 254, entitled: "RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)."

**Gov. Msg. No. 366**, informing the Senate that on June 20, 2000, he signed the following bills into law:

House Bill No. 1763 as Act 255, entitled: "RELATING TO BICYCLES";

House Bill No. 1905 as Act 256, entitled: "RELATING TO SCHOOL FEES";

House Bill No. 2095 as Act 257, entitled: "RELATING TO EDUCATION";

House Bill No. 2802 as Act 258, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";

House Bill No. 2820 as Act 259, entitled: "RELATING TO EDUCATION";

House Bill No. 2906 as Act 260, entitled: "RELATING TO TOWING COMPANIES";

House Bill No. 3001 as Act 261, entitled: "RELATING TO NONCOMMERCIAL PIERS";

Senate Bill No. 2160 as Act 262, entitled: "RELATING TO GENERAL EXCISE TAX";

Senate Bill No. 2283 as Act 263, entitled: "RELATING TO THE PUBLIC UTILITIES COMMISSION";

Senate Bill No. 2293 as Act 264, entitled: "RELATING TO INSURANCE";

Senate Bill No. 2369 as Act 265, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 2411 as Act 266, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";

Senate Bill No. 2432 as Act 267, entitled: "RELATING TO A SENTENCING SIMULATION MODEL";

Senate Bill No. 2499 as Act 268, entitled: "MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES";

Senate Bill No. 2513 as Act 269, entitled: "RELATING TO CONVEYANCE TAX";

Senate Bill No. 2607 as Act 270, entitled: "RELATING TO THE COMMISSION ON THE STATUS OF WOMEN";

Senate Bill No. 2716 as Act 271, entitled: "RELATING TO TAXATION";

Senate Bill No. 2808 as Act 272, entitled: "RELATING TO THE CONSUMER ADVOCATE";

Senate Bill No. 2982 as Act 273, entitled: "RELATING TO CHILD SUPPORT";

Senate Bill No. 3038 as Act 274, entitled: "RELATING TO EDUCATION";

Senate Bill No. 3045 as Act 275, entitled: "RELATING TO THE AUDITOR"; and

Senate Bill No. 3123 as Act 276, entitled: "RELATING TO POST-SECONDARY EDUCATION."

**Gov. Msg. No. 367**, informing the Senate that on June 22, 2000, he signed the following bills into law:

House Bill No. 1947 as Act 277, entitled: "RELATING TO FISHERIES";

Senate Bill No. 2134 as Act 278, entitled: "RELATING TO AGRICULTURE AND ANIMALS"; and

Senate Bill No. 2873 as Act 279, entitled: "RELATING TO HAWAII HEALTH SYSTEMS CORPORATION."

**Gov. Msg. No. 368**, dated June 22, 2000, transmitting his statement of objections to Senate Bill No. 2061 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 2000

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2061

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2061, entitled 'A Bill for an Act Relating to Public Officers and Employees and Employment Practices.'

The purpose of this bill is to provide for the review of civil service positions and pay to develop recommendations for corrective measures to eliminate gender-based pay inequities. This bill will require the State Director of Human Resources Development to make and retain records to ascertain the existence of any discrimination in the wages paid to men and women for the same or equivalent jobs. This bill will also establish a temporary pay equity task force in the Office of the Governor to review, beginning in fiscal year 2001-2002, the reports of the Director of Human Resources Development and past wage equity and job evaluation studies and to develop recommendations to the Legislature for funds and specific actions needed to correct any gender-based pay inequities discovered.

I agree with the purpose of this bill, but I believe that the enactment of this bill is unnecessary because the purpose of this bill can be achieved administratively without the enactment of additional law. As the Governor of Hawaii, I can and will direct the Director of Human Resources Development to make and retain records to ascertain the existence of any discrimination in the wages paid to men and women for the same or equivalent jobs. Moreover, pursuant to section 26-41, Hawaii Revised Statutes, I may establish a temporary board to gather information or furnish advice for the executive branch and I intend to use that authority to establish a temporary board that will perform the review and provide the advice that this bill requires of the pay equity task force beginning in fiscal year 2001-2002.

For the foregoing reasons, I am returning Senate Bill No. 2061 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return

with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2061, entitled 'A Bill for an Act Relating to Public Officers and Employees and Employment Practices,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2061 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2061 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 22nd day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 369, dated June 22, 2000, transmitting his statement of objections to House Bill No. 1900 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 2000

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1900

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1900, entitled 'A Bill for an Act Relating to the State Budget.'

The purpose of this bill is to provide supplemental appropriations for the fiscal biennium July 1, 1999, to June 30, 2001, for the operating expenditures of the various agencies in the executive branch of the State, other government programs, and capital improvements projects.

While the bill as a whole has merit, I object to the following appropriations for the reasons indicated:

1. The \$10,636,306 portion of the general fund appropriation for fiscal year 2000-2001 for the school priority fund (EDN 100, page 34), designated in section 4, paragraph (23) on page 70 of the bill. The present appropriation for the school priority fund is \$7,636,306 for fiscal year 1999-2000 and \$7,636,306 for fiscal year 2000-2001. The fund can be maintained at the present appropriation level. I believe the additional moneys should be used for higher priority needs.

2. The \$100,000 portion of the general fund appropriation for economic development, commerce and industry (BED 142 on page 6) designated in legislative work sheets to be a grant to the Honolulu Japanese Chamber of Commerce. While I feel the project is worthwhile, I believe it is important that private organizations should raise their own funds rather than asking the State to provide funding support.

3. The \$100,000 portion of the general fund appropriation for performing and visual arts events (AGS 881 on page 39) designated in legislative work sheets as a grant to the Hawaiian Chinese Multicultural Museum. While I feel the project is worthwhile, I believe it is important that private organizations should raise their own funds rather than asking the State to provide funding support.

4. The \$200,000 portion of the general fund appropriation for performing and visual arts events (AGS 881 on page 39) designated in legislative work sheets as a grant to the Maui Community Arts and Cultural Center. While I feel the project is worthwhile, I believe it is important that private organizations should raise their own funds rather than asking the State to provide funding support.

5. The \$100,000 portion of the general fund appropriation to the University of Hawaii-Manoa (UOH 100 on page 36) designated in legislative work sheets as a grant to the Hawaii Community Service Council. The Department of Business, Economic Development, and Tourism can already provide most of the support needed for this new economy initiative within existing staffing and funds.

6. Sums for certain capital improvement projects listed in section 5 of House Bill No. 1900 I find to be unnecessary to implement the respective programs or insufficient to complete the projects. With respect to the projects funded under EDN 100, I note that none of these projects were included in the proposed budget considered by the Board of Education and included in the Department of Education's priority projects. These projects are described as follows:

(a) \$5,000,000 in general obligation bond funds for fiscal year 2000-2001 for Palolo water development, Oahu (item A-16F, page 102, lines 12-18) appropriated under item A-19 (LNR 141, page 6). Moreover, I believe that this project is a county function.

(b) \$3,000,000 in revenue bond funds for fiscal year 1999-2000 for a second access road to Wahiawa from Honolulu (page 147, lines 11-14), appropriated under item C-27 (TRN 501, page 14).

(c) \$5,000,000 in revenue bond funds for fiscal year 1999-2000 for a secondary exit for Leeward Community College (page 148, lines 7-12), appropriated under item C-27 (TRN 501, page 14).

(d) \$7,000,000 in revenue bond funds for fiscal year 2000-2001 for a medial strip for Farrington Highway, Oahu (page 156, lines 7-12), appropriated under item C-27 (TRN 501, page 14).

(e) \$300,000 in revenue bond funds for fiscal year 2000-2001 for traffic signals at Honowai Street and Kunia Road, Oahu (page 156, lines 13-17), appropriated under item C-27 (TRN 501, page 14).

(f) \$300,000 in revenue bond funds for fiscal year 2000-2001 for traffic signals at the intersection of Farrington Highway and Waikale Road (page 156, lines 18-22), appropriated under item C-27 (TRN 501, page 14).

(g) \$225,000 in revenue bond funds for fiscal year 2000-2001 for improvements to Kamehameha Highway in the vicinity of Honomanu Street (page 157, lines 7-11), appropriated under item C-27 (TRN 501, page 14).

(h) \$681,000 in revenue bond funds for fiscal year 2000-2001 for traffic signals in the vicinity of Kapolei Elementary School (page 158, lines 7-13), appropriated under item C-27 (TRN 501, page 14).

- (i) \$1,000,000 in revenue bond funds for fiscal year 2000-2001 for extension of Piilani Highway, Maui (page 169, lines 11-14), appropriated under item C-29 (TRN 531, page 14).
- (j) \$420,000 in general obligation bond funds for fiscal year 2000-2001 for portable air conditioners for August Ahrens Elementary School (page 220, lines 7-10), appropriated under item G-1 (EDN 100, page 34).
- (k) \$500,000 in general obligation bond funds for fiscal year 2000-2001 for drainage improvements to Ben Parker Elementary School (page 220, lines 12-17), appropriated under item G-1 (EDN 100, page 34).
- (l) \$400,000 in general obligation bond funds for fiscal year 2000-2001 for upgrades to electrical wiring for Ben Parker Elementary School (page 220, lines 18-23), appropriated under item G-1 (EDN 100, page 34).
- (m) \$430,000 in general obligation bond funds for fiscal year 2000-2001 for renovation at Farrington High School (page 221, lines 18-23), appropriated under item G-1 (EDN 100, page 34).
- (n) \$200,000 in general obligation bond funds for fiscal year 2000-2001 for renovation of building G tech center at Highlands Intermediate School (page 222, lines 18-22), appropriated under item G-1 (EDN 100, page 34).
- (o) \$440,000 in general obligation bond funds for fiscal year 2000-2001 for renovation of gymnasium at Hilo High School (page 223, lines 7-12), appropriated under item G-1 (EDN 100, page 34).
- (p) \$200,000 in general obligation bond funds for fiscal year 2000-2001 for expansion of the cafeteria at Kaimuki High School (page 229, lines 12-16), appropriated under item G-1 (EDN 100, page 34).
- (q) \$664,000 in general obligation bond funds for fiscal year 2000-2001 for air conditioning at Kaimuki Intermediate School (page 229, lines 17-21), appropriated under item G-1 (EDN 100, page 34).
- (r) \$150,000 in general obligation bond funds for fiscal year 2000-2001 for electrical system upgrades at Kalihi-Kai Elementary School (page 230, lines 7-12), appropriated under item G-1 (EDN 100, page 34).
- (s) \$430,000 in general obligation bond funds for fiscal year 2000-2001 for design and construction of an enclosed administration/library building at Kapunahala Elementary School (page 230, lines 13-17), appropriated under item G-1 (EDN 100, page 34).
- (t) \$110,000 in general obligation bond funds for fiscal year 2000-2001 for a portable classroom at Kapunahala Elementary School (page 230, lines 18-24), appropriated under item G-1 (EDN 100, page 34).
- (u) \$3,411,000 in general obligation bond funds for fiscal year 2000-2001 for replacement of buildings B and C at Kekaha Elementary School, Kauai (page 233, lines 7-11), appropriated under item G-1 (EDN 100, page 34).
- (v) \$55,000 in general obligation bond funds for fiscal year 2000-2001 for conversion of library into special education classrooms at Kilauea Elementary School, Kauai (page 233, lines 12-17), appropriated under item G-1 (EDN 100, page 34).
- (w) \$150,000 in general obligation bond funds for fiscal year 2000-2001 for design for a new cafeteria at Kilauea Elementary School, Kauai (page 233, lines 18-22), appropriated under item G-1 (EDN 100, page 34).
- (x) \$700,000 in general obligation bond funds for fiscal year 1999-2000 for a second floor annex to administration and library building at Kuhio Elementary School (page 236, lines 8-12), appropriated under item G-1 (EDN 100, page 34).
- (y) \$250,000 in general obligation bond funds for fiscal year 2000-2001 for electrical system upgrade at Likelike Elementary School (page 238, lines 13-18), appropriated under item G-1 (EDN 100, page 34).
- (z) \$70,000 in general obligation bond funds for fiscal year 2000-2001 for reroofing building E at Lincoln Elementary School (page 240, lines 7-12), appropriated under item G-1 (EDN 100, page 34).
- (aa) \$75,000 in general obligation bond funds for fiscal year 1999-2000 for improvements to meet fire code requirements at Manoa Elementary School (page 242, lines 13-18), appropriated under item G-1 (EDN 100, page 34).
- (bb) \$50,000 in general obligation bond funds for fiscal year 2000-2001 for improvements to recreational multi-purpose facility for use by Manoa Elementary School (page 243, lines 7-13), appropriated under item G-1 (EDN 100, page 34).
- (cc) \$250,000 in general obligation bond funds for fiscal year 2000-2001 for expansion of library at Pearl City Elementary School (page 247, lines 7-11), appropriated under item G-1 (EDN 100, page 34).
- (dd) \$255,000, in general obligation bond funds for fiscal year 2000-2001 for parking lot improvements at Pearl City Elementary School (page 247, lines 12-16), appropriated under item G-1 (EDN 100, page 34).
- (ee) \$400,000 in general obligation bond funds for fiscal year 2000-2001 for a weight training room at Pearl City High School (page 248, lines 13-17), appropriated under item G-1 (EDN 100, page 34).
- (ff) \$200,000 in general obligation bond funds for fiscal year 2000-2001 for gymnasium expansion at Roosevelt High School (page 250, lines 7-13), appropriated under item G-1 (EDN 100, page 34).
- (gg) \$535,000 in general obligation bond funds for fiscal year 2000-2001 for a band room and related facilities at Roosevelt High School (page 250, lines 14-18), appropriated under item G-1 (EDN 100, page 34).
- (hh) \$964,000 in general obligation bond funds for fiscal year 2000-2001 for classroom renovation at Salt Lake Elementary School (page 253, lines 7-11), appropriated under item G-1 (EDN 100, page 34).
- (ii) \$29,000 in general obligation bond funds for fiscal year 2000-2001 for completion of local area network at Washington Middle School (page 259, lines 7-12), appropriated under item G-1 (EDN 100, page 34).
- (jj) \$661,000 in general obligation bond funds for fiscal year 2000-2001 for improvements to Maunalani Heights subdivision water system (page 311, lines 15-21), appropriated under item K-26 (LNR 101, page 56).
- (kk) \$16,500,000 in general obligation bond funds for fiscal year 2000-2001 for a state sports recreational complex on Oahu (page 318, lines 17-25), appropriated under item K-30 (AGS 221, page 57).
- (ll) \$250,000 in general obligation bond funds for fiscal year 2000-2001 for plans and design for a state office building and parking structure at Wahiawa Civic Center (page 319, lines 7-11), appropriated under item K-30 (AGS 221, page 57).

(mm) \$2,900,000 in general obligation bond funds for fiscal year 2000-2001 for site acquisition for relocation of Aiea public library (page 319, lines 12-16), appropriated under item K-30 (AGS 221, page 57).

(nn) \$573,000 in general obligation bond funds in general obligation bond funds for fiscal year 2000-2001 for a grant to the Japanese Cultural Center of Hawaii (page 321, lines 14-21) appropriated as item K-41 (SUB 301, page 59). Moreover, I believe that it is important for private organizations to raise their own funds from sources other than the State.

(oo) \$1,000,000 in general obligation bond funds for fiscal year 2000-2001 for a grant to Waipahu Community Foundation Youth and Elderly day care facility (page 322, lines 7-15), appropriated as item K-40 (SUB 201, page 59). Moreover, I believe that it is important for private organizations to raise their own funds from sources other than the State.

(pp) \$500,000 in general obligation bond funds for fiscal year 2000-2001 for a grant to Hawaii Ola Waimanalo (page 322, lines 16-25) appropriated under item K-40 (SUB 201, page 59). While this is just a portion of the cost of the project, I understand that the grantee does not have sufficient funds to complete the project.

(qq) \$600,000 in general obligation bond funds for fiscal year 2000-2001 for a grant in aid for improvements to Kalopa Sand Gulch Road, Hawaii (page 325, lines 12-17), appropriated under item K-41 (SUB 301, page 59). Moreover, this is a county road, and should be a county responsibility.

(rr) \$160,000 of general obligation bond funds for fiscal year 2000-2001 for the Storybook Theatre of Hawaii, Kauai (page 328, lines 14-18), appropriated as item K-43 (SUB 501, page 59). Moreover, I believe that it is important for private organizations to raise their own funds from sources other than the State.

Because of the foregoing objections, I have taken the following actions:

a. Reduced the \$782,927,104 EDN 100 operating item (on page 34) and changed it to \$779,927,104, and reduced the \$10,636,306 to \$7,636,306 at section 4, paragraph (23) of the bill (on page 70).

b. Reduced the \$1,750,914 BED 142 operating item (on page 6) and changed it to \$1,700,914.

c. Reduced the \$2,216,651 AGS 881 operating item for fiscal year 2000-2001 (on page 39) and changed it to \$1,916,651.

d. Reduced the \$172,868,693 UOH 100 operating item for fiscal year 2000-2001 (on page 36) and changed it to \$172,793,693.

e. Reduced the \$12,627,000 LNR 141 investment capital item for fiscal year 2000-2001 (on page 6) and changed it to \$7,627,000 and reduced the \$5,000,000 total funding for item A-16F on page 102 to 0.

f. Reduced the \$24,960,000 TRN 501 investment capital item for fiscal year 1999-2000 (on page 14) and changed it to \$16,960,000; reduced the \$35,612,000 TRN 501 investment capital item for fiscal year 2000-2001 (on page 14) and changed it to \$27,106,000, reduced the funding for fiscal year 1999-2000 for item C-80 on page 147 to 0, reduced the funding for fiscal year 1999-2000 for item C-81, on page 148, to 0, and reduced the total funding for each of the following items for fiscal year 2000-2001 to 0:

C-85L	Traffic signals, Honowai St./Kunia Rd.	156
C-85M	Traffic signals, Farrington Highway/Waikele Road	156
C-85N	Improvements to Kamehameha Highway	157
C-85Q	Traffic signals - Kapolei Elementary School vicinity	158

g. Reduced the \$4,690,000 TRN 531 investment capital item for fiscal year 2000-2001 (on page 14) and changed it to \$3,690,000, and reduced the total funding for item C-100C, extension of Piilani Highway, on page 169, to 0.

h. Reduced the \$11,584,000 EDN 100 investment capital item for fiscal year 1999-2000 (on page 34) and changed it to \$10,509,000, reduced the \$22,568,000 EDN 100 investment capital item for fiscal year 2000-2001 (on page 34) and changed it to \$12,005,000, and reduced the total funding for each of the following items to 0:

Item	Description	Page
G-28A	August Ahrens portable air conditioners	220
G-28B	Ben Parker Elementary School drainage	220
G-28C	Ben Parker Elementary School electrical wiring	220
G-29A	Farrington High School renovation	221
G-30A	Highlands Intermediate School renovation	222
G-30B	Hilo High School gymnasium renovation	223
G-40A	Kaimuki High School cafeteria expansion	229
G-40B	Kaimuki Intermediate School air conditioning	229
G-40C	Kalihi-Kai Elementary School electrical upgrades	230
G-40D	Kapunahala Elementary School enclosed administration/library	230
G-40E	Kapunahala Elementary School portable classroom	230
G-43A	Kekaha Elementary School replacement of Buildings B and C	233
G-43B	Kilauea Elementary School, Kauai, convert library to special education classrooms	233
G-43C	Kilauea Elementary School, Kauai, design new cafeteria	233
G-46	Kuhio Elementary School second floor annex	236
G-48A	Likelike Elementary School electrical upgrades	238
G-49A	Lincoln Elementary School reroofing	240
G-52	Manoa Elementary School various improvements	242
G-52A	Manoa Elementary School improvements to recreational multi-purpose facility	243

Item	Description	Page
C-85K	Medial strip, Farrington Highway	156



G-57A	Pearl City Elementary School library expansion	247
G-57B	Pearl City Elementary School parking lot improvements	247
G-58A	Pearl City High School weight training room	248
G-60	Roosevelt High School gymnasium expansion	250
G-60A	Roosevelt High School band room	250
G-62A	Salt Lake Elementary School classroom renovation	253
G-68A	Washington Middle School local area network completion	259

i. Reduced the \$661,000 LNR 101 investment capital item for fiscal year 2000-2001 (on page 56) and changed it to \$0, and reduced the total funding for item K-11A, Maunalani Heights subdivision water system on page 311, to 0.

j. Reduced the \$28,077,000 AGS 221 investment capital item for fiscal year 2000-2001 (on page 57) and changed it to \$13,427,000, and reduced the following: the total funding for item K-22A, state sports recreational complex, on page 318, to \$5,000,000, and the total funding for item K-22B, Wahiawa Civic Center, on page 319, to 0, and the total funding for item K-22C, Aiea Public Library relocation, on page 319, to 0.

k. Reduced the \$6,373,000 SUB 201 investment capital item for fiscal year 2000-2001 (on page 59) and changed it to \$3,586,000, and reduced the following: the total funding for item K-24A, grant to Japanese Cultural Center of Hawaii, on page 321, to \$286,000; the total funding for item K-24B, Waipahu Community Foundation Youth and Elderly Day Care Facility, on page 322, to 0; and the total funding for item K-24C, grant to Hawaii Ola Waimanalo, on page 322, to 0.

l. Reduced the \$1,933,000 SUB 301 investment capital item for fiscal year 2000-2001 (on page 59) and changed it to \$1,333,000, and reduced the total funding for item K-27B on page 325, grant for improvements to Kalopa Sand Gulch Road, to 0.

m. Reduced the \$855,000 SUB 501 investment capital item for fiscal year 2000-2001 (on page 59) and changed it to \$605,000 and reduced the total funding for item K-30B on page 328, grant to Storybook Theatre of Hawaii, to 0.

For the foregoing reasons, I am returning House Bill No. 1900 with the reductions set forth above totaling \$9,075,000 for fiscal year 1999-2000 for capital improvement projects, totaling \$3,425,000 for fiscal year 2000-2001 for operating programs, and totaling \$44,017,000 for fiscal year 2000-2001 for capital improvement projects.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1900, entitled 'A Bill for an Act Relating to the State Budget,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III, the Governor may veto any specific item or items in any bill that appropriates money for specific purposes by striking out or reducing the same; and

WHEREAS, House Bill No. 1900 appropriates money for specific purposes and certain appropriation items in that bill are unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1900, with my objections to certain appropriation items contained therein, to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 22nd day of June, 2000.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 370**, informing the Senate that on June 22, 2000, he signed into law House Bill No. 749 as Act 280, entitled: "RELATING TO DIETITIANS."

**Gov. Msg. No. 371**, informing the Senate that on June 23, 2000, he signed into law House Bill No. 1900 as Act 281, entitled: "RELATING TO THE STATE BUDGET."

**Gov. Msg. No. 372**, informing the Senate that on June 28, 2000, he signed the following bills into law:

House Bill No. 2585 as Act 282, entitled: "RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT";

Senate Bill No. 2121 as Act 283, entitled: "RELATING TO OBSOLETE LAWS"; and

Senate Bill No. 2924 as Act 284, entitled: "RELATING TO OPEN MEETINGS."

**Gov. Msg. No. 373**, informing the Senate that on June 30, 2000, he signed the following bills into law:

House Bill No. 37 as Act 285, entitled: "RELATING TO FILM PRODUCTION FUNDING";

House Bill No. 139 as Act 286, entitled: "RELATING TO FEDERAL CONSTRUCTION";

House Bill No. 2151 as Act 287, entitled: "RELATING TO STATE BONDS";

Senate Bill No. 2186 as Act 288, entitled: "RELATING TO INSURANCE";

Senate Bill No. 2221 as Act 289, entitled: "RELATING TO ETHANOL";

Senate Bill No. 2419 as Act 290, entitled: "RELATING TO CAPITAL ACCESS PROGRAM";

Senate Bill No. 2467 as Act 291, entitled: "RELATING TO UNLICENSED CONTRACTORS"; and

Senate Bill No. 2838 as Act 292, entitled: "RELATING TO THE STATE INTERNET PORTAL."

**Gov. Msg. No. 374**, informing the Senate that on July 3, 2000, he signed the following bills into law:

House Bill No. 286 as Act 293, entitled: "RELATING TO SPEEDING";

Senate Bill No. 2311 as Act 294, entitled: "RELATING TO MANDATORY USE OF SEATBELTS";

Senate Bill No. 2863 as Act 295, entitled: "RELATING TO ADVANCE HEALTH-CARE DIRECTIVES"; and

Senate Bill No. 3073 as Act 296, entitled: "RELATING TO IMPAIRED DRIVING."

**Gov. Msg. No. 375**, informing the Senate that on July 5, 2000, he signed into law House Bill No. 2901 as Act 297, entitled: "RELATING TO THE NEW ECONOMY."

### HOUSE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT OF THE LEGISLATURE SINE DIE

**Hse. Com. No. 722**, returning S.B. No. 2112, S.D. 1, which passed Third Reading in the House of Representatives on May 2, 2000.

**Hse. Com. No. 723**, returning S.B. No. 2499, S.D. 1, which passed Third Reading in the House of Representatives on May 2, 2000.

**Hse. Com. No. 724**, returning S.B. No. 2927, S.D. 1, which passed Third Reading in the House of Representatives on May 2, 2000.

**Hse. Com. No. 725**, returning S.B. No. 2939, S.D. 1, which passed Third Reading in the House of Representatives on May 2, 2000.

**Hse. Com. No. 726**, informing the Senate that the amendments proposed by the Senate to the following House concurrent resolutions were agreed to by the House and said resolutions were finally adopted in the House of Representatives on May 2, 2000:

H.C.R. No. 24, H.D. 1, S.D. 1;  
H.C.R. No. 62, H.D. 1, S.D. 1;  
H.C.R. No. 66, S.D. 1;  
H.C.R. No. 93, S.D. 1;  
H.C.R. No. 103, H.D. 1, S.D. 1;  
H.C.R. No. 111, H.D. 1, S.D. 1;  
H.C.R. No. 123, H.D. 1, S.D. 1;  
H.C.R. No. 163, H.D. 1, S.D. 1;  
H.C.R. No. 165, H.D. 1, S.D. 1; and  
H.C.R. No. 196, H.D. 1, S.D. 1.

**Hse. Com. No. 727**, informing the Senate that the following Senate concurrent resolutions were finally adopted in the House of Representatives on May 2, 2000:

S.C.R. No. 129, S.D. 1, H.D. 1, C.D. 1; and  
S.C.R. No. 204, H.D. 1, C.D. 1;

**Hse. Com. No. 728**, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 1893, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 1893, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on May 2, 2000.

**Hse. Com. No. 729**, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 2432, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 2432, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on May 2, 2000.

**Hse. Com. No. 730**, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and the amendments proposed by the Senate were agreed to by the House and said bills passed Final Reading in the House of Representatives on May 2, 2000:

H.B. No. 101, H.D. 1, S.D. 1;  
H.B. No. 286, H.D. 2, S.D. 2;  
H.B. No. 750, H.D. 1, S.D. 1;  
H.B. No. 755, H.D. 2, S.D. 2;  
H.B. No. 1457, S.D. 1;  
H.B. No. 1905, H.D. 2, S.D. 1;  
H.B. No. 1939, H.D. 1, S.D. 1;  
H.B. No. 1946, H.D. 2, S.D. 1;  
H.B. No. 2060, H.D. 2, S.D. 1;  
H.B. No. 2213, S.D. 1;  
H.B. No. 2218, H.D. 1, S.D. 1;

H.B. No. 2309, H.D. 1, S.D. 1;  
H.B. No. 2423, S.D. 1;  
H.B. No. 2446, S.D. 1;  
H.B. No. 2468, H.D. 1, S.D. 1;  
H.B. No. 2481, H.D. 1, S.D. 1;  
H.B. No. 2483, H.D. 1, S.D. 1;  
H.B. No. 2501, H.D. 2, S.D. 1;  
H.B. No. 2513, H.D. 1, S.D. 1;  
H.B. No. 2534, H.D. 2, S.D. 1;  
H.B. No. 2539, H.D. 2, S.D. 1;  
H.B. No. 2559, H.D. 1, S.D. 2;  
H.B. No. 2573, H.D. 1, S.D. 1;  
H.B. No. 2576, H.D. 1, S.D. 1;  
H.B. No. 2624, H.D. 1, S.D. 1;  
H.B. No. 2643, H.D. 1, S.D. 2;  
H.B. No. 2820, H.D. 1, S.D. 1;  
H.B. No. 2906, H.D. 1, S.D. 1;  
H.B. No. 3018, S.D. 1; and  
H.B. No. 3021, H.D. 1, S.D. 1.

**Hse. Com. No. 731**, informing the Senate that the following bills passed Final Reading in the House of Representatives on May 2, 2000:

H.B. No. 37, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 139, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 284, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 540, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 645, S.D. 2, C.D. 1;  
H.B. No. 749, H.D. 3, S.D. 2, C.D. 1;  
H.B. No. 1632, H.D. 3, S.D. 1, C.D. 1;  
H.B. No. 1759, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 1773, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 1873, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 1874, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 1881, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 1900, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 1902, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 1912, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 1925, S.D. 1, C.D. 1;  
H.B. No. 1938, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 1947, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 1955, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 1956, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 1969, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 1983, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 1984, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 1994, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 2017, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 2023, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 2024, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 2062, H.D. 2, S.D. 1, C.D. 2;  
H.B. No. 2092, S.D. 1, C.D. 1;  
H.B. No. 2095, S.D. 1, C.D. 1;  
H.B. No. 2098, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 2151, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 2160, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 2183, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 2222, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 2273, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 2277, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 2280, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 2314, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 2354, H.D. 2, S.D. 2, C.D. 1;  
H.B. No. 2392, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 2405, H.D. 2, S.D. 1, C.D. 1;  
H.B. No. 2406, H.D. 1, S.D. 1, C.D. 1;  
H.B. No. 2407, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 2410, H.D. 1, S.D. 2, C.D. 1;  
H.B. No. 2418, S.D. 1, C.D. 1;  
H.B. No. 2429, H.D. 2, S.D. 2, C.D. 1;

H.B. No. 2458, S.D. 1, C.D. 1;  
 H.B. No. 2469, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2472, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2476, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2480, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2484, S.D. 1, C.D. 1;  
 H.B. No. 2490, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2491, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2492, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2506, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2514, S.D. 2, C.D. 1;  
 H.B. No. 2521, S.D. 1, C.D. 1;  
 H.B. No. 2530, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2556, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2572, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2574, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2585, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2648, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2650, H.D. 1, S.D. 2, C.D. 1;  
 H.B. No. 2653, H.D. 2, S.D. 1, C.D. 1;  
 H.B. No. 2701, H.D. 3, S.D. 1, C.D. 1;  
 H.B. No. 2774, S.D. 1, C.D. 1;  
 H.B. No. 2793, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2797, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 2801, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2802, S.D. 1, C.D. 1;  
 H.B. No. 2835, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 2901, H.D. 2, S.D. 2, C.D. 1;  
 H.B. No. 3014, H.D. 1, S.D. 1, C.D. 1;  
 H.B. No. 3016, H.D. 1, S.D. 1, C.D. 1;  
 S.B. No. 185, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 539, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 680, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1276, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2021, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2056, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2062, S.D. 1, H.D. 3, C.D. 1;  
 S.B. No. 2074, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2108, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2121, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2134, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2151, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2152, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2186, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2218, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2221, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2254, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2283, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2303, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2312, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2354, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2409, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2411, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2420, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2427, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2433, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2448, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2467, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2475, S.D. 1, H.D. 3, C.D. 1;  
 S.B. No. 2480, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2486, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2490, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2513, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2521, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2530, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2533, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2576, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2579, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2655, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2692, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2706, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2711, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2716, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2722, S.D. 1, H.D. 2, C.D. 1;

S.B. No. 2729, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2741, H.D. 2, C.D. 1;  
 S.B. No. 2779, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2781, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2819, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2837, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2838, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2843, H.D. 2, C.D. 1;  
 S.B. No. 2850, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2859, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2863, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2872, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2873, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2879, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 2946, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2961, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 2982, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 2987, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 2988, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 3026, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 3038, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 3043, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 3045, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 3073, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 3123, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 3133, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 3160, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 3179, H.D. 3, C.D. 1;  
 S.B. No. 3190, S.D. 1, H.D. 1, C.D. 1; and  
 S.B. No. 3199, S.D. 1, H.D. 2, C.D. 1.

## RULES OF THE SENATE

of the

## TWENTIETH LEGISLATURE OF THE STATE OF HAWAII

## TABLE OF CONTENTS

Part	Rule No.		Part	Rule No.	
<b>I.</b>		<b>ORGANIZATION, OFFICERS AND EMPLOYEES</b>	<b>IV.</b>		<b>ORDER OF BUSINESS</b>
	1	Organization		38	Order of Business: General
	2	Officers and Employees		39	Order of Business: Special
	3	The President		40	Order of Business: Committee Reports and Gubernatorial Messages
	4	The Vice-President		41	Order of Business: Order of the Day
	5	President Pro Tempore		42	Order of Business: Unfinished Business
	6	The Clerk		43	Order of Business: Questions on Priority
	7	Assistant Clerk			
	8	Invocation			
	9	Sergeant-at-Arms	<b>V.</b>		<b>BILLS; RESOLUTIONS</b>
	10	Assistant Sergeant-at-Arms		44	Bills: Introduction
	11	Responsibility of Officers and Employees		45	Bills: Referral to Committee
	12	Pay of Members, Officers and Employees		46	Bills: Required Readings
<b>II.</b>		<b>COMMITTEES</b>		47	Bills: First Reading
	13	Committees: Types and Composition		48	Bills: Second Reading
	14	Committee Chair and Vice-Chair		49	Bills: Third Reading
	15	Committees: Control and Excuse from Membership		50	Bills: Property of Senate
	16	Standing Committees		51	Bills: Recall from Committee
	17	Standing Committees: General Responsibility		52	Matters Tabled
	18	Committee on Ways and Means: Special Responsibility		53	Bills: Amendments
	19	Leadership Committees		54	Bills: Certification
	20	Meetings of Committees		55	Bills: Received from House of Representatives
	21	Decision-Making by Committee		56	Bills: Transmittal to House of Representatives
	22	Public Hearings on Bills		57	Bills: Correction of Errors
	23	Committee Reports		58	Bills: Order of Consideration
	24	Committees: Factfinding and Content of Reports		59	Bills: Special Order of Consideration
	25	Committee of the Whole			
<b>III.</b>		<b>SESSIONS; ATTENDANCE; NOMINATIONS</b>	<b>VI.</b>		<b>RESOLUTIONS; MOTIONS</b>
	26	Meetings		60	Resolutions and Motions: Form
	27	Attendance		61	Motions: Second Required
	28	Extension of Session		62	Motions: Disposition
	29	Recessed Session		63	Motions Applicable to Pending Matters
	30	Special Sessions		64	Matters Postponed Indefinitely
	31	Adjournments		65	Motion for Previous Question
	32	Motion to Adjourn		66	Motion for Reconsideration
	33	Quorum			
	34	Executive Session			
	35	Clearing of the Senate			
	36	Nominations; Appointments			
	37	Meeting at Place Other than Capitol			

Part	Rule No.		Part	Rule No.	
<b>VII.</b>		<b>PETITIONS AND COMMUNICATIONS</b>		76	Decorum: Presence in Senate
	67	Petitions, Memorials, and Miscellaneous Communications		77	Decorum: Conduct in Session
				78	Decorum: Disorderly Conduct in Session
<b>VIII.</b>		<b>ORDER; DEBATE; VOTING</b>		79	Decorum: Recording of Debate Called to Order
	68	Questions of Order		80	Decorum: Smoking
	69	Debate: General Limitation		81	Decorum: Solicitation Prohibited
	70	Voting: Methods		82	Disclosures
	71	Voting: Rights of Members		83	Violating Confidence
<b>IX.</b>		<b>DECORUM; DISCLOSURES; PEER REVIEW; PUNISHMENT</b>	<b>X.</b>		<b>QUESTIONS TO STATE OFFICERS</b>
	72	Misconduct; Procedure; Peer Review		84	Questions to State Officers
	73	Decorum: Transgression of Rules	<b>XI.</b>		<b>AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES</b>
	74	Decorum: Address		85	Amendments; Suspension
	75	Decorum: Person Called to Order While Speaking		86	Parliamentary Procedure

**RULES OF THE SENATE**  
**of the**  
**TWENTIETH LEGISLATURE OF THE STATE OF HAWAII**

**PREAMBLE**

The members of the Senate do hereby reaffirm the Senate's dedication to upholding the Constitutions of the United States and the State of Hawaii, to providing for openness and fairness in all of its proceedings, and to promoting collaboration and consultation in its committee work.

The Senate stands as a people-oriented institution that serves all of the people, whatever their background or persuasion. The Senate works for the public good and strives to give every person an equal opportunity to realize his or her highest potential. The Senate is an open public forum for organized debate and deliberative consideration of issues.

**RULES OF THE SENATE**

The following Rules shall be the Rules of the Senate of the Twentieth Legislature of the State of Hawaii.

**PART I. ORGANIZATION, OFFICERS AND EMPLOYEES**

**Rule 1. Organization**

(1) When the Senate convenes in the first Regular Session of each Legislature, the member from the First Senatorial District shall act as temporary chair, call the Senate to order, appoint a temporary Clerk, and a Committee of three whose duty it shall be to immediately examine the credentials of the members-elect of the Senate. If from the report of the Committee, it shall appear that a majority of the credentials are in order, the temporary Clerk shall call the roll.

(2) The temporary Chair shall then appoint a Committee of three to wait upon a justice of the Supreme Court, an Intermediate Appellate Court Judge or a Circuit Court judge to administer the oath of office required by the Constitution. After the oath has been duly administered, the Senate shall organize.

(3) When the Senate convenes in any succeeding Sessions of the Legislature, the President or the Vice-President in the absence of the President, shall call the Senate to order.

**Rule 2. Officers and Employees**

(1) The officers of the Senate shall consist of a President, Vice-President, Clerk, Assistant Clerk, Sergeant-at-Arms, and Assistant Sergeant-at-Arms, each of whom shall be elected by a majority vote of the members of the Senate.

(2) The President and Vice-President shall hold their respective offices in accordance with Title 3, Hawaii Revised Statutes. Other officers and employees shall hold their respective offices and positions at the pleasure of the Senate, but a majority vote of the members of the Senate shall be required to terminate the office held by any officer of the Senate.

(3) The Senate, by a majority vote, may authorize positions from time to time as may be deemed necessary.

**Rule 3. The President**

It shall be the duty of the President:

- (1) To open the meetings of the Senate by taking the Chair and calling for the invocation.
- (2) When a quorum is present, to call for the reading of the Journal of the preceding day.
- (3) To maintain order in the Senate Chamber and to require proper decorum on the part of the members.
- (4) To announce the business before the Senate in the order prescribed by the Rules.

(5) To receive and submit all matters properly brought before the Senate by the members, call for votes upon the same and announce the results.

- (6) To receive all communications, present them to the Senate and refer all bills and other matters to the appropriate standing committees.
- (7) To appoint all committees unless otherwise determined by the Senate.
- (8) To authenticate by signature, all acts and doings of the Senate which require authentication.
- (9) To make known rules of order when so requested and, subject to an appeal to the Senate, to decide all questions of order.
- (10) To issue warrants and when so directed by the Senate, to carry into effect its orders in the arrest of offenders, the summoning of witnesses, or other orders of the Senate.
- (11) To decide and announce the result of any vote taken.
- (12) To do and perform such other duties as are required by law or by these rules or such as may properly pertain to such office.
- (13) To clear the Senate Chamber of all persons, except its members and designated persons if there is a disturbance or disorderly conduct, or on motion duly adopted.
- (14) To control and have direction of the rooms, desks, passages, stairways, corridors, and balconies, in and about the building set apart for the use of the Senate, and all public property of the Senate. The President shall see that all officers of the Senate perform their respective duties, and may assign places to visitors and reporters. The President may admit stenographers or other reporters, wishing to take down the debates, and assign them such places to effect their object as shall not interfere with the convenience of the Senate.
- (15) To establish final dates for action on legislation, including, though not limited to the final date for introducing bills, the dates for the mandatory recess pursuant to Article III, Section 10, of the Constitution, the final date for third reading of Senate Bills, the final date for third reading of House Bills, the final date for approving Conference Committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The President shall coordinate the date for introducing bills and may coordinate with the Speaker of the House to establish the other final dates.
- (16) To promulgate an administrative and financial manual of guides, the purpose of which is to establish uniformity in administrative practices and to ensure compliance with Senate policies.
- (17) To mediate and resolve differences between two or more standing committees on the same bill.

#### **Rule 4. The Vice-President**

In the absence of the President, the Vice-President shall exercise all the duties and powers of the President.

#### **Rule 5. President Pro Tempore**

- (1) In case the President and Vice-President shall be absent at the hour to which the Senate had adjourned, the member of the majority party having the longest tenure in the Senate shall preside until a President pro tempore is chosen. If two or more members are equally qualified to preside, the eldest qualified member shall preside.
- (2) The President pro tempore shall be invested with all of the powers and shall perform all the duties of the President. Whenever the President pro tempore is required to sign a bill or other instrument, the Clerk shall attach to such bill or instrument a certificate stating that such President pro tempore was duly elected and is authorized to so sign.

#### **Rule 6. The Clerk**

It shall be the duty of the Clerk:

- (1) To have charge of all records of the Senate and be responsible for the same. At no time shall the Clerk permit original documents to be withdrawn from the Clerk's keeping unless ordered by the Senate.
- (2) To make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the Senate. Such memoranda shall state the nature of the matter and the name of the introducer, and the date and day of the session on which the Senate considered the matter. The memoranda, together with other matters ordered to be placed therein, shall constitute the Journal, a copy of which shall be made available for inspection to any member upon request as soon as practicable. The Journal of each day shall be read the following day, immediately after the invocation. When such Journal is approved by vote of the Senate, it shall be entered by the Clerk in a book entitled "Journal of the Senate. Session of \_\_\_\_." (Giving the Year).
- (3) Unless otherwise directed by the Senate, to read all bills, resolutions and other matters (if so required) to the Senate.
- (4) To forward at once all letters, messages, communications and other matters to the proper parties.



- (5) To immediately deliver to the Chair of the appropriate committee all petitions, resolutions, bills or other matters duly referred to such committee.
- (6) To see that all bills and resolutions are properly engrossed and are correct and true as finally acted upon by the Senate.
- (7) To draw on the state general fund for expenses of the session as shall be authorized by the Senate and approved by the leadership committee as may be appointed by the President.
- (8) To pay all bills and accounts as shall be approved by the President or the President's designees, or ordered by the Senate, and no others.
- (9) To be responsible for the acquisition and distribution of all of the property of the Senate.
- (10) To note all questions of order with the decision thereon, collect the same, and append them to the Senate Journal at the close of the session.
- (11) To perform all other clerical duties and functions pertaining to the Office of the Clerk and as the Senate from time to time shall direct. The Clerk shall post the order of business in writing in a conspicuous place each day.

**Rule 7. Assistant Clerk**

The Assistant Clerk shall assist the Clerk in the performance of all duties and attend to such other duties as may be required when so directed by the President. In the absence of the Clerk, the Assistant Clerk shall perform all duties of the Clerk.

**Rule 8. Invocation**

Each day's sitting of the Senate shall open with an invocation.

**Rule 9. Sergeant-at-Arms**

It shall be the duty of the Sergeant-at-Arms to attend the Senate on every day of meeting; to maintain order among those present as spectators; to give notice to the Presiding Officer of the attendance of any person with communications or otherwise; to supervise the distribution of incidentals which require distribution among the members; to supervise, subject to the control of the President, the Senate Messengers; to attend upon committees if so requested; to serve all orders or process as directed by the President or Senate; to make all required arrests of members or other persons, and to retain the same in custody; to have the charge and responsibility for the postal requirements of the Senate; and generally to execute all of the requirements of the President of the Senate.

**Rule 10. Assistant Sergeant-at-Arms**

The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in the performance of all duties and attend to such duties as may be required when so directed by the President. In the absence of the Sergeant-at-Arms, the Assistant Sergeant-at-Arms shall perform all duties of the Sergeant-at-Arms.

**Rule 11. Responsibility of Officers and Employees**

The employees shall perform such duties as may be assigned by the President or prescribed by the Senate.

All officers and employees of the Senate shall be directly answerable to the President, and shall obey and perform all the President's orders and directions, subject to revision by the Senate. Employees under the supervision of a Senate member shall be directly answerable to the Senate member. If required by the President, any officer or employee shall give a bond for the faithful performance of duties.

An oath of office shall be administered to each officer.

**Rule 12. Pay of Members, Officers and Employees**

- (1) Each member of the Senate, upon being elected or appointed to office, shall receive as compensation such salary as prescribed pursuant to Article III, Section 9, of the State Constitution.
- (2) The officers, except the President and Vice-President, and the employees shall receive compensation as the Senate shall fix.

**PART II. COMMITTEES**

**Rule 13. Committees: Types and Composition**

(1) **Standing Committees:** The membership of each Standing Committee and the respective Chairs and Vice-Chairs thereof shall be appointed by the President, subject to action by the Senate. The majority and minority parties shall to the extent practicable be represented on all Standing Committees on a proportional basis or on such basis as may be prescribed by the Senate. The nomination of the minority party members to Standing Committees shall be made by the leadership of the minority party.

(2) **Leadership Committees** shall include majority and minority members drawn from the ranks of the Senate leadership.

(3) **Special Committees** shall consist of not less than three members each, unless otherwise ordered by the Senate, include a member or members of the minority party, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the specific matter referred. The Senate may establish investigative committees pursuant to Chapter 21, Hawaii Revised Statutes; such committees shall have such powers and be bound by such conditions as may be provided by law or by these Rules.

(4) **Conference Committees** shall consist of not less than three members each and be managed by the Chair of the Standing Committee having primary responsibility of the subject matter to be resolved, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the matter referred. The President may discharge a Conference Committee only upon concurrence with the Majority Leaders.

(5) **The Committee of the Whole Senate.**

**Rule 14. Committee Chairs**

(1) The first two persons named on the Committee having co-chairs shall be Chairs. Committees having co-chairs shall not have a vice-chair. The first person named on committees not having co-chairs shall be the Chair, and the second member named shall be Vice-Chair. Either Chair or both of them on committees having co-chairs, as they shall agree, or the Chair of committees not having co-chairs, shall call meetings and preside.

(2) Whenever the word "chair" is used in these rules in reference to Committees having co-chairs, it means both chairs, or either one of them, as shall be appropriate in the context in which the word is used.

**Rule 15. Committees: Control and Excuse from Membership**

Committees shall be under the control of and subject to the orders of the Senate, and shall faithfully carry out such orders. Any member may be excused from serving on any committee at the time of appointment, if already a member of four other committees.

**Rule 16. Standing Committees**

Standing Committees shall be appointed for major subject matter areas at the opening of the session, or as soon thereafter as possible, to serve during the Twentieth Legislature. The Standing Committees and their areas of jurisdiction shall be as follows:

(1) **Committee on Commerce and Consumer Protection.** The purview of this committee includes those programs relating to business regulation, occupational licensing, consumer protection, financial institutions, insurance regulation; public utility regulation; telecommunications; and the public employees' retirement system and the Hawaii public employees health fund.

(2) **Committee on Economic Development.** The purview of this committee includes those programs relating to economic development, tourism, agriculture, aquaculture, fisheries, and mariculture, including ocean resources, energy resources, and other new industry development; financial and technical assistance to business; recreation, sports and athletics, state parks and beaches, recreational boating, and Aloha Stadium.

(3) **Committee on Education and Technology.** The purview of this committee includes those programs relating to early education, public schools, continuing education, and the public libraries; the University of Hawaii and community college system; culture, historic preservation, and the arts; and use of information storage, transmission, processing, and telecommunications technologies by public agencies and institutions.

(4) **Committee on Government Operations and Housing.** The purview of this committee includes those programs relating to housing development, the landlord tenant code, condominium property regimes, and leaseholds; and state government operations policy, including procurement and government efficiency.

(5) **Committee on Health and Human Services.** The purview of this committee includes programs relating to general health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, mental retardation, and hospitals; public assistance, Medquest, youth services, early childhood education and care programs under the Department of Human Services, and vocational rehabilitation; programs relating to the promotion of the general well-being of Hawaii's youth, families, and elderly population.

(6) **Committee on Judiciary.** The purview of this committee includes those programs relating to courts; crime prevention and control, including juvenile justice matters; criminal code revision; statutory revision; campaign spending and elections; constitutional

matters; programs of the Attorney General, Public Defender and Judiciary; government records and information practices; individual rights and civil liberties; and programs relating to public safety and corrections.

(7) **Committee on Labor and Environment.** The purview of this committee includes programs relating to public officers and employees, labor, employment opportunities and training, labor-management relations, and collective bargaining; population; environmental quality control and protection, including litter control, recycling, wastewater treatment, endangered species, and hazardous waste.

(8) **Committee on Transportation and Intergovernmental Affairs.** The purview of this committee includes those programs relating to air, water, and surface transportation; civil defense; military and veteran's affairs; county, federal, and foreign relations; and matters of concern to the counties.

(9) **Committee on Water, Land, and Hawaiian Affairs.** The purview of this committee includes those programs relating to state planning, urban renewal, community development, land and water use, coastal zone management, land reclamation; and Hawaiian affairs, including the Office of Hawaiian Affairs, sovereignty, and Hawaiian homestead lands.

(10) **Committee on Ways and Means.** The purview of this committee includes those programs relating to overall state financing policies, including taxation and other revenues, cash and debt management, and statewide implementation of planning, programming, budgeting, and evaluation; government structure and finance.

#### **Rule 17. Standing Committees: General Responsibility**

(1) **General Responsibility.** On the bills referred to it by the President, the committee shall determine objectives, make program recommendations and, where appropriate, make expenditure recommendations. For those bills which require appropriations, the committee shall make expenditure recommendations consistent with the expenditure allocations established for the bills by the Committee on Ways and Means, which shall make the final recommendation to the Senate.

(2) **Subsequent referral committees.** On bills that have been referred by the President to more than one committee, unless otherwise ordered by the Senate, the subsequent referral committee shall make no substantive change, except changes which affect the subject matter over which the subsequent referral committee has primary jurisdiction, without prior written approval of the preceding referral committee chair having primary jurisdiction over the subject matter affected by the change.

#### **Rule 18. Committee on Ways and Means: Special Responsibility**

It shall be the duty of the Committee on Ways and Means, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas.

To the extent practicable, the Committee on Ways and Means shall make available to members of the Senate the contents of the General Appropriations Bill or the Supplemental Appropriations Bill during the 48-hour period prior to the passage of such bills on third and final reading.

Concerning all other bills requiring appropriations, it shall be the duty of the Committee on Ways and Means to inform the Standing Committee responsible for the program area to which the appropriation relates of the amount and type of financial resources available, and it shall review the expenditure recommendation of the Standing Committee to determine that the recommendation is consistent with the resources available.

In determining the amount and type of resources available for a bill requiring an appropriation and in reviewing the expenditure recommendation of the Standing Committee, the Committee on Ways and Means shall invite the recommendation of the chair of the Standing Committee responsible for the program area to which the appropriation relates.

#### **Rule 19. Leadership Committees**

Leadership Committees shall be appointed by the President at the opening of the session, or as soon thereafter as possible. A leadership Committee on Legislative Management shall be appointed by the President to perform the duties and responsibilities of the Committee as may be provided by law, or to make recommendations to the President on issues of Senate policy. Because Leadership Committees have jurisdiction over issues of organizational and institutional interest to the Senate, their membership shall include members drawn from the ranks of the Senate Leadership, thus assuring high-level consideration of these issues.

#### **Rule 20. Meetings of Committees**

Meetings, including decision-making sessions, of leadership committees appointed by the President, and Standing Committees shall be public provided that meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals or where there is a legal question concerning a bill.

Notice of meetings and decision-making sessions shall include the number and title of the bills or resolutions, and brief descriptions and committee referrals of each of the subject matters to be covered, and shall be publicly posted by first referral

committees at least 72 hours before their meetings and by subsequent referral committees at least 48 hours before their meetings, provided that these notice requirements may be waived with the approval of the President upon good cause shown.

No committee shall sit during the time when the Senate is actually in session without first securing the approval of the President, except Conference Committees that may sit at any time.

As practicable, committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and in coordination with other committees of the House or Senate, shall endeavor to hold joint meetings and public hearings on matters of mutual interest.

The meetings of a Conference Committee shall be conducted as agreed upon by the members of the Conference Committee. Conference Committee meetings and decision-making sessions shall be public. Public notice of Conference Committee meetings shall be given to the extent practicable.

#### **Rule 21. Decision-Making by Committee**

(1) The chair of a standing committee may commence a decision-making meeting and open discussion on matters referred to the committee without a quorum; provided that the decision-making by the committee on matters that are referred to it shall be conducted with a quorum of the committee present. A quorum shall be a majority of the membership of the committee.

(2) A favorable vote of a majority of the members present at a decision-making meeting duly constituted with a quorum is required to report a matter out of committee. A member voting "with reservations" shall be counted as a favorable vote.

(3) The presence of a quorum and the final vote of each member who is present at the decision-making meeting of a standing committee shall be recorded by the chair or by a member of the committee designated by the chair. This record shall be attached to and shall be a part of the report of the standing committee.

#### **Rule 22. Public Hearings on Bills**

(1) Subject to this rule, the selection and scheduling of a bill for public hearing shall be at the discretion of the chair of the committee having jurisdiction over the bill.

(2) The chair's determination that a bill will have a public hearing shall be final notwithstanding the opposition of a majority of the members of the committee.

(3) At the written request of a majority of the members of the committee, the chair shall schedule a bill for public hearing.

#### **Rule 23. Committee Reports**

(1) The leadership committees as may be appointed by the President and Standing Committees shall report from time to time upon all matters referred to them.

(2) Special Committees shall report upon matters referred to them within the time permitted in the appointment of the Special Committee unless further time is given by vote of the Senate.

(3) A Conference Committee shall not report upon the matter referred unless a majority of the members appointed by the President have concurred in the report.

#### **Rule 24. Committees: Factfinding and Content of Reports**

(1) Whenever any matter shall be referred to a committee it shall be the duty of the committee to make diligent inquiry into all of the facts and circumstances connected with the matter. If necessary, witnesses shall be summoned or subpoenaed, and everything shall be done to bring all facts pertaining to the matter before the Senate in accordance with the provisions of Chapter 21 of the Hawaii Revised Statutes. The President may exercise such powers authorized under Chapter 21, relating to the issuance of subpoenas, and the President, committee chair and other duly delegated members of the Senate may exercise such powers authorized under Chapter 21 aforesaid, relating to the administering of oaths, and the compelling of witnesses who have been subpoenaed to testify. All committee meetings held on matters referred to it by the Senate shall be open to the public unless otherwise ordered by the Senate or otherwise provided by these Rules.

(2) The report of the committee shall state findings of fact and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(3) A report upon a bill shall state clearly the amendments, if any, proposed. If a substitute bill for one or more referred to the committee shall be reported, such substitute bill shall agree with the subject of the bill or bills referred to the committee.

(4) The committee shall report whenever a majority of the members present at the decision-making meeting duly constituted with a quorum is in favor of reporting the bill or resolution out of the committee. The report, after being made available, for review by the members of the committee, and after subsequent revisions thereto, if any, shall be the final report of the committee. The final

report of the committee shall be attested to by the signature of the chair on behalf of the members of the committee. The action of the committee on the bill or resolution or any amendments thereto, if any, and the final vote of each member of the committee recorded by the chair or the chair's designee at a decision-making meeting shall not be changed in the review of the report, unless the change is made at an open decision-making meeting conducted with a quorum of the committee present. The minority of the members present at any decision-making meeting duly constituted with a quorum may report.

#### **Rule 25. Committee of the Whole**

(1) The Senate from time to time may resolve itself into a Committee of the Whole. Whenever any matter shall be referred to such committee upon the adoption of a motion to that effect, the President shall call some member to take the Chair (unless the Senate shall nominate a chair), which being done, the Senate then shall be in committee.

(2) The Clerk of the Senate shall act as Clerk of the Committee of the Whole without extra compensation, and shall make a careful record of the proceedings, which shall be filed as one of the records of the Senate.

(3) The committee, on motion, may rise and ask leave to sit at any future time.

(4) When a bill shall be referred to the Committee of the Whole, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be the last. All amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported. When a bill is ordered into Committee of the Whole, such order may dispense with the reading of the whole bill before considering it section by section.

(5) In Committee of the Whole, the rules of procedure in the Senate shall be observed except that any member may speak more than once on the same subject, but no person shall speak a second or further time until others desiring to speak shall have had an opportunity, nor shall the motion for the previous question be allowed. A time limit for debate may be fixed by vote.

### **PART III. SESSIONS; ATTENDANCE; NOMINATIONS**

#### **Rule 26. Meetings**

(1) The Senate shall meet for the transaction of public business every day, except Saturdays, Sundays, legal holidays and such other days as the Senate shall designate by motion or resolution duly adopted and entered in the Journal.

(2) The regular hour of meetings of the Senate is established at eleven-thirty o'clock a.m. but the hour of meeting, recess and adjournment for any day may be such as the Senate, by motion, shall decide from time to time.

#### **Rule 27. Attendance**

No member shall be absent from the sessions of the Senate unless given leave by the President or unless the member is sick and unable to attend.

#### **Rule 28. Extension of Session**

Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to extend any session of the Legislature. The petition shall read:

"To the President of the Senate and the Speaker of the House of Representatives

Your petitioners, members of the Senate and of the \_\_\_\_\_ Legislature of the State of Hawaii, respectfully request an extension of \_\_\_\_\_ days of the \_\_\_\_\_ session of \_\_\_\_\_ of the \_\_\_\_\_ Legislature of the State of Hawaii."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President and the Speaker of the House of Representatives shall jointly issue a proclamation extending the session for the number of days sought in the petition.

#### **Rule 29. Recessed Session**

Any session of the Legislature may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled. Each regular session shall be recessed pursuant to Article III, Section 10, of the Constitution for not less than five days at some period between the twentieth and fortieth days of the regular session.

**Rule 30. Special Sessions**

(1) Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to call a special session of the Legislature. The petition shall read:

"To the President of the Senate and the Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the \_\_\_\_\_ Legislature of the State of Hawaii, respectfully request that a special session of the \_\_\_\_\_ Legislature of the State of Hawaii be convened at \_\_\_\_\_."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President of the Senate and the Speaker of the House of Representatives shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

(2) Two-thirds of the members to which the Senate is entitled may petition the President of the Senate to call a special session of the Senate for the purpose of carrying out the Senate's responsibilities under Article VI, Section 3, of the Constitution. The petition shall read:

"To the President of the Senate

Your petitioners, members of the Senate of the \_\_\_\_\_ Legislature of the State of Hawaii, respectfully request that a special session of the Senate of the State of Hawaii be convened at \_\_\_\_\_."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which the Senate is entitled, the President of the Senate shall issue a proclamation convening the Senate in special session at the time and place sought in the petition.

**Rule 31. Adjournments**

Meetings may be adjourned at any time. Unless otherwise specified in the motion, every adjournment shall be considered as being to the established hour of meeting on the following business day; but no adjournment shall be for more than three days, or sine die, without the consent of the House of Representatives.

**Rule 32. Motion to Adjourn**

A motion to adjourn is always in order, and shall be decided without debate. One motion to adjourn shall not follow another without intervening business.

**Rule 33. Quorum**

For the transaction of business, a majority of the number of members to which the Senate is entitled shall constitute a quorum, of which quorum a majority vote shall suffice, but the final passage of a bill shall require the vote of the majority of the members of the Senate. A smaller number than a quorum may adjourn from day to day and compel the attendance of absent members. For the purpose of compelling the attendance of absent members, a majority of the members present, by resolution, may direct the Sergeant-at-Arms to place the members who are absent under arrest and return them to the Senate. Any warrant pursuant to such a resolution shall be issued in the name of the Senate and shall be signed by the member then presiding. For the purpose of ascertaining whether there is a quorum present, the President shall count the members present.

**Rule 34. Executive Session**

(1) If the Senate considers it necessary to act confidentially upon any communication from the Governor or upon any nomination or other matter, it may go into executive session.

(2) When any member desires to make known any matter to the Senate which the member deems should be confidential and private, the member shall communicate that desire to the President who shall decide whether the Senate shall go into executive session. The Senate may decide whether the matter communicated shall be kept secret.

**Rule 35. Clearing of the Senate**

(1) When acting upon confidential business in executive session, the Senate Chambers shall be cleared of all persons except the members of the Senate and such other persons as the presiding officer with the consent of the Senate shall deem necessary.

(2) The members, officers and employees shall keep the secrets of the Senate and any other person whose presence is permitted in executive session shall be sworn to secrecy.

(3) All confidential communications made to the Senate, and remarks, votes and proceedings thereon, shall be kept strictly secret by the members, officers and employees, as well as by such other persons as have been detained or permitted to attend upon the consideration of such matters, until the Senate, by resolution, takes off such seal of secrecy, or unless such matter be later considered in open session.

#### **Rule 36. Nominations; Appointments**

(1) Nominations made by the Governor and removal of the chief legal officer of the State which require the advice and consent of the Senate, and appointments which require the confirmation or consent of the Senate shall be referred to the standing committee having jurisdiction within five legislative days of receipt of the nomination or appointment. The standing committee to which a nomination, removal of the chief legal officer or appointment is referred, shall report to the Senate with a recommendation to advise and consent, confirm, or reject on or before the fifty-ninth day of the session.

(2) Except for the appointment of a justice or judge, a nomination or appointment made by the Governor which is received by the Senate after the fifty-first day of the session of the Legislature shall be returned to the Governor without action, unless a confirmation or consent is required to further a public purpose which cannot be satisfied by an interim appointment. Notice of this rule shall be given to the Governor not later than the twentieth day of the session of the Legislature.

(3) The final question on nominations made by the Governor shall be: "Will the Senate advise and consent to this nomination?"

(4) The final question on the removal of the chief legal officer of the State shall be: "Will the Senate advise and consent to the removal of the chief legal officer of the State?"

(5) The final question on appointments made by the Governor which require the confirmation or consent of the Senate shall be: "Will the Senate confirm (or consent) to this appointment?"

(6) The final question on nominations, removal of the chief legal officer or on appointments shall not be put sooner than twenty-four hours from the time when the nomination or appointment is received, nor on the day in which it may be reported by a committee, unless by unanimous consent.

(7) Public hearings shall be held for all nominees, for the removal of the chief legal officer of the State, and for all appointees prior to confirmation or consent by the Senate.

(8) The fact of nomination or appointment, rejection, confirmation, or consent need not be kept confidential, but when the Senate or the Standing Committee having jurisdiction shall deem it necessary for good cause, all remarks, proceedings and votes thereon shall be kept confidential.

(9) Consent to the appointment of justices and judges shall be pursuant to Article VI, Section 3, of the State Constitution.

#### **Rule 37. Meeting at Place Other than Capitol**

Whenever, for any reason, the Governor shall convene the Senate at any place other than the Capitol, it shall attend together with all of its officers at the time and place ordered.

### **PART IV. ORDER OF BUSINESS**

#### **Rule 38. Order of Business: General**

After invocation, roll call and the reading of the Journal, the President shall call for business in the following order:

- (1) Messages from the Governor.
- (2) Reports and communications from the state officers.
- (3) Communications, bills, resolutions and other matters from the House of Representatives.
- (4) Concurrent and senate resolutions and introduction of bills.
- (5) Reports of Conference and Joint Committees.
- (6) Reports of the Leadership Committee on Legislative Management.
- (7) Reports of Standing Committees.

- (8) Reports of other Leadership Committees.
- (9) Unfinished business, upon which the Senate was engaged at the time of its last adjournment.
- (10) The Order of the Day.
- (11) Petitions, memorials and miscellaneous communications.
- (12) Any miscellaneous business on the President's table.

**Rule 39. Order of Business: Special**

The Senate, by previous motion, may direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order, or that it shall take any other position lower down on the calendar.

**Rule 40. Order of Business: Committee Reports and Gubernatorial Messages**

Reports from Conference or Joint Committees, and from the Leadership Committee on Legislative Management, shall be in order at all times after the second order of business, and, upon motion, messages from the Governor or from the House of Representatives may be received at any time. Without unanimous consent, however, such messages or reports shall not be in order for discussion when received, but shall be placed on the calendar as unfinished business.

**Rule 41. Order of Business: Order of the Day**

After the first seven orders of business set forth in Rule 38, it shall be in order, pending consideration thereof, to move that the Senate proceed to dispose of the unfinished business or to the Order of the Day. If such motion be decided in the affirmative, such consideration shall immediately be taken up.

**Rule 42. Order of Business: Unfinished Business**

The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the Order of the Day. Until the former is disposed of, no motion for any other business shall be received without special leave of the Senate.

**Rule 43. Order of Business: Questions on Priority**

All questions relating to the priority of business to be acted upon shall be decided without debate.

**PART V. BILLS; RESOLUTIONS****Rule 44. Bills: Introduction**

Any bill may be introduced on the report of the committee or by any member, except appropriation bills subject to the next paragraph and except short form bills which may only be introduced by the majority party leader or the minority party leader after appropriate consultation with committee chairs and other members of the Senate.

The Executive Budget, Judiciary Budget, Legislative Budget, General Appropriations Bill, Supplemental Appropriations Bill, Office of Hawaiian Affairs Budget, and bills for criminal injuries compensation, for claims against the State and for funding of collective bargaining agreements may be introduced only by the President. Each member may introduce only one bill appropriating money for capital improvements projects in the member's district. The majority party leader and the minority party leader shall develop a policy governing introduction by individual members of bills intended to appropriate money or to authorize the issuance of state bonds.

All bills shall be introduced under the order of resolutions.

Bills which shall carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and any new matter added to the section or subsection shall be underscored. However, a Supplemental Appropriations Bill need not conform to this rule, nor an amending bill where the intent and effect of the amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.



**Rule 45. Bills: Referral to Committee**

(1) Upon introduction all bills shall be numbered by the Clerk in numerical sequence, shall bear an identification as a Senate Bill, and shall pass first reading.

(2) Each such bill shall be referred by the President to one or more appropriate Leadership or Standing Committees for consideration.

(3) Any referral may be reconsidered by the President upon written request of any chair who is aggrieved by the referral made within forty-eight hours of the referral. The President shall decide the request for reconsideration within a reasonable time. The President's decision on a request for reconsideration may be appealed by any chair aggrieved by that decision to the Leadership Committee. No request for reconsideration or appeal shall be considered if the timing of the request would have the effect of killing a bill or resolution.

(4) Each Leadership and Standing Committee shall consider the bills referred to it as expeditiously as may be possible.

**Rule 46. Bills: Required Readings**

No bill shall pass the Senate unless it shall have passed three readings in the Senate on separate days. The President shall give notice in each instance whether it be the first, second or third reading.

**Rule 47. Bills: First Reading**

(1) The first reading of a bill shall be for information. If opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such question, except the introducer of the bill, who may close the debate.

(2) If the question to reject be negative, the bill shall go to its second reading without question.

**Rule 48. Bills: Second Reading**

A bill upon its second reading may be read by its title only. It then shall be subject to a motion to commit. If it is not referred to a Leadership Committee, Standing Committee, or Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the chair of such committee. When the bill is reported from committee it shall take its place in the order of business for future consideration.

**Rule 49. Bills: Third Reading**

(1) No bill shall pass third or final reading in the Senate unless printed copies of the bill in the form to be passed have been made available to the members of the Senate for at least 48 hours. Form to be passed means the form in which a bill is to be (a) passed on third reading in the Senate, (b) concurred to by the Senate after amendments have been made by the House, or (c) passed by the Senate after a Conference Committee has agreed upon it.

(2) A bill on its third or final reading may be read by its title only, and the President then shall ask the Senate: "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Upon the final passage of any bill, the Ayes and Noes shall be called. Such passage shall require the affirmative vote of a majority of all the members of the Senate and the Ayes and Noes shall be entered on the Journal.

**Rule 50. Bills: Property of Senate**

All bills introduced in the Senate shall be deemed the property of the Senate and under its control unless they shall become law, subject however to the right of the House of Representatives to amend or to refuse to agree with the bills.

Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the Senate in an odd-numbered session, it shall pass at least one reading in the Senate in the next regular session upon its return to the Senate from the House.

**Rule 51. Bills: Recall from Committee**

Twenty days after a bill has been referred to a committee, the same may be recalled from such committee by the affirmative vote of one-third of the members of the Senate.

**Rule 52. Matters Tabled**

When a bill or resolution or other matter has been laid upon the table, it shall not thereafter be taken from the table and be considered or restored to a place upon the calendar of the Senate without the consent of a majority.

**Rule 53. Bills: Amendments**

(1) All amendments proposed to any bill shall be in writing, unless otherwise ordered by the Senate, and shall be sent to the Clerk's desk to be filed with the bill.

(2) No floor amendment to a bill shall be voted upon unless a copy of the amendment, together with a copy of the complete bill in a form that incorporates the floor amendment, shall have been presented to the Clerk no later than 9:00 o'clock a.m. on the day of the session at which the amendment is to be offered. The Clerk shall prepare and distribute copies of the floor amendment to each member of the Senate present.

(3) A floor amendment shall be deemed pending only after its proponent has been recognized by the President and its adoption has been properly moved and seconded.

(4) A floor amendment that relates to a different subject, is intended to accomplish a different purpose, incorporates any other bill pending before the Senate, or would alter the nature of the bill as reported, is not germane and shall not be considered by the Senate.

(5) An amendment to a floor amendment that is not germane to both the floor amendment and the bill as reported shall not be considered by the Senate.

**Rule 54. Bills: Certification**

When a bill is passed it shall be certified by the Clerk who shall note the day of its passage at the bottom of the last page of the bill.

**Rule 55. Bills: Received from House of Representatives**

Whenever a bill which has finally passed the House of Representatives shall be certified to the Senate for its action, such bill shall be read three times before final passage, in accordance with the provision of the rules for the passage of bills introduced in the Senate.

**Rule 56. Bills: Transmittal to House of Representatives**

When a bill originating in the Senate shall have passed its third reading, or when a bill originating in the House which has been received from the House shall have been amended, or when a carry-over bill from an odd-numbered year originating in the House passes its third reading in the Senate in an even-numbered year session, such bill or such amended bill shall immediately be certified by the President and Clerk and sent to the House of Representatives for its consideration.

**Rule 57. Bills: Correction of Errors**

When a bill has passed both the Senate and the House of Representatives and an error in it is discovered prior to its having received the approval of the Governor, the bill may be returned by Concurrent Resolution to the house last considering the bill for proper correction.

**Rule 58. Bills: Order of Consideration**

(1) The Clerk shall send bills that have passed first reading to be printed immediately. When they have been printed and circulated to the members of the Senate, the President shall refer them to the various committees. When the committees have considered them and reported on them, the committees shall return them to the Clerk, and the Clerk shall place them in the Second Reading File. The Senate shall consider them in the order in which they appear in the Second Reading File.

(2) The Clerk shall arrange bills that have passed second reading in the order of their passage on second reading, regardless of the date of their reference to committee or the date of the committee report on them. The Clerk shall place them on the Third Reading File in the order in which they passed second reading and the Senate shall consider them on third reading in that same order. However, if the third reading of a bill is set for some particular date, that bill shall be removed from the Third Reading File.

**Rule 59. Bills: Special Order of Consideration**

All bills and other matters set for consideration on particular dates, shall be arranged in the order of the several votes making such assignments. A list shall be made of such special orders, and when the time for consideration arrives, such bills and other matters shall be considered in the order of assignment. If an adjournment shall be had before all of such special orders are disposed of, the remainder shall go over and come under the head of unfinished business on the following day, unless otherwise ordered.

## PART VI. RESOLUTIONS; MOTIONS

**Rule 60. Resolutions and Motions: Form**

All resolutions shall be typewritten, dated and signed by the introducer, otherwise they shall not be considered. The Senate shall not introduce any congratulatory, commemorative or memorial resolution but shall express the sentiment contained in such resolutions by means of a suitable certificate. Motions and amendments may be verbal but shall be reduced to writing if requested by the President, and shall be read from the desk if so ordered.

**Rule 61. Motions: Second Required**

No motion shall be received and considered by the Senate until the motion is seconded.

**Rule 62. Motions: Disposition**

After a motion is stated or read by the President, it shall be deemed to be in the possession of the Senate, and shall be disposed of by vote of the Senate; however, it may be withdrawn by the movant at any time before an amendment has been adopted or before the decision on the motion if not amended.

**Rule 63. Motions Applicable to Pending Matters**

Whenever any bill or resolution or other matter shall be under discussion, the only motions relative thereto shall be:

- (1) To lay upon the table,
- (2) To postpone to a certain time,
- (3) To postpone indefinitely,
- (4) To commit, and
- (5) To amend,

which motions shall have precedence in the order named.

The first two motions shall be decided without debate and shall be put as soon as made.

When any of the motions shall be decided in the negative, they shall not be revived the same day relative to the main question under discussion. If all are negative as aforesaid, the only remaining question shall be as to the adoption of the bill, resolution or other main question.

**Rule 64. Matters Postponed Indefinitely**

When a question is postponed indefinitely, the question shall not be acted upon again during the session in which it was introduced.

**Rule 65. Motion for Previous Question**

The object of the motion for the previous question is to cut off debate. It shall always be in order. It shall require a three-fifths vote to carry it.

Whenever the motion shall be carried, the author of the resolution or introducer of the bill under discussion shall be permitted to close the debate, after which the main question, subject to Rule 63, shall be put. The author or introducer may delegate to another such right to close.

**Rule 66. Motion for Reconsideration**

(1) When a motion has been once made and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for a reconsideration thereof; but any member who voted with the majority may move to reconsider it on the same or the succeeding day of session, or, with the consent of the Senate, on any subsequent day and such motion shall take precedence of all other questions, except a motion to adjourn.

(2) When a motion for reconsideration has been decided by vote, that vote shall not be reconsidered.

(3) When a bill or resolution or other matter upon which a vote has been taken shall have gone out of the possession of the Senate, and shall have been transmitted to the House of Representatives, a motion to reconsider shall be deemed to include a request to the House to return the same. If not complied with by the House, then the vote on the motion to reconsider shall be set aside. If such motion shall pass, the Clerk shall promptly communicate to the House the request for return of the matter to be reconsidered.

**PART VII. PETITIONS AND COMMUNICATIONS****Rule 67. Petitions, Memorials, and Miscellaneous Communications**

- (1) Any person may petition the Senate. Petitions and other memorials, except as provided in Rule 60, shall be in writing, signed by the petitioners.
- (2) All petitions, memorials and other papers addressed to the Senate or to the President and members shall be presented to the Senate by the Clerk.
- (3) A brief statement of the contents of such petitions, memorials or other papers shall be made orally by the Clerk.
- (4) Every such petition, memorial or other paper shall be ordered filed or referred to a committee, as of course, by the President, unless such action is objected to by a member at the time such petition, memorial or other paper is presented.
- (5) No such petition, memorial or other paper shall be debated on the day it is presented, except with the consent of the Senate.

**PART VIII. ORDER; DEBATE; VOTING****Rule 68. Questions of Order**

- (1) A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the Senate, such questions shall be decided without debate by the presiding officer, subject to an appeal to the Senate. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.
- (2) Any question of order may be submitted to the Senate for its decision.

**Rule 69. Debate: General Limitation**

No member shall speak more than twice, unless such member be the movant of the matter pending, in which case such member shall not be permitted to speak in reply until every member choosing to speak shall have spoken.

**Rule 70. Voting: Methods**

There shall be five methods of ascertaining the decision of the Senate upon any matter.

- (1) First, by voice or raising of hands; Second, by rising; Third, by ballot; Fourth, by call of the roll of the members and a record of the Clerk of the vote of each; and Fifth, by unanimous consent.
- (2) Whenever the Senate is ready to vote on any question, the President shall rise, and after stating the question, shall request all those in favor of the affirmative of the question to vote "Aye." The President then shall call upon all voting in the negative of the question to vote "No." The President then shall announce the result to the Senate.
- (3) If any member shall doubt the result, as announced, the President again shall state the question and call upon the members to vote by rising in their places, and they shall remain standing until counted, and the result again shall be announced.
- (4) The method of voting by ballot shall be as customary. The President shall appoint one or more tellers, or direct the Messengers to collect the ballots, which shall be counted by the Clerk. On motion, the Senate may vote upon any question by ballot.
- (5) Whenever one-fifth of the members present shall request, the Clerk shall call the roll of the members of the Senate. Each member, when called, shall vote in a clear loud voice, "Aye," if voting in the affirmative, or "No," if voting in the negative. The Clerk shall record each vote and such record shall become a part of the Journal of the Senate. The President shall announce the results as above set forth.
- (6) With the unanimous consent of the Senate, the President may direct the Clerk to record an "Aye" vote for each member of the Senate. If there is no objection, the Clerk shall so record the vote. If there is objection, the President shall ask for the names of the members voting "No" and order the Clerk to record no votes for them.

**Rule 71. Voting: Rights of Members**

- (1) No member, on any account, shall refrain from voting unless excused by the President. A member may vote "Kanalua" the first time the member's name is called by the Clerk on any vote, but if the member votes "Kanalua" on the next call of the member's name, the member's vote shall be recorded as "Aye."

(2) The President may excuse a member who has a monetary interest in the question, or whose right to a seat in the Senate will be affected by the question, or whose official conduct is involved in the question. If a member thinks there may be a personal interest in the question, the member shall rise and disclose the interest to the President. The President then shall rule whether the member has a conflict of interest. If so, the member shall be excused from voting.

(3) Whenever the Ayes and Noes are called, no one, without unanimous consent, shall be permitted to explain a vote.

(4) After the announcement by the President of the result, no one shall be allowed to vote or to change a vote.

### **PART IX. DECORUM; DISCLOSURES; PEER REVIEW; PUNISHMENT**

#### **Rule 72. Misconduct; Procedure; Peer Review**

No member of the Senate shall be subject to a charge for misconduct, disorderly behavior, or neglect of duty unless the person making the charge shall have first given notice of the charge to the President and to the member being charged.

Upon receipt of the charge, the President shall attempt to resolve the matter in an administrative proceeding. If the matter cannot be resolved administratively, the President may appoint a Special Committee to be chaired by the Vice-President or such other member as the President may designate to investigate, hear and report upon the conduct of the member charged for misconduct, disorderly behavior or neglect of duty. Any member so charged shall be informed in writing of the specific charge or charges made against the member and have opportunity to present evidence and be heard in the member's own defense before the Special Committee. Following its investigation and hearing, the Special Committee shall file its report with the President setting forth its findings and recommendations.

If the committee recommends dismissal of the charge or charges, the President may dismiss the charges without further hearing, or the President may present the report of the committee to the Senate for its consideration. The Senate, by a majority vote, may dismiss the charge or charges against the member without a hearing.

If there is no dismissal of the charge or charges, or if the committee recommends censure, suspension or expulsion, the President shall present the report of the committee to the Senate for its consideration and decision. The member who is charged, shall be informed in writing of the presentation of the charge or charges of the committee report to the Senate and be given an opportunity to be heard in the member's own defense. The Senate, by a majority vote, may dismiss the charge or charges without a hearing, or with notice and an opportunity to be heard in the member's own defense, censure a member or, upon a two-thirds vote of all the members of the Senate, suspend or expel a member.

At any stage of the charge against a member, the member shall have a right to be represented by a person or persons of the member's own choosing.

#### **Rule 73. Decorum: Transgression of Rules**

If any member transgresses the rules of the Senate, the President, or any member, may call such member to order, and, when so called to order, the member immediately shall sit down. The President then shall decide the question of order without debate, subject to an appeal to the Senate.

The President may call for the sense of the Senate on any question of order.

#### **Rule 74. Decorum: Address**

When any member is about to speak, such member shall rise from the member's seat and address all remarks to the President. While speaking, the member shall confine all remarks to the question under debate, shall refer to other Senators by title only (e.g., "Senator from the \_\_\_\_\_ District"; "The Chair of the Committee on \_\_\_\_\_"; "The Majority Leader,") and not by name and shall avoid personalities.

#### **Rule 75. Decorum: Person Called to Order While Speaking**

Whenever any person shall be called to order while speaking, such person shall be deemed to be in possession of the floor when the question of order is decided and may proceed with the matter under discussion.

#### **Rule 76. Decorum: Presence in Senate**

No person shall sit at the desk of the President or Clerk, except by permission of the President, nor shall any person, other than a member, officer or permitted employee or person, sit in the main Senate floor area during any of the sessions of the Senate.

**Rule 77. Decorum: Conduct in Session**

When the President is putting any question or addressing the Senate, no one shall walk out of the room or across the floor. When a member is speaking, no one shall entertain a private discourse, nor shall anyone pass between the member speaking and the Chair.

**Rule 78. Decorum: Disorderly Conduct in Session**

If, during any session of the Senate, any member should behave in a disorderly manner the President shall order the member to be seated and preserve the peace. If such member then shall persist in disorderly conduct, the President shall order the Sergeant-at-Arms to remove the member from the Senate and the member shall not be permitted to take a seat during the remainder of that day's session, except upon satisfactory pledge given to the Senate for future good behavior.

For the punishment of any person not a member, the provisions of Article III, Section 18 of the Constitution shall govern.

**Rule 79. Decorum: Recording of Debate Called to Order**

If any Senator is called to order for words spoken in debate, upon the member's demand or on that of any other Senator, the words objected to shall be taken down in writing and noted by the Clerk, and, if required, shall be read for the information of the Senate.

**Rule 80. Decorum: Smoking**

No member or other officer shall smoke within the Senate Chamber during any of the meetings of the Senate.

**Rule 81. Decorum: Solicitation Prohibited**

An officer or employee of the Senate shall not solicit subscriptions, for any purpose, from any other officer or employee thereof, nor from any Senator. Nor shall any person be permitted to solicit or receive subscriptions or contributions for any purpose on the floor or in the lobby of the Senate or in any Senate office.

**Rule 82. Disclosures**

Each member shall file with the Ethics Commission of the State of Hawaii, a disclosure of the member's private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in such financial interests.

If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission, the member shall disclose orally such interest to the Senate before voting. The member then shall immediately make the written disclosure required by law and the Rules of the Senate.

Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the Senate floor of any interest so filed.

**Rule 83. Violating Confidence**

If any matter covered in Rule 35 or 36 shall be disclosed by any Senator, the Senator shall be liable to censure, or, by a two-thirds vote, to suspension or expulsion from the Senate. If an officer or other person authorized to hear such matter shall disclose the matter, such officer shall be dismissed and such other person shall be liable to punishment for contempt comparable to the punishment provided for by Article III, Section 18 of the Constitution and in the manner as therein prescribed.

**PART X. QUESTIONS TO STATE OFFICERS****Rule 84. Questions to State Officers**

Any member of the Senate may ask any question of any state officer relating to the officer's respective department by reducing such questions to writing, over the member's signature, reading the same before the Senate, and furnishing the officer with a copy of such written question. Any officer questioned shall reply to such question upon the following day, unless the Senate shall grant a definite extension of time for replying.

**PART XI. AMENDMENT, SUSPENSION  
AND INTERPRETATION OF RULES****Rule 85. Amendments; Suspension; Violations**

(1) No rule of the Senate shall be amended or rescinded nor shall any new rule be adopted, without one day's notice of such change. Any such action shall require a majority vote of the members of the Senate.

- (2) Any rule may be suspended for a particular purpose upon a majority vote of the members of the Senate.
- (3) Any violation of these Rules shall be referred to the President for appropriate action.

**Rule 86. Parliamentary Procedure**

Mason's Manual of Legislative Procedures, 1989 edition, where not inconsistent with the Rules and practices of the Senate, shall govern.

\*\*\*\*\*

**20th STATE LEGISLATURE  
JOINT SENATE-HOUSE  
2000 COMMITTEES ON CONFERENCE PROCEDURES**

The Senate and the House have agreed to the following special procedures for all 2000 Regular Session Committees on Conference meetings. **Within these procedures:**

**"Conference Committee"** refers to the conference of the House Committee and the Senate Committee assigned by their respective chamber to resolve the differences between the House and the Senate over a particular bill or resolution;

**"Managers"** refer to all members of the House and Senate assigned to a Conference Committee; and

**"Chairs"** refer to all of the designated co-chairs of a Conference Committee.

1. Conference Committee Scope and Amendments.

The authority of the Conference Committee shall be limited to resolving differences between the Senate and House drafts of a bill or resolution. Accordingly:

- a. With the exception of the Executive Budget and the Judiciary Budget, a Conference Committee shall not amend a bill or resolution by inserting into the bill or resolution any unrelated or new subject matter.
- b. To assure the integrity of individual bills, the merging of two or more distinct but related bills into one encompassing bill shall not be allowed.

2. Conference Committee Meeting Times.

Conference Committee deliberations shall take place only between the hours of 8:00 a.m. and 12:00 midnight.

3. Initial Public Meeting Notice.

The signatures of the Conference Committee chairs of both the House and Senate shall be obtained before the notice of an initial meeting is posted or distributed. Prior to offering the initial meeting notice for signatures, the chairs shall consult with one another on the information to be included in the notice.

Conference Committee chairs shall provide at least 24 hours public notice of the first meeting of the Conference Committee, and are strongly encouraged to provide more than 24 hours notice if at all possible.

4. Notice of Subsequent Meetings.

- a. If agreement is not reached at a duly noticed meeting, but the chairs agree to meet again before midnight on the same day, the chairs should announce the time at which the Conference Committee will reconvene. Written notice of the reconvening of the Conference Committee on the same day is not required to be distributed. However, written notice containing information on the subsequent meeting must be provided to the Chief Clerks of both houses and posted, as soon as possible, adjacent to the door of the assigned conference room.

- b. If agreement is not reached at a duly noticed meeting and the chairs agree to meet on another day, the chairs shall publicly announce the date(s) and time(s) of the subsequent meeting(s), post written notice, signed by the Conference Committee chairs, adjacent to the door of the assigned conference room, and submit copies of the written notice to the Chief Clerks of both houses.
- c. If agreement is not reached at a duly noticed meeting and the date(s) and time(s) of future meetings are not publicly announced at that noticed meeting, then chairs must ensure that written notice, signed by the chairs, are posted and distributed at least 24 hours in advance of the next meeting of the Conference Committee.

5. Conference Room Notice.

Notices of Conference Committee meetings shall be posted adjacent to the door of the assigned conference room and updated periodically to advise the public of the items for which the Conference Committee has concluded its work and those items still remaining in conference.

6. Conference Discussion.

Except as authorized by the respective Conference Committee chairs, only the respective Conference Committee chairs may speak during conference. All other managers or other authorized persons must be recognized by their respective chairs before speaking on any issue.

7. Decorum in Conference Committee Meetings and Courtesy to the Public and to the Managers.

- a. Conference Committee managers shall respect the differing views of other managers and conduct themselves in a courteous manner.
- b. Conference Committee chairs shall ensure that meetings convene and reconvene at scheduled times. If none of the chairs of one of the committees are present within 15 minutes of the scheduled meeting time, the chairs of the other Committee in Conference shall have the names of the absent chairs paged through the State Capitol public address system. If none of the absent chairs are present within 30 minutes of the scheduled meeting time, the chairs present shall inform the members of the public present that the Conference Committee cannot be reconvened, and that, pursuant to 4c of these Conference Committee Procedures, 24-hour notification will be provided for a subsequent meeting of the Conference Committee.

8. Decision-making Meetings.

The decision-making meeting of a Conference Committee shall comply with the following open meeting provisions:

- a. A quorum of the Conference Committee shall be present for the decision-making meeting. A quorum shall be a majority of the House Committee managers and majority of the Senate Committee managers and shall include the chairs of the Conference Committee.
- b. To report a measure out of Conference Committee in amended form (CD), a majority of the quorum of House Committee managers and a majority of the quorum of Senate Committee managers must vote in favor of the proposed amendments.
- c. The lead chair (or the lead chair's designee) representing their respective chamber shall call the roll and be the recorder of the quorum and the votes on that measure for that chamber.
- d. If, after naming a Conference Committee on a measure, the Conference Committee managers representing the chamber from which a measure originated agrees to the amendments made by the non-initiating chamber, only a quorum of those representing the originating chamber shall vote on the agreement at a duly noticed meeting. For example, if after naming a Conference Committee on a House measure, the House managers of the Conference Committee decide to agree to the amendments in the Senate draft (SD) of the measure, then only the House managers of the Conference Committee will vote on the measure, returning it to the House in its SD form. The "Record of Votes of a Conference Committee" sheet detailing the votes of the managers of the originating chamber shall be filed with the appropriate chamber without a Conference Committee Report.

9. Conference Committee Reports.

- a. The House and Senate chairs of a Conference Committee shall attest to the action of the Conference Committee by signing the Conference Committee report on behalf of their respective managers. The "Record



of Votes of a Conference Committee" sheet detailing the votes of the managers of the Conference Committee shall be attached to the report as a part thereof.

- b. All House measures reported out of Conference Committee shall be filed with the House Clerk and likewise all Senate measures shall be filed with the Senate Clerk. A document filed in the the originating chamber shall be deemed simultaneously filed in the other chamber. Only one original and one copy shall be required for filing of Conference Committee reports.

10. Decision-Making Deadlines.

On deadline nights for Final Decking of both non-fiscal and fiscal bills:

- a. Conference Committees shall conclude their negotiations by **6:00 p.m.** to allow adequate time for final preparation of the bills and committee reports.
- b. To provide all Conference Committee **chairs** with ample opportunity to review and sign the Committee reports before filing, all Conference Committee reports shall be available for review and signature by 9:00 p.m.
- c. All Conference Committee reports shall be filed with the respective Clerk's office by 11:30 p.m.

11. Discharge of Conference Committees.

All Conference Committees are discharged on the session day immediately following the deadline day for filing of Conference Committee Reports on fiscal bills.

12. Electronic Transfer.

Should a Conference Committee for which the vehicle is a Senate bill decide to use a proposal drafted by the House, the House Chair shall have the House proposal electronically transferred to the appropriate Senate office so that the Conference Draft can be prepared. The converse shall apply to House bills with proposals drafted by the Senate that the Conference Committee agrees to.

13. Exceptions to these Procedures.

Exceptions to these deadlines and other procedures may be made only with the advance written approval of both the Senate President and the House Speaker.

<u>/s/Norman Mizuguchi</u>	<u>4/6/00</u>
<b>Norman Mizuguchi</b>	<b>Date</b>
<b>President of the Senate</b>	

<u>/s/Calvin K.Y. Say</u>	<u>4/6/00</u>
<b>Calvin K.Y. Say</b>	<b>Date</b>
<b>Speaker of the House of Representatives</b>	