

## FORTY-EIGHTH DAY

Tuesday, March 30, 1976

The Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1976, convened at 11:00 a.m., with the President in the Chair.

The Divine Blessing was invoked by Mrs. Hannah B. Harris, Executive Secretary, Ke Alaula Church, after which the Roll was called showing all Senators present.

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

At this time, Senator Hulten introduced to the members of the Senate 71 tenth grade students from Castle High School, together with their teacher, Miss Nakamoto, and chaperones, Mr. Omen, President of Common Cause Hawaii, and Miss Mishima.

## SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 93), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO KALAUPAPA RESIDENTS", was jointly offered by Senators Yamasaki, Takitani, F. Wong, Yim, King, Hulten, Kuroda, Taira, Soares, Henderson, Chong, Hara, Young, Kawasaki, O'Connor, Saiki, George and Ushijima, and was read by the Clerk.

By unanimous consent, S.C.R. No. 93 was referred to the Committee on Health.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 372 and 373) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 372), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO JOYCE TSUNODA UPON HER APPOINTMENT AS PROVOST FOR THE KAPIOLANI COMMUNITY COLLEGE", was jointly offered by Senators Young, F. Wong, Ching, Kuroda, Hulten, Chong, Yim, Kawasaki, Toyofuku, O'Connor, Nishimura, King, R. Wong, Yee, Hara, Takitani, Henderson, Leopold, Yamasaki, Saiki, Anderson, Ushijima, Taira, George and Soares.

On motion by Senator Young, seconded by Senator F. Wong and carried, S.R. No. 372 was adopted.

A resolution (S.R. No. 373), entitled:

"SENATE RESOLUTION RELATING TO KALAUPAPA RESIDENTS", was jointly offered by Senators Yamasaki, Takitani, F. Wong, Yim, King, Hulten, Kuroda, Taira, Soares, Chong, Hara, Young, Henderson, Kawasaki, O'Connor, Saiki, George and Ushijima.

By unanimous consent, S.R. No. 373 was referred to the Committee on Health.

## STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 675-76) informing the Senate that Senate Resolution Nos. 369 to 371 and Standing Committee Report Nos. 596-76 to 674-76 and 676-76 to 680-76 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the report of the Committee was adopted.

Senator Ching, for the Committee on Military and Civil Defense, presented a report (Stand. Com. Rep. No. 676-76) recommending that House Concurrent Resolution No. 52 be adopted.

On motion by Senator Ching, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RETENTION OF CERTAIN DEPARTMENT OF DEFENSE PROGRAMS FOR THE ARMY AND AIR NATIONAL GUARD", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 677-76) recommending that Senate Resolution No. 286, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, the referral of S.R. No. 286, S.D. 1, to the Committee on Legislative Management was waived.

On motion by Senator Toyofuku, seconded by Senator Young and carried, Stand. Com. Rep. No. 677-76 was received and placed on file and S.R. No. 286, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE SOLVENCY OF THE UNEMPLOYMENT COMPENSATION TRUST FUND BY EXAMINATION OF THE BENEFIT

COST AND FINANCING METHODS", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 678-76) recommending that Senate Resolution No. 304, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 304, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE MOST EFFICIENT AND EQUITABLE MEANS TO REVISE AND RESTRUCTURE THE PUBLIC EMPLOYEE SALARY STRUCTURE TO ACCOMMODATE THE IMPACT OF COLLECTIVE BARGAINING IN THE PUBLIC SECTOR", was adopted.

At 11:08 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:17 o'clock a.m.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 679-76) recommending that Senate Concurrent Resolution No. 84 be adopted.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and, Roll Call having been requested, S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A CRIME COMMISSION FOR THE STATE OF HAWAII", was adopted on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Anderson, George, Henderson, Leopold, Saiki, Soares and Yee.)

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 680-76) recommending that Senate Resolution No. 324 be adopted.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.R. No. 324, entitled: "SENATE RESOLUTION REQUESTING ADOPTION OF A POLICY PROHIBITING DISQUALIFICATION OF PROSPECTIVE ADOPTIVE PARENTS ON THE SOLE BASIS OF HANDICAPS", was adopted.

## ORDER OF THE DAY

MATTERS DEFERRED  
FROM MARCH 29, 1976

House Bill No. 3247-76, H.D. 1:

By unanimous consent, action on H.B. No. 3247-76, H.D. 1, was deferred to the evening session.

At 11:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:20 o'clock a.m.

Senate Bill No. 1577, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1577, S.D. 1, H.D. 2, was deferred to the evening session.

Senate Bill No. 79, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 79, S.D. 1, H.D. 1, was deferred to the evening session.

Senate Bill No. 528, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 528, S.D. 1, H.D. 1, was deferred to the evening session.

Senate Bill No. 1191, H.D. 2:

By unanimous consent, action on S.B. No. 1191, H.D. 2, was deferred to the evening session.

Senate Bill No. 1784-76, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1784-76, S.D. 2, H.D. 1, was deferred to the evening session.

Senate Bill No. 1786-76, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1786-76, S.D. 1, H.D. 1, was deferred to the evening session.

Senate Bill No. 1793-76, S.D. 1, H.D. 1:

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1793-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL PROHIBITION AGAINST WATER POLLUTION".

Senate Bill No. 1821-76, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House of Representatives to S.B. No. 1821-76, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Toyofuku, Chairman, Taira and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 1949-76, S.D. 1, H.D. 1:

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1949-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY PLANNING".

Senate Bill No. 2140-76, S.D. 1, H.D. 1:

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 2140-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTIMATE FOR MOTOR VEHICLE REPAIR".

Senate Bill No. 2526-76, H.D. 1:

By unanimous consent, action on S.B. No. 2526-76, H.D. 1, was deferred to the evening session.

Senate Bill No. 2739-76, H.D. 1:

By unanimous consent, action on S.B. No. 2739-76, H.D. 1, was deferred to the evening session.

Senate Bill No. 2958-76, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2958-76, S.D. 1, H.D. 1, was deferred to the evening session.

Senate Bill No. 1830-76, H.D. 1:

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1830-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENTS".

Senate Bill No. 1832-76, S.D. 1, H.D. 1:

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1832-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTIONS".

Senate Bill No. 1853-76, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1853-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES", was deferred until Wednesday, March 31, 1976.

#### FINAL READING

Senate Bill No. 2092-76, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2092-76, S.D. 2, H.D. 1, was deferred to the evening session.

#### THIRD READING

House Bill No. 2533-76:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 2533-76, entitled: "A BILL FOR AN ACT RELATING TO DAY CARE CENTERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3013-76, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 3013-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT FAMILY BOARDING HOMES AND CARE HOMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2169-76, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2169-76, H.D. 1, S.D. 1, was deferred to the evening session.

House Bill No. 3248-76, H.D. 1, S.D. 1:

On motion by Senator Chong, seconded by Senator Takitani and carried, H.B. No. 3248-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO AMENDMENTS TO THE DEVELOPMENTAL DISABILITIES LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1185, H.D. 1, S.D. 1:

On motion by Senator Yim, seconded by Senator King and carried, H.B. No. 1185, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE BY LIQUID FUEL DISTRIBUTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:24 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:35 o'clock a.m.

At 11:36 o'clock a.m., the Senate stood in recess until 7:00 o'clock p.m., this evening.

#### EVENING SESSION

The Senate reconvened at 7:17 o'clock p.m.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 316 to 366) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 316), returning Senate Bill No. 849 which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 317), returning Senate Bill No. 1328, S.D. 3, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 318), returning Senate Bill No. 1667, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 319), returning Senate Bill No. 1862-76, which passed Third Reading in the House of Repre-

sentatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 320), returning Senate Bill No. 2024-76, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 321), returning Senate Bill No. 2095-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 322), returning Senate Bill No. 2107-76, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 323), returning Senate Bill No. 75, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 75, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 324), returning Senate Bill No. 1187, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1187, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ESTABLISHMENT OF THE 'HAWAII DENTAL EDUCATION PLAN'", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 325), returning Senate Bill No. 1775-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1775-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID LEGAL SERVICES", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 326), returning Senate Bill No. 1794-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1794-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 327), returning Senate Bill No. 1824-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1824-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE APPRAISAL OF PUBLIC LANDS", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 328), returning Senate Bill No. 1899-76, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1899-76, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN OFFICE OF CHILDREN AND YOUTH", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 329), returning Senate Bill No. 2121-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2121-76, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR MEDICAL AND OTHER PROFESSIONAL HEALTH CARE SERVICES UNDER PUBLIC ASSISTANCE PROGRAMS", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 330), returning Senate Bill No. 2139-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2139-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERIM TOURISM POLICY ACT", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 331), returning Senate Bill No. 2225-76, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2225-76, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 332), returning Senate Bill No. 2226-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2226-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 333), returning Senate Bill No. 2294-76, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2294-76, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE HEALTH PLANNING", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 334), returning Senate Bill No. 2321-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2321-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 335), returning

Senate Bill No. 2333-76, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2333-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVOLVING FUNDS FOR CORRECTIONAL FACILITY STORES", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 336), returning Senate Bill No. 2334-76, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2334-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 337), returning Senate Bill No. 2394-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2394-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 338), returning Senate Bill No. 2409-76, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2409-76, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SERVICE-CONNECTED TOTAL DISABILITY RETIREMENT FOR POLICE OFFICERS", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 339), returning Senate Bill No. 2519-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2519-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER",

was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 340), returning Senate Bill No. 2643-76, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2643-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 341), returning Senate Bill No. 2703-76, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2703-76, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 342), returning Senate Bill No. 2745-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2745-76, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE EMPLOYMENT PROGRAM", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 343), returning Senate Bill No. 2827-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2827-76, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE OF STATE PROPERTIES AND FACILITIES", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 344), returning Senate Bill No. 2830-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2830-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF REVISOR OF STATUTES", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 345), returning Senate Bill No. 110, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 110, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 346), returning Senate Bill No. 1838-76, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1838-76, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 347), returning Senate Bill No. 1998-76, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1998-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATUS OF CONVICTED PERSONS", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 348), returning Senate Bill No. 2501-76, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2501-76, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECONDHAND DEALERS", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 349), returning Senate Bill No. 1512, S.D. 1, which passed Third Reading in the House

of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 350), returning Senate Bill No. 1854-76, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 351), returning Senate Bill No. 2797-76, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 352), returning Senate Bill No. 2326-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2326-76, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", was deferred until Wednesday, March 31, 1976.

A communication from the House (Hse. Com. No. 353), returning Senate Bill No. 525, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 525, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER CONTROL".

A communication from the House (Hse. Com. No. 354), returning Senate Bill No. 1553, S.D. 2, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 355), returning Senate Bill No. 1780-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 356), returning Senate Bill No. 1785-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 357), returning Senate Bill No. 1809-76, which passed Third Reading in the House of Representa-

tives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 358), returning Senate Bill No. 1825-76, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 359), returning Senate Bill No. 2027-76, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 360), returning Senate Bill No. 2028-76, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 361), returning Senate Bill No. 2105-76, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 362), returning Senate Bill No. 2235-76, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 363), returning Senate Bill No. 2267-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 364), returning Senate Bill No. 2603-76, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 365), returning Senate Bill No. 2884-76, which passed Third Reading in the House of Representatives on March 30, 1976, was placed on file.

A communication from the House (Hse. Com. No. 366), returning Senate Bill No. 1855-76, which passed Third Reading in the House of Representatives on March 30, 1976, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1855-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSE CATEGORIES", was deferred until Wednesday,

March 31, 1976.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 94 to 96) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 94), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING WESTERN AIRLINES ON THE FIFTIETH ANNIVERSARY OF ITS FOUNDING, APRIL 17, 1926", was jointly offered by Senators Ushijima, Taira, Hulten, Ching, Kuroda, King, Yamasaki, Nishimura, Yim, Anderson, Soares, Young, R. Wong, Yee, Hara, Kawasaki, Chong, Henderson, George, Leopold, Saiki, Takitani, F. Wong and O'Connor.

On motion by Senator Taira, seconded by Senator Anderson and carried, S.C.R. No. 94 was adopted.

A concurrent resolution (S.C.R. No. 95), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A TRANSPORTATION FUNDING TASK FORCE", was jointly offered by Senators O'Connor, Nishimura, Toyofuku, Hara, Young, Ching, Kuroda, Henderson, Takitani, F. Wong, Chong, Taira, Soares, George, Anderson, Yamasaki, Kawasaki, Ushijima, R. Wong, Hulten, Yim, Saiki, Yee and King.

By unanimous consent, S.C.R. No. 95 was referred to the Committee on Transportation.

A concurrent resolution (S.C.R. No. 96), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COOPERATION OF NATIONS OVERSEAS IN THE STATE'S OBSERVANCE OF THE TWO HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF CAPTAIN JAMES COOK IN HAWAII", was jointly offered by Senators Toyofuku, Takitani, Kuroda, Yamasaki, Ching, King, Young, Yim, R. Wong, Hulten, O'Connor, Nishimura, Taira, Hara, F. Wong and Kawasaki.

By unanimous consent, S.C.R. No. 96 was referred to the Committee on Judiciary.

#### SENATE RESOLUTION

A resolution (S.R. No. 374), entitled: "SENATE RESOLUTION CONGRATULATING WESTERN AIRLINES ON THE FIFTIETH ANNIVERSARY OF ITS FOUNDING, APRIL 17, 1926", was jointly offered by Senators Ushijima, Chong, Taira, Hulten, Ching, Kuroda, King, Yamasaki, Nishimura, Yim, Soares, Young, R. Wong, Yee, Hara, Kawasaki, Henderson,



Anderson, George, Leopold, Saiki, Takitani, F. Wong and O'Connor, and was read by the Clerk.

On motion by Senator Taira, seconded by Senator Anderson and carried, S.R. No. 374 was adopted.

#### ORDER OF THE DAY

#### THIRD READING

House Bill No. 2090-76, H.D. 1:

On motion by Senator Ching, seconded by Senator Kuroda and carried, H.B. No. 2090-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD AND THE HAWAII STATE GUARD", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3020-76, H.D. 1, S.D. 1:

On motion by Senator Hara, seconded by Senator Yim and carried, H.B. No. 3020-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERSONNEL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3103-76, S.D. 1:

On motion by Senator Hara, seconded by Senator Yim and carried, H.B. No. 3103-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2165-76, H.D. 1:

On motion by Senator Young, seconded by Senator Toyofuku and carried, H.B. No. 2165-76, H.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, 25. Noes, none.

House Bill No. 2168-76, H.D. 1:

On motion by Senator Young, seconded by Senator Toyofuku and carried,

H.B. No. 2168-76, H.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 25. Noes, none.

Standing Committee Report No. 601-76 (H.B. No. 2127-76, S.D. 2):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 601-76 was adopted and H.B. No. 2127-76, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATIONS BY THE OFFICE OF CONSUMER PROTECTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 602-76 (H.B. No. 2210-76, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 602-76 and H.B. No. 2210-76, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 603-76 (H.B. No. 2256-76, H.D. 1, S.D. 2):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 603-76 was adopted and H.B. No. 2256-76, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 604-76 (H.B. No. 2893-76, H.D. 1, S.D. 2):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 604-76 was adopted and H.B. No. 2893-76, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 605-76 (H.B. No. 2894-76, H.D. 1,

S.D. 3):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 605-76 was adopted and H.B. No. 2894-76, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Soares).

Standing Committee Report No. 606-76 (H.B. No. 3075-76, H.D. 1, S.D. 2):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 606-76 was adopted and H.B. No. 3075-76, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OWNERSHIP OF SOLID WASTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 607-76 (H.B. No. 3208-76, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 607-76 and H.B. No. 3208-76, H.D. 2, S.D. 2, was deferred to the end of the calendar.

House Bill No. 2103-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 2103-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2135-76, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2135-76, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2171-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 2171-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH

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

Ayes, 25. Noes, none.

House Bill No. 2371-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 2371-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMANCIPATION OF CERTAIN MINORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, Hara, Henderson, Hulten, Soares and Yee).

House Bill No. 2473-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 2473-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STAGGERED SYSTEM OF MOTOR VEHICLE REGISTRATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2593-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 2593-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FORECLOSURE OF REAL PROPERTY TAX LIENS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2617-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 2617-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ching).

House Bill No. 2678-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and

carried, H.B. No. 2678-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2786-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 2786-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEAS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson and Leopold).

House Bill No. 2928-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 2928-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF ADULTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3213-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 3213-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL BOXING CORPORATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3239-76, H.D. 2, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 3239-76, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3280-76, H.D. 1,

S.D. 1:

By unanimous consent, action on H.B. No. 3280-76, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2155-76, H.D. 1, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 2155-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2236-76, S.D. 1:

By unanimous consent, action on H.B. No. 2236-76, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2237-76, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 2237-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 624-76 (H.B. No. 3112-76, H.D. 1, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 624-76 was adopted and H.B. No. 3112-76, H.D. 1, 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, 25. Noes, none.

Standing Committee Report No. 625-76 (H.B. No. 2227-76, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 625-76 was adopted and H.B. No. 2227-76, S.D. 2, 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, 22. Noes, 3 (Anderson,

Henderson and Soares).

Standing Committee Report No. 626-76 (H.B. No. 24, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 626-76 was adopted and H.B. No. 24, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT FINANCIAL AID", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3129-76, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 3129-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 628-76 (H.B. No. 2698-76, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 628-76 and H.B. No. 2698-76, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 629-76 (H.B. No. 2150-76, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 629-76 was adopted and H.B. No. 2150-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 630-76 (H.B. No. 2809-76, H.D. 1, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 630-76 was adopted and H.B. No. 2809-76, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY LICENSED SMALL BUSINESS INVEST-

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

Ayes, 25. Noes, none.

Standing Committee Report No. 631-76 (H.B. No. 2377-76, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 631-76 was adopted and H.B. No. 2377-76, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FISHING VESSEL LOAN PROGRAMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 632-76 (H.B. No. 934, H.D. 2, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 632-76 was adopted and H.B. No. 934, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURES OF PUBLIC MONEY AND PUBLIC CONTRACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 633-76 (H.B. No. 2136-76, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 633-76 was adopted and H.B. No. 2136-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC CONTRACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1810, H.D. 2, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 1810, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREFERENCES FOR HAWAII SERVICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 635-76

(H.B. No. 1624, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 635-76 was adopted and H.B. No. 1624, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE STRUCTURES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1997-76, H.D. 1, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 1997-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS DEDICATED FOR RESIDENTIAL USE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 637-76 (H.B. No. 2717-76, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 637-76 was adopted and H.B. No. 2717-76, 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, 25. Noes, none.

Standing Committee Report No. 638-76 (H.B. No. 2718-76, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 638-76 was adopted and H.B. No. 2718-76, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS AUTHORIZED UNDER VARIOUS ACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 639-76 (H.B. No. 2949-76, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 639-76 was adopted and H.B. No. 2949-

76, 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.

Standing Committee Report No. 640-76 (H.B. No. 3230-76, H.D. 2, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 640-76 was adopted and H.B. No. 3230-76, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING FOR THE ELDERLY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 641-76 (H.B. No. 2335-76, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 641-76 was adopted and H.B. No. 2335-76, H.D. 2, 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.

Standing Committee Report No. 642-76 (H.B. No. 1886, S.D. 3):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 642-76 was adopted and H.B. No. 1886, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (George, Henderson, Leopold, Saiki, Soares and Yee).

Standing Committee Report No. 643-76 (H.B. No. 2022-76, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 643-76 was adopted and H.B. No. 2022-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF STATE POLICY FOR SENIOR CENTERS", having been read throughout, passed Third

Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2722-76, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 2722-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Anderson, George, Henderson and Soares).

Standing Committee Report No. 645-76 (H.B. No. 942, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 645-76 was adopted and H.B. No. 942, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONUS TO PENSIONERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 646-76 (H.B. No. 2713-76, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 646-76 was adopted and H.B. No. 2713-76, H.D. 2, S.D. 2, 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.

House Bill No. 682, H.D. 1, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 682, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CERTAIN FUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2100-76, H.D. 1, S.D. 1:

Senator R. Wong moved that H.B.

No. 2100-76, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator R. Wong rose to speak in favor of the bill as follows:

"Mr. President,

This bill, the supplemental appropriations bill of 1976, is intended to provide supplemental appropriations for the 1975-77 fiscal biennium.

Your Committee on Ways and Means has put in considerable time, thought and effort in the preparation of this bill.

It is not a perfect bill, since no budget bill can be a perfect document. It does not provide a panacea for all the State's problems. It does, however, reflect a lot of hard choices and compromises among various alternatives and priorities. It is a fair, reasonable and balanced budget bill. All subject matter committees in the Senate, as well as all individual members of the Senate, had the opportunity for input into this bill. I think it is fair to say that this bill epitomizes the feelings and concerns of the Senate with respect to the programs and needs of the State.

Mr. President, please permit me to highlight some of the main features of this bill:

1. It provides \$19.1 million in supplemental appropriations to various State agencies and programs.
2. It provides \$12.0 million for various programs and activities deemed worthy of support by the Senate.
3. It complements some \$42.1 million already appropriated by the Senate in other Senate bills--including \$20 million each for emergency employment, repair and maintenance of State properties.
4. It authorizes \$136 million in regular General Obligation Bonds for various CIP projects. This is well within our self-imposed limit of \$150 million and is a reflection of our deep concern over the State's growing debt and debt service costs.

We believe a policy of fiscal restraint, in terms of borrowing, is in order so that we can avoid the financial problems of jurisdictions like New York City, where they got too deep into debt.

This bill is not a complete or final document. I fully expect further give-and-take with the House over this bill and the various Senate and House appropriation bills when we go into conference with the House. I am confident that a meaningful legislative program, in terms of funding various programs and activities, will emerge from conference.

This bill now before us, and the other Senate appropriation bills, will provide us, the members of the Senate, with a solid budgetary base from which to proceed.

It is now time for us to begin. The busy part of the legislative session is now ahead.

I urge all members of this honorable Body to vote in favor of this bill.

Thank you."

The motion was put by the Chair and carried, and H.B. No. 2100-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1975, TO JUNE 30, 1977, AND AUTHORIZING THE ISSUANCE OF BONDS", having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 649-76 (H.B. No. 2001-76, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 649-76 was adopted and H.B. No. 2001-76, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE JUDICIARY FOR THE FISCAL BIENNIUM JULY 1, 1975, TO JUNE 30, 1977, AND AUTHORIZING THE ISSUANCE OF BONDS", having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, Kawasaki, Leopold, Saiki, Soares and Yee).

House Bill No. 1998-76, H.D. 1, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and

carried, H.B. No. 1998-76, 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 651-76 (H.B. No. 2691-76, H.D. 1, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 651-76 was adopted and H.B. No. 2691-76, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR EDUCATION AT THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 652-76 (H.B. No. 3299-76, H.D. 1, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 652-76 was adopted and H.B. No. 3299-76, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF AND REHABILITATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 639, H.D. 1, S.D. 2:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 639, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HILO DAY ACTIVITY CENTER FOR THE ADULT RETARDED", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 654-76 (H.B. No. 2359-76, H.D. 1, S.D. 2):

Senator R. Wong moved that Stand. Com. Rep. No. 654-76 be adopted and H.B. No. 2359-76, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Leopold rose to speak as follows:

"Mr. President, I am going to vote for this bill. It is long overdue in this Legislature. The Chairman of your Committee on Public Utilities is to be commended for putting together the compromise.

However, I cannot let this bill go without some comments. I hope that some of the things I am concerned about will be corrected in conference.

The compromise, which was necessary to effect passage of this bill, is going to cost the taxpayer dearly.

This bill creates liaison officers in the neighboring counties. I've stated in Committee that I do not believe these positions are warranted by the workload.

Also, I feel that the salaries of the commissioners are inordinately high. We should be able to attract competent people to serve on this Commission at lesser salaries.

I am concerned about a section in the bill that allows the chairman alone to hire and fire a chief administrator and an attorney, to fix their compensation and state their powers and duties. I feel that the three full time commissioners should have this responsibility--it should not be the sole responsibility of the chairman.

I am also very much concerned about the effective date of this bill, which is June 1, 1976. This is somewhat unusual, as the beginning of the fiscal year is July 1. What this means, Mr. President, is that a commissioner will serve for perhaps ten months without being confirmed by this Body. This effective date makes a mockery of our confirmation powers.

Since we are going to pay these commissioners such high salaries--\$42,500 for the chairman and ninety-five percent of that for the other two--and they will have such great powers, and since this is the first time we are going to make a full time body of a commission, I feel that we should scrutinize these people carefully before they go on board.

If this bill does pass with the June 1 effective date, I hope the Governor will submit names for confirmation to this current Session, so that we can act upon them before they begin service."

Senator Kawasaki then rose to speak as follows:

"I, too, want entered into the pages of the Senate Journal my objections.

First of all, I have definite reservations about the compensation for the commissioners, which is approximately \$42,500.

Also, I am concerned about the tenure of six years. I feel the tenure should be only four years, so that if we should appoint a man who is mediocre, we won't have to contend with him for six years.

While I vote for this bill, I hope the conference committee will consider these objections."

Senator Taira then rose to speak in favor of the bill as follows:

"Mr. President, I think it only proper there be some response on my part.

First of all, with respect to the liaison officers on each of the neighbor islands, I think we should realize that they will serve as an arm of the Commission. They will respond to complaints, assemble testimony for Public Utilities Commission related matters and, if necessary, hold informal hearings on uncomplicated matters.

Let us all remember that we are a State comprised of island communities. It is only fair that this Commission have an office on each of the neighbor islands to respond to complaints which may arise from these communities.

Insofar as the effective date of June 1, 1976, is concerned, I think we all felt that because of the many complicated situations prevalent in the field of public utilities, as pointed out by the Legislative Auditor, it is necessary to have an early effective date so that a full time Commission, with the proper staff and full resources, can begin to make corrections as soon as possible.

The salaries of the Commission members, I feel, is a matter of viewpoint. We felt that people who are to be Commission members should be highly qualified, and to draw people who are qualified, we need to have salaries that will be commensurate with the responsibilities assigned to them.

With these brief remarks, I would urge this Body to vote for this bill."

The motion was put by the Chair



and carried, and H.B. No. 2359-76, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION AND MAKING AN APPROPRIATION THEREFOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 655-76 (H.B. No. 62, H.D. 1, S.D. 3);

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 655-76 was adopted and H.B. No. 62, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 656-76 (H.B. No. 100, H.D. 1, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 656-76 and H.B. No. 100, H.D. 1, S.D. 3, was deferred to the end of the calendar.

House Bill No. 2987-76, H.D. 1, S.D. 1:

Senator R. Wong moved that H.B. No. 2987-76, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Kawasaki rose to speak as follows:

"Mr. President, I am concerned about the practices we have been indulging in ever since the enactment of the Collective Bargaining Law.

I had always assumed that the Collective Bargaining Law mandates us to examine each contract carefully. However, we have almost come to the point where we automatically ratify contracts--and to ratify eleven contracts in one piece of legislation, I think, denotes a stance of irresponsibility.

We've been much too lax in this area, indicating a lack of concern for the fiscal affairs of our State.

At a time when unemployment is at its worse in twenty-seven years of our history...at a time when 34,000 people who want to work don't have work...at a time when we don't seem to be providing any meaningful tax relief for those in the

non-government sector, in the private sector...at a time when national recession seems to be the order of the day, with no hopeful improvement signs on the horizon... we should examine these contracts more closely."

Senator Anderson then rose to speak as follows:

"I somewhat agree with the good Senator, but I would ask that he direct his comments to some of the committee chairman, his colleagues.

We do have a responsibility. We do not have to carte blanche accept, or ratify automatically, these contracts. We do have the authority to reject cost items or the entire package if it doesn't fit into the total economic picture of the State."

Senator Kawasaki rose again in response:

"My comments were not particularly addressed to the Minority party. For several years, I have made these comments time and again to my own colleagues. I have made it very plain to them that I consider some of their past actions irresponsible."

The motion was put by the Chair and carried, and H.B. No. 2987-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS AND FOR SALARY ADJUSTMENTS OF EMPLOYEES EXCLUDED FROM CERTAIN BARGAINING UNITS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 658-76 (H.B. No. 83, H.D. 1, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 658-76 and H.B. No. 83, H.D. 1, S.D. 3, was deferred to the end of the calendar.

Standing Committee Report No. 659-76 (H.B. No. 3261-76, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 659-76 was adopted and H.B. No. 3261-76, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESEARCH, DEVELOPMENT AND EXPANSION OF AGRICULTURAL COMMODITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No.  
660-76 (H.B. No. 513, H.D. 1,  
S.D. 1):

On motion by Senator R. Wong,  
seconded by Senator Yamasaki and  
carried, Stand. Com. Rep. No. 660-  
76 was adopted and H.B. No. 513,  
H.D. 1, S.D. 1, entitled: "A BILL  
FOR AN ACT RELATING TO RULES  
ADOPTED UNDER THE ADMINISTRATIVE  
PROCEDURE ACT", having been  
read throughout, passed Third Reading  
on the following showing of Ayes  
and Noes:

Ayes, 25. Noes, none.

House Bill No. 2880-76:

On motion by Senator King, seconded  
by Senator F. Wong and carried,  
H.B. No. 2880-76, entitled: "A BILL  
FOR AN ACT RELATING TO THE  
STATE ENVIRONMENTAL POLICY",  
having been read throughout, passed  
Third Reading on the following showing  
of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3262-76, H.D. 2,  
S.D. 1:

By unanimous consent, action  
on H.B. No. 3262-76, H.D. 2, S.D. 1,  
was deferred to the end of the calendar.

House Bill No. 2253-76, H.D. 1,  
S.D. 1:

On motion by Senator Young, seconded  
by Senator Toyofuku and carried,  
H.B. No. 2253-76, H.D. 1, S.D. 1,  
entitled: "A BILL FOR AN ACT RELATING  
TO RESIDENTIAL LEASEHOLDS",  
having been read throughout, passed  
Third Reading on the following showing  
of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.  
664-76 (H.B. No. 2130-76, H.D. 1,  
S.D. 1):

On motion by Senator Nishimura,  
seconded by Senator O'Connor and  
carried, Stand. Com. Rep. No. 664-  
76 was adopted and H.B. No. 2130-  
76, H.D. 1, S.D. 1, entitled: "A  
BILL FOR AN ACT RELATING TO  
THE RESIDENTIAL LANDLORD-TENANT  
CODE", having been read throughout,  
passed Third Reading on the following  
showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.  
665-76 (H.B. No. 2984-76, H.D. 1,  
S.D. 1):

Senator Nishimura moved that Stand.  
Com. Rep. No. 665-76 be adopted  
and H.B. No. 2984-76, H.D. 1,  
S.D. 1, having been read throughout,  
pass Third Reading, seconded by  
Senator O'Connor.

At this time, Senator O'Connor rose  
to speak as follows:

"I want to put this honorable Body  
on notice that this evening we have  
voted on four or five changes to  
the Horizontal Property Regimes  
Act.

This Act, Mr. President, was originally  
intended to be a highly technical,  
legal vehicle for placing certain  
lands in the horizontal property  
regimes. It is becoming tonight,  
through our actions, a consumer protection  
section of the law. Anyone trying  
to use it in its technical sense will  
have extreme difficulty.

I urge each member of this Body  
to watch every change made henceforth  
to the Horizontal Property Regimes  
Act. Eventually, we will need to review  
this whole matter... the consumer  
protection aspects should be put into  
a separate code or chapter... so  
that the initial intent of the law can  
still be accomplished."

The motion was put by the Chair  
and carried, and H.B. No. 2984-  
76, H.D. 1, S.D. 1, entitled: "A  
BILL FOR AN ACT RELATING TO  
HORIZONTAL PROPERTY REGIMES",  
having been read throughout, passed  
Third Reading on the following showing  
of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2131-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura,  
seconded by Senator O'Connor and  
carried, H.B. No. 2131-76, H.D. 1,  
S.D. 1, entitled: "A BILL FOR  
AN ACT RELATING TO VEHICLES  
LEFT UNATTENDED ON PRIVATE PROPERTY",  
having been read throughout, passed  
Third Reading on the following showing  
of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2299-76, H.D. 2, S.D. 1:

On motion by Senator Nishimura,  
seconded by Senator O'Connor and  
carried, H.B. No. 2299-76, H.D. 2,

S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2782-76, H.D. 1, S.D. 1:

Senator Nishimura moved that H.B. No. 2782-76, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

At this time, Senator Chong rose to speak as follows:

"While I will vote Aye on this bill, I would like the record to show that I am very concerned that the limitations to campaign contributions was not included. The recent Supreme Court ruling, which unfortunately allowed the sky to be the limit for campaign expenditures, nevertheless did allow a cap on campaign contributions.

However, as a whole, because we will require substantial disclosure of expenditures, I feel this bill is sufficient to protect the public interest."

The motion was put by the Chair and carried, and H.B. No. 2782-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2932-76, H.D. 2, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 2932-76, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (King).

House Bill No. 3196-76, H.D. 2, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 3196-76, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE

OF FIREARMS IN CERTAIN OFFENSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2700-76, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 2700-76, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 3109-76, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 3109-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEMBERSHIP ON THE BOARD OF ACUPUNCTURE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 674-76 (H.B. No. 1801, H.D. 1, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Ching and carried, Stand. Com. Rep. No. 674-76 was adopted and H.B. No. 1801, H.D. 1, 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, 25. Noes, none.

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Bill No. 3247-76, H.D. 1:

On motion by Senator Chong, seconded by Senator Takitani and carried, H.B. No. 3247-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", was recommitted to the Committee on Health.

Senate Bill No. 1577, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1577, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Wednesday, March 31, 1976.

Senate Bill No. 79, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 79, S.D. 1, H.D. 1, was deferred to the end of the calendar.

Senate Bill No. 528, S.D. 1, H.D. 1:

Senator Nishimura explained that the amendment proposed by the House changes the effective date of the measure.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 528, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES, RIGHTS OF ACCUSED AND COUNSEL AND OTHER SERVICES FOR INDIGENT CRIMINAL DEFENDANTS".

At 8:00 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:03 o'clock p.m.

Senate Bill No. 1191, H.D. 2:

Senator R. Wong explained that the amendment proposed by the House is a technical change in legal language to facilitate the enactment of improvement district ordinances by the county governments.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1191, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPROVEMENTS BY ASSESSMENT AND THE FINANCING THEREOF".

Senate Bill No. 1784-76, S.D. 2, H.D. 1:

Senator Nishimura explained that the amendment proposed by the House substitutes the words "attempt to resolve" for the word "mediate", as it was felt this more accurately reflects the activities of the Office of Consumer Protection.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1784-76, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE".

Senate Bill No. 1786-76, S.D. 1, H.D. 1:

On motion by Senator Nishimura, seconded by Senator Kuroda and carried, the Senate disagreed to the amendments proposed by the House of Representatives to S.B. No. 1786-76, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Nishimura, Chairman, Kuroda and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2526-76, H.D. 1:

By unanimous consent, action on S.B. No. 2526-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSENT TO ADOPTION", was deferred until Wednesday, March 31, 1976.

Senate Bill No. 2739-76, H.D. 1:

By unanimous consent, action on S.B. No. 2739-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION AGAINST THE PHYSICALLY HANDICAPPED, was deferred until Wednesday, March 31, 1976.

Senate Bill No. 2958-76, S.D. 1, H.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House of Representatives to S.B. No. 2958-76, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Nishimura, Chairman, O'Connor and Saiki as Managers on the part of the Senate at such conference.

#### FINAL READING

Senate Bill No. 2092-76, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2092-76, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 205-35 OF THE HAWAII REVISED STATUTES, RELATING TO SHORELINE SETBACKS", was deferred until Wednesday, March 31, 1976.

#### THIRD READING

House Bill No. 2169-76, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2169-76, H.D. 1, S.D. 1, was deferred to the end of the calendar.

At 8:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:18 o'clock p.m.

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 602-76

(H.B. No. 2210-76, H.D. 1, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 602-76 and H.B. No. 2210-76, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONSERVATION, MANAGEMENT AND PROTECTION OF ENDANGERED OR THREATENED SPECIES OF WILDLIFE OR PLANTS", were recommitted to the Committee on Judiciary.

Standing Committee Report No. 607-76 (H.B. No. 3208-76, H.D. 2, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 607-76 and H.B. No. 3208-76, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN", were recommitted to the Committee on Judiciary.

House Bill No. 2135-76, H.D. 1, S.D. 1:

Senator Nishimura moved that H.B. No. 2135-76, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

At this time, Senator Leopold rose to speak against the measure as follows:

"I oppose this bill because it doesn't give our election administrators and county clerks sufficient time to conduct elections in a safe manner... I say safe because the Federal Voting Rights Amendment of last year now requires multi-lingual ballots to be printed. This is English-Filipino-Chinese ballots on Oahu and English-Filipino-Japanese ballots on the neighbor islands. Our county clerks are already under a great deal of pressure to get the ballots out on time.

I have learned from our Clerk in the City and County of Honolulu, that nearly 500 citizens on this island have been disenfranchised because they were not able to return their absentee ballots to the Clerk in time for the General Election. This is a serious problem.

Mr. President, I hope the Senate Managers will stick to their guns and maintain a breathing spell between our Primary and General Elections. I fear there may be a serious, chaotic situation in the conducting of our election process if not enough time is allowed--the very minimum needed is six weeks.

The Senate, in past years, has

taken this position, only to give in to the House position in conference.

There are other objectionable sections to this bill, such as the section dealing with indigent candidates... the word "indigent" is not defined. The filing fee for an indigent candidate will be waived if he gets one-half of one percent of the registered voter in his district to sign his nomination papers. For example, if an indigent person in my district wants to run for office, it would require 300 names on a filing petition.

I think if we are going to really help indigent candidates, those who are less affluent, to run for office, we should make substantive reforms to our election laws, and not simply token expressions of our concern.

I oppose this bill, Mr. President, primarily because we must protect our election process and give our election officials the time they need."

Senator Nishimura then rose to speak in favor of the bill as follows:

"Mr. President, it is my understanding there is a Minority Report on House Bill No. 2135-76, H.D. 1, S.D. 1. Let me say that I fully appreciate the concerns expressed by the Minority members of the Committee on Judiciary for refining and improving our election laws.

Each of us is here as a consequence of the election process, which is a cornerstone of our democratic society and of the representative form of government which has endured in our country from the time of our Founding Fathers to this, our Bicentennial year.

The bill we have reported out is, in our view, a reasonable set of amendments to existing law. The changes made, by and large, are accommodations arrived at to provide greater latitude to our election administrators--both at the State and County levels.

Such accommodation has been recommended because of a larger electorate and the growing complexity of conducting elections on a fair and equitable basis.

At the same time, we recognize that modern technology, notably the use of computerized lists and improved voting systems, has lessened the time constraints faced by election administrators, despite the constant rise in the number of voters.

Let me, then, address the major points raised by the Minority in their report.

First, it is contended that our recommendation to move the Primary Election date up one week is inadequate. The Minority says that even two weeks is insufficient. What it would take to satisfy the Minority is an unknown quantity, inasmuch as no recommendation of their own is offered.

It is further noted, Mr. President, that even with the extra week we have added between the Primary and the General, Hawaii would still have the last Primary in the nation. Mr. President, just what is wrong with having the last Primary in the nation?

Mr. President, it has frequently been observed that the problem with those states having early primaries is that there is too long a period of electioneering and campaign politicking before the General Election is held. I believe we are wise in having a shorter campaign period leading up to our General Election.

The extra week we have provided was not included in the House version of the bill before us. We are hopeful that the House will accept the change we have made. Certainly, it is a reasonable accommodation of the two extra weeks that had been recommended by election administrators who testified before your Committee on Judiciary.

If it is later demonstrated that additional time is needed to prepare for the General Election, such change can be made at a subsequent Session.

If it is the Minority's concern, Mr. President, that more time is needed to heal political wounds that might be generated in Primary Election campaigns, let me observe that this has hardly been a liability to the Minority party in Hawaii.

On the contrary, it is the Majority party that has traditionally featured spirited contests in our primaries. The Minority has generally drawn up virtually uncontested slates, enjoying the privilege of campaigning for the General Election well before Majority party nominations are made.

Witness the situation this year. One Minority candidate has a clear field for nomination for the seat to be vacated in the United States Senate by our senior Senator from Hawaii. The Majority, on the other

hand, has two avowed candidates who will be fighting for our party's nomination for this office.

Or take the office of Mayor of Honolulu. The incumbent Majority member will not have a free ride for the nomination, while the Minority is still searching for a candidate.

Mr. President, I might further note that primaries are not really elections at all--not, at least, in the sense of the General Election. Primaries are held for the purpose of political parties nominating their candidates to stand for election against nominees of other parties. As a matter of fact, in many other jurisdictions, nominations are made at party conventions, open only to registered, card-carrying members of the party.

Secondly, as to the Minority's desire to extend the deadline for filing nomination papers from forty-five to sixty days before a Primary Election, we should be mindful, Mr. President, of a paramount concern in any election: In our democratic system, it is only proper that we provide as much time as possible for all qualified candidates to seek public office. This opportunity should be kept open as long as is practicable.

While the time constraints faced by election administrators can be appreciated, we should bear in mind the fact that elections are held for citizens to vote and to make their choices of public officeholders. Elections are not held for the convenience of those who conduct them.

A third point the Minority makes is that we have inserted an amendment to require clerks to waive filing fees for indigents 'only to comply with a recent U.S. Supreme Court decision'.

Mr. President, I believe it is incumbent upon us to effect changes in compliance with the decisions of the Supreme Court. If this represents only a token change, as alleged by the Minority, it is difficult to understand the extent of the changes they would recommend.

During the days that we worked on this bill, Mr. President, not one suggestion was made by the Minority as to what else might be done for indigent candidates to further the intent of the Court's decision.

Mr. President, the draft of H.B. No. 2135-76, H.D. 1, S.D. 1, that we have presented for approval by this Body contains a reasonable

set of amendments to improve our election laws at this time.

If wholesale and more drastic changes are to be made, they should be considered within the context of even broader questions as to the ultimate purpose of elections under our system of government.

Mr. President, I can detect no significant basis for partisan views on the legislation before us. I, therefore, urge approval by this Body.

Thank you."

Senator Yee then rose in response:

"I feel a little chagrined at what the previous speaker has said. He diverted from the main issues and talked about the Republican Party and the Democrat Party. I feel he deserves a rebuttal.

At one time, the Republican Party was in control of politics in Hawaii. What was done in the past is regretful. We apologize for it.

Unfortunately, what was bad in the past is being practiced by the Majority party today.

Here in this Hall, we talk about a two-party system--but we are not given an opportunity to present Republican bills on the floor for passage...yet, there is no question that the Minority party contributes a tremendous amount of input, whether bills are Democrat or Republican.

The Majority party also has the luxury of extravagance--and your extravagance is leading the State into bankruptcy...fortunately, your present Chairman of the Committee on Ways and Means is concerned about the great spending of this State.

All of this has happened since the Majority party gained control twenty to thirty years ago.

I say let's work together in spirit, and accomplish what's good for the people.

I feel the first speaker was justified in making his remarks."

Senator O'Connor then rose in response:

"Until the Minority Leader hit on the word 'extravagance', I was going along with him beautifully.

I am reminded of the days when the Minority Leader and I went to school here in Hawaii. There was only one English standard high school--today we are blessed with twenty or thirty English standard high schools. There was only one English standard elementary school--today we are blessed with scores of them.

If extravagance makes this State powerful and rich in learning, Mr. President, then I am for that kind of extravagance."

The motion was put by the Chair and carried, and H.B. No. 2135-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Leopold, Saiki and Soares).

House Bill No. 3280-76, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator Taira and carried, H.B. No. 3280-76, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRANCHISES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hara, O'Connor, Soares and Ushijima).

House Bill No. 2236-76, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 2236-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Leopold).

Standing Committee Report No. 628-76 (H.B. No. 2698-76, H.D. 1, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 628-76 was adopted and H.B. No. 2698-76, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING TICKETS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Anderson,

George, Henderson, King, Leopold, Saiki, Soares and Yee).

Standing Committee Report No. 656-76 (H.B. No. 100, H.D. 1, S.D. 3):

By unanimous consent, Stand. Com. Rep. No. 656-76 and H.B. No. 100, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF TOURISM", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 658-76 (H.B. No. 83, H.D. 1, S.D. 3):

Senator R. Wong moved that Stand. Com. Rep. No. 658-76 be adopted and H.B. No. 83, H.D. 1, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Anderson rose to speak against the measure as follows:

"This bill sounds very good in title. I suppose the farmers could believe it is going to be a far reaching bill to help coordinate the agricultural activities of the State.

However, Mr. President, if you stop and give it some thought, an Agricultural Coordinator working out of the Governor's Office is going to clash with the Department of Agriculture.

If the Director of Agriculture is not doing the job, then we ought to replace him or find him a strong deputy who can act as Agricultural Coordinator--but to have two people trying to do the same job can do nothing but play havoc with our agricultural industry.

This position belongs in the Department of Agriculture."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 658-76 was adopted and H.B. No. 83, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING THE ORGANIZATION AND COORDINATION OF AGRICULTURAL PROGRAMS AND PROGRAMS RELATED TO AGRICULTURE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Anderson, George, Henderson, Kawasaki, Leopold, O'Connor, Soares and Yee).

House Bill No. 3262-76, H.D. 2, S.D. 1:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 3262-76, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Kawasaki, Leopold and Soares).

House Bill No. 2700-76, H.D. 2, S.D. 1:

Senator Nishimura moved that H.B. No. 2700-76, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

At this time, Senator Saiki rose to speak as follows:

"Mr. President,

I rise to speak tonight in favor of this medical malpractice bill--but I do so with some very, very grave concerns.

There is no doubt in my mind that unless we have legislation this Session to stabilize the rising cost of malpractice insurance, we shall have upon us very shortly the crisis in health care which has taken place in other states across the nation.

Already we have seen some of the warning signs that the crisis has reached Hawaii: The closing of Leeward Hospital on Oahu in January; the cutback of services by the Hawaii Emergency Physicians Service; and desperate pleas for assistance from physicians on the Big Island and on Maui.

For those who say that we do not as yet have a crisis in Hawaii, must we wait until the one and only insurance company which sells malpractice insurance pulls out of Hawaii? My fellow Senators, I will guarantee you that within twenty-four hours after that occurs, we shall have a major crisis on our hands.

Other warning signs are already present. We have seen huge increases in the costs of medical malpractice premiums, ranging from two hundred to three hundred per cent in a single year. In Hawaii today, some surgeons are paying nearly \$12,000 for insurance. The total amount of money that private hospitals and doctors, excluding the Kaiser health system, are paying



in malpractice premiums is at a rate of approximately \$5 million.

In more basic terms, Mr. President, this means that a hospital patient is forced to pay an extra \$5.00 per day on his hospital bill for malpractice insurance in Hawaii.

In recognition of the growing malpractice problem in Hawaii, this State Legislature last year passed a Joint Underwriting Act, setting up a State system for providing malpractice insurance. But this was not all. During the interim, the State Administration established a task force consisting of representatives of the medical, legal and insurance communities, union representatives and health consumers, who worked many months to develop a consensus bill with a comprehensive approach to the medical malpractice question.

They attempted to seek solutions to:

1. Stabilize the insurance situation by reintroducing some principles of predictability and spreading of risk;
2. Decrease the cost and improve the efficiency of the legal system;
3. Impose appropriate controls and sanctions on health care providers; and
4. Provide outlets for patient grievances.

Theirs was a total and integrated approach designed to compensate the injured and stabilize cost.

The Senate draft now before us does attempt to meet some of the important objectives cited in the intent and purpose of the original bill. It does this by creating a compensation fund and by putting restraints and limitations on the insurance and medical communities.

It fails, however, to put these same important restraints on the legal community. Indeed, in some cases, restraints which are placed on others are actually removed from the attorneys.

In so removing or weakening these restrictions, my fellow Senators and Mr. President, I submit that the malpractice bill now before us has been drastically changed, and may not necessarily be in the best interest of the public which will still have to foot the bill for increased

malpractice insurance premiums.

As a prime example, Mr. President, I refer to the rise in contingency fees in this Senate draft, as compared to the original bill which would have tried to bring these runaway costs under control.

Under provisions of the original bill, the task force made a recommendation that the contingency fee allowed an attorney should be on a sliding scale based on a percentage of the award.

If a malpractice award of \$100,000 were made to an injured party under the task force bill, the attorney would have received \$26,500. According to the Senate draft before us, of the same \$100,000 award, the attorney could receive up to \$40,000.

It is not what the attorney takes home that I am concerned about, it is what is left for the injured patient, who the jury thought would receive due and just compensation.

Mr. President, if we are to be able to more accurately predict the risks and the cost of medical malpractice in this State, we must have a reporting mechanism which mandates all three segments of the community--the medical, the legal and the insurance carriers--to provide the necessary information to our Insurance Commissioner.

Curiously, Mr. President, the present draft requires disclosure of this important information by the the insurance companies and the medical community, while eliminating the reporting requirement for the attorneys.

The question of client-professional relationship interference, used as the reason to delete the attorneys, applies equally to the medical community.

It is necessary for all of the groups involved to make every effort to participate in an ongoing reporting program.

Mr. President, without going any further into detail in expressing my concerns for other areas of the bill, I would like to refer you to the Minority Report which lies on your desk.

It includes, among others, my concerns on the need to strengthen the section on informed consent, a reexamination of the statute of limitations involving minors, and the reinstatement of the doctrine of res ipsa loquitur.

It is my sincere hope in expressing

my feelings tonight, that the ultimate decision group, which will be the Conference Committee, will take these concerns to heart and restore the segments of the bill I have discussed in order to preserve the integrity of the measure.

I have trust and faith in the sincerity of my fellow Legislators. I hope I am not being too much of an optimist when I say that I will keep on hoping that they can, with an unbiased approach, review the measure before us--always keeping in mind that a comprehensive and total approach must be taken if we are to truly address ourselves to the problem at hand.

Thank you."

Senator Nishimura rose to state, "I feel the amendments made by the Senate Committee on Judiciary improve on the House Bill before us and I urge favorable passage".

Senator O'Connor then rose to state it is his hope "the attorney malpractice will be added in conference, so that we can have a decent, worthwhile, well-rounded professional malpractice bill".

The motion was put by the Chair and carried, and H.B. No. 2700-76, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PROFESSIONAL LIABILITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 79, S.D. 1, H.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House of Representatives to S.B. No. 79, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Nishimura, Chairman, O'Connor, F. Wong, Hara and Leopold as Managers on the part of the Senate at such conference.

House Bill No. 2169-76, H.D. 1, S.D. 1:

On motion by Senator Chong, seconded by Senator Nishimura and carried, H.B. No. 2169-76,

H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC PLACES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Ching, Hara, Hulten, Kawasaki, O'Connor, Saiki, Soares, Taira, Takitani, Toyofuku and Yamasaki).

#### RECONSIDERATION OF ACTION TAKEN EARLIER

Senate Bill No. 1830-76, H.D. 1:

Senator Toyofuku moved that the Senate reconsider its action on S.B. No. 1830-76, H.D. 1, seconded by Senator Young and carried.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House of Representatives to S.B. No. 1830-76 and requested a conference on the subject matter thereof.

The President announced that Managers on the part of the Senate at such conference would be appointed at a later date.

At this time, Senator Anderson rose on a point of personal privilege to speak as follows:

"Mr. President, I asked the Legislative Auditor to put together some facts for me, and he has advised as follows: 'In response to your March 22, 1976, request, we have calculated the cost of twenty-five audit reports and three special studies completed by our office since 1970. The total cost is \$1,920,358. Not included in this figure are such support expenditures as general clerical support, office supplies and similar expenditures'.

We have spent an average of \$70,000 each on these audits, and almost every one of them has torn your departments apart, literally. The audit on the State Foundation on Culture and the Arts is no exception."

Senator Kawasaki rose in response:

"I am as much against research costs as the Senator across the aisle, but I have a great respect for the quality of work that comes from the Legislative Auditor's office . . . and I must remind the Minority Floor Leader that he has voted many times for programs and recommendations outlined in the Legislative Auditor's reports

of the past.

If this kind of expenditure is necessary for us to continuously improve the operation of government, then it is worth it."

Senator Anderson then rose to state:

"You will find, if you do your homework, that we have not, in fact, carried out the comments and constructive criticism of the Legislative Auditor regarding the various departments. If I were a Democrat, Mr. President, I would close up the Legislative Auditor's office tomorrow, because it is proving to be very embarrassing to the Democrat Administration.

I might add that of the four major criticisms in the Auditor's report on the State Foundation on Culture and the Arts, three are against other agencies.

Mr. President, we offered in Committee to amend the bill to provide accountability, to provide the closing down of the Foundation on Culture and the Arts, the flexibility--but we did not have that choice. It had come to the point to vote for the bill or kill it.

We stand ready to assist and participate in closing the door a little bit to provide better accountability, but we still believe the Culture and Arts is a good program. It can be salvaged. It can be a meaningful program in this State.

We hope to come back next year and work with you to provide the accountability and to help make it a meaningful and workable bill."

Senator Kawasaki again rose to say:

"One short response. The Minority Floor Leader said we have not implemented or followed the recommendations made in the Auditor's reports. I want to remind him that tonight we voted on the public utilities bill, which contained many of the recommendations enumerated by the Legislative Auditor's report."

#### RE-REFERRAL OF A HOUSE BILL

The President made the following re-referral of a House Bill that was received on Tuesday, March 16, 1976:

House Bill	Referred to:
No. 2895-76, H.D. 1	Committee on Ways and Means

At this time, Senator Anderson rose on a point of information to inquire if the Majority Leader would yield to a question, to which Senator Ching answered in the affirmative.

Senator Anderson then asked if the Senate would strictly adhere to the amended Senate timetable, which indicates that March 30, 1976, is the deadline for passage on Third Reading all House Bills with Senate drafts and for receiving from the House all Senate Bills with House drafts.

Senator Ching replied that this was the joint agreement of the House and Senate leadership, and it was their intent to live up to the schedule at the present time.

#### ADJOURNMENT

At 9:05 o'clock p.m., on motion by Senator Taira, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 31, 1976.