

FORTIETH DAY

Wednesday, March 16, 1977

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Bernard J. Eikmeier of the Our Lady of Good Counsel Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Ninth Day.

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

Senator Taira introduced 21 students from Moanalua High School, accompanied by their teacher, Mrs. Lana Mito.

Senator Taira also introduced seven students from the Adult Basic English class, Farrington High School, accompanied by their teacher, Mrs. Ellen Tomiyama, and Coordinator of the Adult Education Program at Farrington, Mrs. June Stegmier.

Senator George then introduced 20 students from Kailua High School, accompanied by their teacher, Ms. Mary Alice Carr, and tutors, Ms. Sharon Arakawa, Ms. Ann Reed and Ms. Heima Gordon.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 282 and 283) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 282), transmitting copies of a report prepared by the University of Hawaii in response to House Resolution No. 520, H.D. 1, Regular Session of 1976, Requesting a Review of the Community Service and Research Programs of the University of Hawaii, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 283), transmitting copies of Unemployment and Welfare in Hawaii, a special report prepared by the Commission on Manpower and Full Employment pursuant to Section 202-2, Hawaii Revised Statutes, was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from

the House (Hse. Com. Nos. 196 to 332) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 196), transmitting House Bill No. 5, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 5, H.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS AND FOR SALARY ADJUSTMENTS OF EMPLOYEES EXCLUDED FROM CERTAIN BARGAINING UNITS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 197), transmitting House Bill No. 12, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 12, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CERTAIN FUNDS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 198), transmitting House Bill No. 13, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 13, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 199), transmitting House Bill No. 28, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 28, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION", passed First Reading by title and was

referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 200), transmitting House Bill No. 65, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 65, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL TRAINING", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 201), transmitting House Bill No. 66, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 66, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SECURITY FACILITIES AT THE HAWAII YOUTH CORRECTIONAL FACILITY", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 202), transmitting House Bill No. 68, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 68, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALTERNATIVE CORRECTIONAL PROGRAMS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 203), transmitting House Bill No. 77, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 77, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEANINGFUL PUBLIC PARTICIPATION IN THE SCHOOL SYSTEM THROUGH THE ESTABLISHMENT OF SCHOOL COUNCILS", passed First Reading by title and was referred to the Committee on Education, then

to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 204), transmitting House Bill No. 78, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 78, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BASIC SKILLS AND REAL-LIFE SKILLS IN THE PUBLIC SCHOOLS", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 205), transmitting House Bill No. 81, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 81, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION", passed First Reading by title and was referred to the Committee on Higher Education.

A communication from the House (Hse. Com. No. 206), transmitting House Bill No. 82, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 82, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY WITHOUT WALLS", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 207), transmitting House Bill No. 91, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 91, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND APPROPRIATING FUNDS THEREFOR", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 208), transmitting House Bill No. 95, H.D. 2, which

passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 95, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRE-RETIREMENT EDUCATION PROGRAM", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 209), transmitting House Bill No. 96, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 96, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 210), transmitting House Bill No. 98, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 98, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION AND THE ELDERLY", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 211), transmitting House Bill No. 100, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 212), transmitting House Bill No. 102, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded

by Senator Anderson and carried, H.B. No. 102, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE ELDERLY HOUSING PROGRAM", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 213), transmitting House Bill No. 105, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 105, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE PRODUCTION AND MARKETING OPERATIONS OF DIVERSIFIED AGRICULTURE IN HAWAII", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 214), transmitting House Bill No. 106, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 106, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE TRANSPORTATION SYSTEMS FOR HAWAIIAN AGRICULTURAL COMMODITIES", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 215), transmitting House Bill No. 107, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 107, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE PRODUCTION AND MARKETING OF HAWAIIAN AGRICULTURAL COMMODITIES", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 216), transmitting House Bill No. 113, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 113, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND

USE COMMISSION", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 217), transmitting House Bill No. 122, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 122, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 218), transmitting House Bill No. 126, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 126, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN AND MARINE RESOURCES", passed First Reading by title and was referred to the Committee on Energy/Natural Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 219), transmitting House Bill No. 129, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 129, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN AND MARINE EDUCATION AND RESEARCH", passed First Reading by title and was referred to the Committee on Energy/Natural Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 220), transmitting House Bill No. 136, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 136, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMMIGRANTS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 221), transmitting House Bill No. 137, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 137, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 222), transmitting House Bill No. 138, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 138, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 223), transmitting House Bill No. 154, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 154, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REGIONAL DESIGN PLANS", passed First Reading by title and was jointly referred to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 224), transmitting House Bill No. 160, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 160, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL AVIATION", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 225), transmitting House Bill No. 162, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B.

No. 162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STAGGERED WORK HOUR AND/OR VARIABLE TIME PROGRAM FOR STATE EMPLOYEES", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 226), transmitting House Bill No. 197, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 197, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 227), transmitting House Bill No. 202, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 202, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 228), transmitting House Bill No. 234, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 234, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 229), transmitting House Bill No. 236, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 236, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 230), transmitting House Bill No. 238, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 238, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEALS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 231), transmitting House Bill No. 258, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 258, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH", passed First Reading by title and was jointly referred to the Committee on Health and the Committee on Judiciary.

A communication from the House (Hse. Com. No. 232), transmitting House Bill No. 261, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 261, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 233), transmitting House Bill No. 264, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 264, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION AND MAINTENANCE OF SIDEWALKS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 234), transmitting House Bill No. 307, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 307, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL INJURIES COMPENSATION LAW", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 235), transmitting House Bill No. 332, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 332, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 236), transmitting House Bill No. 408, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 408, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL AND A STATEWIDE TRANSPORTATION PLANNING PROGRAM", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 237), transmitting House Bill No. 420, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 420, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ATHLETIC PROGRAMS OF THE UNIVERSITY OF HAWAII", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 238), transmitting House Bill No. 423, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 423, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KONA COFFEE RESEARCH IN KONA, HAWAII", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 239), transmitting House Bill No. 425, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 425, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS", passed First Reading by title and was referred to the Committee on Consumer Protection, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 240), transmitting House Bill No. 433, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 433, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION PRECINCT OFFICIALS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 241), transmitting House Bill No. 456, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 456, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTICIPATION IN POLITICAL ACTIVITIES BY MEMBERS OF THE POLICE DEPARTMENT", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 242), transmitting House Bill No. 481, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 481, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR POISON INFORMATION", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House

(Hse. Com. No. 243), transmitting House Bill No. 482, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 482, H.D. 2, entitled: "A BILL FOR AN ACT APPROPRIATION FOR THE SUBSTANCE ABUSE PROGRAM", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 244), transmitting House Bill No. 486, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 486, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALLIED HEALTH PROGRAMS AT KAPIOLANI COMMUNITY COLLEGE", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 245), transmitting House Bill No. 490, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 490, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF SCHOOL BOOKS", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 246), transmitting House Bill No. 491, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 491, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VANDALISM IN THE SCHOOLS", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 247), transmitting House Bill No. 505, H.D. 1, which passed Third Reading in the House

of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 505, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 248), transmitting House Bill No. 512, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 512, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION EMPLOYEES", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 249), transmitting House Bill No. 514, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 514, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 250), transmitting House Bill No. 559, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 559, entitled: "A BILL FOR AN ACT RELATING TO FIREMEN'S PENSIONS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 251), transmitting House Bill No. 562, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 562, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKER'S COMPENSATION", passed

First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 252), transmitting House Bill No. 592, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 592, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM INCOME TAX", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 253), transmitting House Bill No. 630, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 630, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 254), transmitting House Bill No. 632, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 632, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 255), transmitting House Bill No. 650, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 650, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM REVOLVING FUND", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 256), transmitting House Bill No. 715, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 715, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE HOME RENOVATION AND REHABILITATION PROGRAM", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 257), transmitting House Bill No. 727, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 727, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROVIDERS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 258), transmitting House Bill No. 733, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 733, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CORPS OF CIVILIAN WORKERS PROGRAM", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 259), transmitting House Bill No. 776, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 776, H.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 841-12 HAWAII REVISED STATUTES RELATING TO THE REMOVAL OF BODIES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 260), transmitting House Bill No. 777, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B.

No. 777, H.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 841-3 HAWAII REVISED STATUTES, RELATING TO THE REPORTING OF DEATHS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 261), transmitting House Bill No. 785, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 785, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGGREGATE LIMITS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 262), transmitting House Bill No. 786, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 786, entitled: "A BILL FOR AN ACT RELATING TO ADVISORY ORGANIZATION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 263), transmitting House Bill No. 805, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 805, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARENTAGE ACT", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 264), transmitting House Bill No. 808, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTIONS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House

(Hse. Com. No. 265), transmitting House Bill No. 813, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 813, entitled: "A BILL FOR AN ACT RELATING TO LEAVES FOR OFFICERS OR EMPLOYEES ON LOAN TO OTHER GOVERNMENTS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 266), transmitting House Bill No. 817, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 817, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN THE PUBLIC SECTOR AND AMENDING CHAPTER 89, HAWAII REVISED STATUTES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 267), transmitting House Bill No. 819, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 819, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTIONS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 268), transmitting House Bill No. 828, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 828, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FARM LOAN PROGRAM", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 269), transmitting

House Bill No. 829, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 829, entitled: "A BILL FOR AN ACT RELATING TO THE ENRICHMENT OF BREAD AND FLOUR", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 270), transmitting House Bill No. 849, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 849, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEED AND FORAGE RESEARCH PROGRAM", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 271), transmitting House Bill No. 854, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 854, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MARINE OPTION PROGRAM", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 272), transmitting House Bill No. 861, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 861, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUING THE OPERATIONS OF THE KALIHI-PALAMA IMMIGRANT SERVICES CENTER", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 273), transmitting House Bill No. 865, which passed Third Reading in the House of Representa-

tives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 865, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX LAW", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 274), transmitting House Bill No. 874, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 874, entitled: "A BILL FOR AN ACT RELATING TO THE USE TAX LAW", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 275), transmitting House Bill No. 925, H.D. 3, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 925, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", passed First Reading by title and was jointly referred to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 276), transmitting House Bill No. 952, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 952, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE YOUNG FARMERS PROGRAM", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 277), transmitting House Bill No. 962, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 962, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO OPERATE COMMUNITY ACTION AGENCIES", passed First Reading by title and was referred to the Committee on Human

Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 278), transmitting House Bill No. 973, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 973, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAN PACIFIC AGRICULTURE CONFERENCE", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 279), transmitting House Bill No. 976, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 976, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE RESEARCH PROGRAMS OF THE HAWAII SUGAR PLANTERS' ASSOCIATION", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 280), transmitting House Bill No. 986, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 986, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS", passed First Reading by title and was referred to the Committee on Consumer Protection, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 281), transmitting House Bill No. 1001, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1001, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIKEWAYS", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 282), transmitting House Bill No. 1003, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1003, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VISION AND HEARING SCREENING", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 283), transmitting House Bill No. 1012, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1012, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE BISHOP MUSEUM", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 284), transmitting House Bill No. 1056, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1056, entitled: "A BILL FOR AN ACT RELATING TO REGULATORY LICENSING REFORM", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 285), transmitting House Bill No. 1059, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1059, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 286), transmitting House Bill No. 1061, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1061, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIET TITLE ACTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 287), transmitting House Bill No. 1075, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1075, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR NATIONAL GUARDSMEN", passed First Reading by title and was referred to the Committee on Military and Civil Defense, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 288), transmitting House Bill No. 1084, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1084, entitled: "A BILL FOR AN ACT RELATING TO PREFERENCE FOR PUBLIC SERVICE EMPLOYMENT PROGRAM PARTICIPANTS", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 289), transmitting House Bill No. 1086, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1086, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY RELATING TO A CENTRALIZED EGG PROCESSING FACILITY", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 290), transmitting House Bill No. 1097, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1097, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

MINORS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 291), transmitting House Bill No. 1098, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1098, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 292), transmitting House Bill No. 1129, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried; H.B. No. 1129, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ARCHAEOLOGICAL AND HISTORICAL RESEARCH ON THE ISLAND OF KAHO'OLAWA", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 293), transmitting House Bill No. 1132, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1132, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE WELFARE RECIPIENTS ADVISORY COUNCIL", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 294), transmitting House Bill No. 1162, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC AND ASIAN AFFAIRS COUNCIL FOR THE STATE OF HAWAII",

passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 295), transmitting House Bill No. 1171, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1171, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF SPECIAL FUND", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 296), transmitting House Bill No. 1198, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1198, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 297), transmitting House Bill No. 1205, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1205, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUING EDUCATION FOR WOMEN", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 298), transmitting House Bill No. 1215, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1215, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES IN CERTAIN EXEMPT POSITIONS OF THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", passed First Reading by title

and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 299), transmitting House Bill No. 1243, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1243, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION TO SUPPORT PESTICIDE RESEARCH TO ENHANCE PAPAYA PRODUCTION", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 300), transmitting House Bill No. 1283, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1283, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT DOMICILIARY CARE AND BOARDING HOME OPERATORS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 301), transmitting House Bill No. 1285, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1285, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LAW OF THE SEA INSTITUTE", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 302), transmitting House Bill No. 1297, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1297, entitled: "A BILL FOR AN ACT RELATING TO THE HANDI-CAPPED", passed First Reading by title

and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 303), transmitting House Bill No. 1319, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1319, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 304), transmitting House Bill No. 1321, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1321, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", passed First Reading by title and was referred to the Committee on Consumer Protection.

A communication from the House (Hse. Com. No. 305), transmitting House Bill No. 1353, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1353, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE FOR THE COUNTIES OF HAWAII, MAUI, AND KAUAI", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 306), transmitting House Bill No. 1354, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1354, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION FOR THE BIRTH SITE OF KAMEHAMEHA THE GREAT", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 307), transmitting House Bill No. 1355, H.D. 2, which passed Third Reading in the House

of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1355, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC TELEVISION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 308), transmitting House Bill No. 1357, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1357, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PROGRAM TO DISCOURAGE IN-MIGRATION TO HAWAII", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 309), transmitting House Bill No. 1358, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1358, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE EMPLOYMENT AND TRAINING", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 310), transmitting House Bill No. 1373, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1373, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF A STATEWIDE MASTER PLAN FOR THE DIVERSIFIED AGRICULTURAL INDUSTRY", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 311), transmitting House Bill No. 1398, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1398, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT IN AID TO THE HONOLULU SYMPHONY", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 312), transmitting House Bill No. 1430, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1430, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL APPEALS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 313), transmitting House Bill No. 1441, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1441, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 314), transmitting House Bill No. 1455, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1455, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING DRUGS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 315), transmitting House Bill No. 1459, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1459, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CURRENT EXPENSES AND EQUIPMENT FOR THE VOCATIONAL/ TECHNICAL EDUCATION PROGRAM AT LEEWARD COMMUNITY COLLEGE", passed First Reading by title and was

referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 316), transmitting House Bill No. 1463, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1463, H.D. 1, entitled: "A BILL FOR AN ACT EXCLUDING TREES INVOLVED IN COMMERCIAL FORESTRY OPERATIONS", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 317), transmitting House Bill No. 1472, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1472, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 318), transmitting House Bill No. 1491, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1491, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR LABOR EDUCATION AND RESEARCH AT THE UNIVERSITY OF HAWAII", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 319), transmitting House Bill No. 1504, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1504, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A PILOT PROJECT TO USE SEWAGE WATER FOR AGRICULTURE, AQUACULTURE AND RECHARGE OF THE GROUND WATER, AND MAKING AN APPROPRIATION THEREFOR", passed First Reading

by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 320), transmitting House Bill No. 1523, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1523, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII MEDICAL LIBRARY, OAHU", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 321), transmitting House Bill No. 1533, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1533, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 322), transmitting House Bill No. 1535, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1535, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF ELECTRICIANS AND PLUMBERS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 323), transmitting House Bill No. 1624, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1624, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE TORT LIABILITY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 324), transmitting House Bill No. 1641, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977,

was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1641, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed First Reading by title and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 325), transmitting House Bill No. 1644, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1644, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC COMPANIES", passed First Reading by title and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 326), transmitting House Bill No. 1653, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1653, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES AND AGREEMENTS OF SALE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 327), transmitting House Bill No. 1667, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1667, entitled: "A BILL FOR AN ACT RELATING TO INJURY TO PUBLIC UTILITY PROPERTY", passed First Reading by title and was referred to the Committee on Public Utility.

A communication from the House (Hse. Com. No. 328), transmitting House Bill No. 1685, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1685, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS, MOTOR CARRIER VEHICLES, AND MOTOR VEHICLES", passed First Reading by title and was

referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 329), transmitting House Bill No. 1693, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1693, entitled: "A BILL FOR AN ACT RELATING TO WITNESS EXPENSES IN CRIMINAL PROCEEDINGS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 330), transmitting House Bill No. 1698, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1698, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 331), transmitting House Bill No. 1713, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1713, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE DEVELOPMENT IN HAWAII AND MAKING AN APPROPRIATION THEREFOR", passed First Reading by title and was referred to the Committee on Energy/Natural Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 332), transmitting House Bill No. 201, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 201, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SURVEILLANCE", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 125), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO ADOPT PROCEDURES TO SIMPLIFY AND EXPEDITE PROCESSING OF APPLICATIONS FOR PLANNING APPROVAL", was jointly offered by Senators F. Wong, Hulten, Kuroda, Toyofuku, Takitani, Henderson, Leopold, Soares and Saiki, and was read by the Clerk.

By unanimous consent, S.C.R. No. 125 was referred to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 328 and 329) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 328), entitled: "SENATE RESOLUTION REQUESTING THE COUNTIES TO ADOPT PROCEDURES TO SIMPLIFY AND EXPEDITE PROCESSING OF APPLICATIONS FOR PLANNING APPROVAL", was jointly offered by Senators F. Wong, Hulten, Kuroda, Toyofuku, Saiki, Takitani, Henderson, Leopold and Soares.

By unanimous consent, S.R. No. 328 was referred to the Committee on Economic Development.

A resolution (S.R. No. 329), entitled: "SENATE RESOLUTION CONGRATULATING AND EXTENDING BEST WISHES TO THE GREAT LIBERAL SENATOR HUBERT H. HUMPHREY ON BECOMING DEPUTY PRESIDENT PRO TEMPORE OF THE UNITED STATES SENATE", was jointly offered by Senators Kawasaki, Hulten, Ching, King, R. Wong, O'Connor, Saiki, Kuroda, F. Wong, Toyofuku, Young, Yamasaki, Takitani, Yim, Hara, Taira, Soares, Leopold, Chong, Nishimura, George, Henderson, Ushijima and Yee.

On motion by Senator Kawasaki, seconded by Senator Taira and carried, S.R. No. 329 was adopted.

At this time, Senator Kawasaki rose to say that "while the resolution sends congratulations to a great statesman, it is also a message that each of us wishes him well and a speedy recovery from his very unfortunate illness".

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 555) informing the Senate that Senate Concurrent Resolution No. 125, Senate Resolution Nos. 328 and 329, Standing Committee Report Nos. 516 to 554 and 556 to 559

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.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 556) recommending that Senate Concurrent Resolution No. 86 be adopted.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPEDIMENTS TO THE DEVELOPMENT AND USE OF SOLAR ENERGY SYSTEMS AND A RECOMMENDATION OF REMEDIAL ACTION", was adopted.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 557) recommending that Senate Resolution No. 62 be adopted.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and S.R. No. 62, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPEDIMENTS TO THE DEVELOPMENT AND USE OF SOLAR ENERGY SYSTEMS AND A RECOMMENDATION OF REMEDIAL ACTION", was adopted.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 558) recommending that Senate Concurrent Resolution No. 90, as amended in S.D. 1, be adopted.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and S.C.R. No. 90, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SELECTION OF OAHU, HAWAII AS THE TEST SITE FOR THE WIND TURBINE SYSTEM CURRENTLY BEING DEVELOPED BY THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION", was adopted.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 559) recommending that Senate Resolution

No. 251, as amended in S.D. 1, be adopted.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and S.R. No. 251, S.D. 1, entitled: "SENATE RESOLUTION URGING THE SELECTION OF OAHU, HAWAII AS THE TEST SITE FOR THE WIND TURBINE SYSTEM CURRENTLY BEING DEVELOPED BY THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION", was adopted.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House Bills that were received on Wednesday, March 9, 1977:

House Bills	Referred to:
No. 216	Committee on Human Resources
No. 217	Committee on Human Resources

The President made the following re-referral of House Bills that were received on Thursday, March 10, 1977:

House Bills	Referred to:
No. 215, H.D. 1	Committee on Human Resources
No. 599, H.D. 1	Committee on Human Resources

The President made the following re-referral of House Bills that were received on Tuesday, March 15, 1977:

House Bills	Referred to:
No. 117, H.D. 1	Committee on Ecology, Environment and Recreation, then to the Committee on Consumer Protection
No. 1694, H.D. 2	Committee on Health, then to the Committee on Ways and Means
No. 1699, H.D. 1	Committee on Judiciary

MATTERS DEFERRED FROM MARCH 15, 1977

House Bill No. 220, H.D. 1:

By unanimous consent, H.B. No. 220, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSERVATION, MANAGEMENT AND PROTECTION OF ENDANGERED OR THREATENED SPECIES OF WILDLIFE OR PLANTS", was referred to the Committee on Ecology, Environment and Recreation.

House Bill No. 224, H.D. 1:

By unanimous consent, H.B. No.

224, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", was referred to the Committee on Judiciary.

House Bill No. 251, H.D. 2:

By unanimous consent, H.B. No. 251, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXTRADITION OF JUVENILE FUGITIVES", was referred to the Committee on Judiciary.

House Bill No. 252, H.D. 1:

By unanimous consent, H.B. No. 252, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY EQUIPMENT FOR MOTORCYCLES AND MOTOR SCOOTERS", was referred to the Committee on Transportation.

House Bill No. 374, H.D. 1:

By unanimous consent, H.B. No. 374, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", was referred to the Committee on Human Resources.

House Bill No. 455, H.D. 1:

By unanimous consent, H.B. No. 455, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF POLICE RECORDS CONCERNING JUVENILES", was referred to the Committee on Judiciary.

House Bill No. 585, H.D. 1:

By unanimous consent, H.B. No. 585, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", was referred to the Committee on Transportation.

House Bill No. 682:

By unanimous consent, H.B. No. 682, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE EQUIPMENT", was referred to the Committee on Transportation.

House Bill No. 1070:

By unanimous consent, H.B. No. 1070, entitled: "A BILL FOR AN ACT RELATING TO THE RESPONSIBILITY OF A VESSEL OWNER FOR UNAUTHORIZED MOORING OR PLACEMENT IN THE STATE", was referred to the Committee on Transportation.

House Bill No. 1144, H.D. 1:

By unanimous consent, H.B. No. 1144, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was referred to the Committee on Intergovern-

mental Relations, then to the Committee on Housing and Hawaiian Homes.

House Bill No. 1425, H.D. 1:

By unanimous consent, H.B. No. 1425, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH, ENVIRONMENTAL PROTECTION", was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Health.

House Bill No. 1618:

By unanimous consent, H.B. No. 1618, entitled: "A BILL FOR AN ACT RELATING TO CLASSIFICATION OF MEMBERS OF THE EMPLOYEES' RETIREMENT SYSTEM", was referred to the Committee on Human Resources.

House Bill No. 1683:

By unanimous consent, H.B. No. 1683, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING LAW", was referred to the Committee on Transportation, then to the Committee on Ways and Means.

House Bill No. 1687:

By unanimous consent, H.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT AND HARBOR REVENUE BONDS", was referred to the Committee on Transportation, then to the Committee on Ways and Means.

House Bill No. 1696, H.D. 1:

By unanimous consent, H.B. No. 1696, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was referred to the Committee on Human Resources.

THIRD READING

Senate Bill No. 1279, S.D. 1:

By unanimous consent, action on S.B. No. 1279, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 140, S.D. 1:

By unanimous consent, action on S.B. No. 140, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 595, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN THE PUBLIC

SECTOR AND AMENDING CHAPTER 89, HAWAII REVISED STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 599:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 599, entitled: "A BILL FOR AN ACT RELATING TO LEAVES FOR OFFICERS OR EMPLOYEES ON LOAN TO OTHER GOVERNMENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1048:

Senator Toyofuku moved that S.B. No. 1048, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", be recommitted to the Committee on Human Resources, and the President, noting that there was no objection, so ordered.

Senate Bill No. 1299:

Senator Toyofuku moved that S.B. No. 1299, having been read throughout, pass Third Reading, seconded by Senator Young.

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

"Mr. President, as a matter of legislative philosophy...this bill is saying that no matter what a County Charter provides... and the County Charter is adopted by a vote of the people of the county...the State may move in and override it.

The State should not move in and wipe out any section or amendment of a County Charter.

I therefore urge that we vote against this bill."

The motion was put by the Chair and carried, and S.B. No. 1299, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1350, S.D. 1:

Senator Toyofuku moved that S.B.

No. 1350, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Young.

At this time, Senator O'Connor rose to speak in favor of the measure as follows:

"Mr. President, this bill adopts a residency requirement of one year for State and county employees. I feel there is compelling State interest in this area.

We have one of the largest unemployment records in the United States today in this State, and yet the State and counties are required to hire people who have just arrived from other states. This certainly does not benefit our local situation.

In addition, we have a University which is graduating, each year, hundreds of people in various job categories. Some of these categories mandate employment in government jobs, by the very way we set up our University. These people are not able to gain employment with our State and county governments... essentially, we are educating people for export.

I find these to be overwhelmingly compelling reasons why this bill should pass. I urge a vote of Aye for this residency requirement."

Senator Anderson then rose to speak against the measure:

"Mr. President, this bill was heard at some length in the Ways and Means Committee and the Human Resources Committee. Testimony from Mr. Botelho, who is in charge of the State Department of Personnel, admitted that the number of people from off our shores...immigrants from the West Coast...California...from the Philippines...from elsewhere outside the United States...are not a problem for public employment. They are only a fraction of a percent of the people who apply for jobs with our State and county governments.

I think it is wrong to close our doors in public government to talent that may come from across the seas.

We are all a minority in this State, and it is sometimes difficult to understand minority arguments...but if we can get talent from the Far East or anywhere else in the world, to come to Hawaii and enhance the Aloha spirit, enhance our education, it is extremely healthy.

It's somewhat paternalistic to believe that we are going to close our doors.

I might add, also, that the prior Administration, for many years, from this very podium, in his State of the State addresses, invited everyone from everywhere to come to Hawaii. And, now, to introduce a bill by the Administration to put on public record that we are against such migrations, I think, is poor legislation.

The people coming into the State are going into the private sector... that's where they are taking jobs from our people... they are not coming into government.

I urge a No vote on this."

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

The Senate reconvened at 11: 54 o'clock a.m.

At this time, Senator Nishimura rose to say that while he found himself in agreement with both of the previous speakers, "the tips are being pushed over to the side of my colleague from the Seventh Senatorial District... I am going to vote Aye".

Senator O'Connor then rose to say, "In brief response to the Minority Floor Leader... with an eight percent unemployment rate, I feel that the compelling State interest exists if but one of our residents is deprived of a State or county job".

The motion was put by the Chair and carried, and S.B. No. 1350, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENCY REQUIREMENTS FOR PUBLIC EMPLOYMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1359:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 1359, 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.

Senate Bill No. 1409:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 1409, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII

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

Ayes, 25. Noes, none.

Senate Bill No. 1466, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 1466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 399 (S.B. No. 115):

On motion by Senator Toyofuku, seconded by Senator Young and carried, Stand. Com. Rep. No. 399 was adopted and S.B. No. 115, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 400 (S.B. No. 1129):

On motion by Senator Toyofuku, seconded by Senator Young and carried, Stand. Com. Rep. No. 400 was adopted and S.B. No. 1129, entitled: "A BILL FOR AN ACT RELATING TO COFFEE INSPECTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 401 (S.B. No. 1302):

By unanimous consent, action on Stand. Com. Rep. No. 401 and S.B. No. 1302 was deferred to the end of the calendar.

Standing Committee Report No. 402 (S.B. No. 995, S.D. 2):

On motion by Senator Yim, seconded by Senator King and carried, Stand. Com. Rep. No. 402 was adopted and S.B. No. 995, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UTILIZATION OF ELECTRICITY GENERATED FROM NON-FOSSIL FUELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 185, S.D. 2:

On motion by Senator Yim, seconded by Senator King and carried, S.B. No. 185, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 221, S.D. 1:

By unanimous consent, action on S.B. No. 221, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1194, S.D. 1:

By unanimous consent, action on S.B. No. 1194, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 24:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 24, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 254, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SECURITY OFFICERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 320:

By unanimous consent, action on S.B. No. 320 was deferred to the end of the calendar.

Senate Bill No. 338, S.D. 1:

By unanimous consent, action on S.B. No. 338, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 677:

By unanimous consent, action on S.B. No. 677 was deferred to the end of the calendar.

Senate Bill No. 1344:

Senator Nishimura moved that S.B. No. 1344, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

At this time, Senator Kawasaki rose to state that as the Chairman and Vice Chairman of the Committee on Judiciary had assured him that investigators in the Attorney General's office would not be given civil service status and that the "generalized language of the measure would be more specifically clarified in the deliberations with the House", he would vote Aye.

The motion was put by the Chair and carried, and S.B. No. 1344, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS IN THE DEPARTMENT OF THE ATTORNEY GENERAL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1356:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1356, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1446:

By unanimous consent, action on S.B. No. 1446 was deferred to the end of the calendar.

Senate Bill No. 116:

Senator Chong moved that S.B. No. 116, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER", be recommitted to the Committee on Health, and the President, noting that there was no objection, so ordered.

Senate Bill No. 462, S.D. 1:

On motion by Senator Chong, seconded by Senator Takitani and carried, S.B. No. 462, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO THE RESIDENTS OF KALAUPAPA, MOLOKAI", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 836:

On motion by Senator Taira, seconded by Senator Takitani and carried, S.B. No. 836, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1222:

On motion by Senator Taira, seconded by Senator Takitani and carried, S.B. No. 1222, entitled: "A BILL FOR AN ACT RELATING TO INJURY TO PUBLIC UTILITY PROPERTY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 591:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 591, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 424 (S.B. No. 1369, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 424 and S.B. No. 1369, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 425 (S.B. No. 108):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 425 was adopted and S.B. No. 108, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER CONTRIBUTIONS TO THE EMPLOYEES' RETIREMENT SYSTEM AND PROVIDING FOR SEPARATE CONTRIBUTIONS TO THE PENSION ACCUMULATION FUND AND TO THE POST RETIREMENT FUND FOR POLICEMEN, FIREMEN AND CORRECTIONS OFFICERS", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 426 (S.B. No. 110, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 426 was adopted and S.B. No. 110, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCIDENTAL DEATH BENEFIT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 427 (S.B. No. 111, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 427 was adopted and S.B. No. 111, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 112:

By unanimous consent, action on S.B. No. 112 was deferred to the end of the calendar.

Standing Committee Report No. 429 (S.B. No. 183, S.D. 2):

Senator R. Wong moved that Stand. Com. Rep. No. 429 be adopted and S.B. No. 183, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Soares rose to speak in opposition to the measure:

"Mr. President, I believe that these eight employees, who have been on a temporary basis for eight years, should take the examination, be placed on the eligibility list and selected therefrom to retain full employment.

I happen to know some of the people on the Elections staff, and I think they are very competent and able...but I don't like the precedence we are setting, continually to exempt from civil service, people who should be taking the exam along with everyone else.

I will be voting No on this bill."

Senator Kawasaki also rose to speak against the measure:

"Mr. President, I also have some objections to this bill. I understand that the initial request from the Lieutenant Governor's office was to cover only four employees under civil service. I don't know how the mixup took place, but the entire staff is now being covered. I don't think that was the desire of the Lieutenant Governor's office.

Until this is clarified, I will vote against the bill."

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:09 o'clock p.m.

At this time, Senator R. Wong rose to state, "To clarify this misinformation, I would like to recommit the bill. The House Bill has come over".

Senator R. Wong moved that Stand. Com. Rep. No. 429 and S.B. No. 183, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTION EMPLOYEES", be recommitted to the Committee on Ways and Means, and the President, noting that there was no objection, so ordered.

Standing Committee Report No. 430 (S.B. No. 323, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 430 was adopted and S.B. No. 323, S.D. 1, entitled; "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ching).

Standing Committee Report No. 431 (S.B. No. 568):

Senator R. Wong moved that Stand. Com. Rep. No. 431 and S.B. No. 568, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", be recommitted to the Committee on Ways and Means, and the President, noting that there was no objection, so ordered.

Standing Committee Report No. 432 (S.B. No. 569):

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

carried, Stand. Com. Rep. No. 432 was adopted and S.B. No. 569, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 433 (S.B. No. 570, S.D. 2):

Senator R. Wong moved that Stand. Com. Rep. No. 433 be adopted and S.B. No. 570, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator King rose to speak in opposition of the bill as follows:

"Mr. President, I rise to speak against the bill, not because every year that goes by I get closer to sixty-five myself, but because we are wiping out the possibility of very capable individuals being able to continue in their positions.

Even if we do accept this philosophy, I'm not quite sure why judges should then be exempt.

I urge a No vote on this measure."

Senator Chong also rose to speak against the measure:

"Mr. President, the Human Resources Committee held hearings on this measure before passing it on to Ways and Means.

One of the major arguments was that the bill would make available more employment opportunities for the young people of our State without unduly penalizing employees approaching retirement. In actual fact, it was pointed out that this is not so. The number of job openings created by forcing people to retire is small.

A recent article in Fortune magazine indicated that due to the shift and structure of our country, more and more people are living more and more productive lives. It will contribute substantially to our Social Security payments, adding an additional burden on our taxpayers, if we do not encourage people of older age to continue leading productive lives.

I urge my fellow Senators to vote against this bill."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 433 was adopted and S.B. No. 570, S.D. 2, entitled: "A BILL FOR

AN ACT RELATING TO RETIREMENT AT AGE SIXTY-FIVE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Anderson, Chong, George, King, Leopold, Nishimura, O'Connor, Saiki, Soares, F. Wong and Yee).

Standing Committee Report No. 434 (S.B. No. 794):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 434 was adopted and S.B. No. 794, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS AND FOR SALARY ADJUSTMENTS OF EMPLOYEES EXCLUDED FROM BARGAINING UNIT 1", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 435 (S.B. No. 1469, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 435 was adopted and S.B. No. 1469, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 436 (S.B. No. 647, S.D. 2):

Senator R. Wong moved that Stand. Com. Rep. No. 436 be adopted and S.B. No. 647, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At 12:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

At this time, Senator Soares rose to ask for a ruling of the Chair as to a possible conflict of interest, as he is an employee of a utility company.

The President then ruled Senator Soares eligible to vote on the measure.

Senator Henderson also rose to ask for a ruling of the Chair as to a possible conflict of interest, as he is a director for two electric companies.

The President then ruled Senator Henderson eligible to vote on the measure.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 436 was adopted and S.B. No. 647, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF PUBLIC UTILITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 790, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 790, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALLOCATION OF FUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 438 (S.B. No. 124, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 438 was adopted and S.B. No. 124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE EMERGENCY MEDICAL SERVICES PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 631, S.D. 1:

By unanimous consent, action on S.B. No. 631, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 440 (S.B. No. 107):

By unanimous consent, action on Stand. Com. Rep. No. 440 and S.B. No. 107 was deferred to the end of the calendar.

Standing Committee Report No. 441 (S.B. No. 336):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 441 was adopted and S.B. No. 336, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE COUNTIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 442
(S.B. No. 747):

By unanimous consent, action on Stand. Com. Rep. No. 442 and S.B. No. 747 was deferred to the end of the calendar.

Senate Bill No. 1139, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 1139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND AQUACULTURE LOANS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 444
(S.B. No. 1465, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 444 was adopted and S.B. No. 1465, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE DEVELOPMENT TO HAWAII 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. 445
(S.B. No. 1193, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 445 was adopted and S.B. No. 1193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVEMENTS AT WAIKIKI, OAHU", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 446
(S.B. No. 60, S.D. 3):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 446 was adopted and S.B. No. 60, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 447

(S.B. No. 62, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 447 and S.B. No. 62, S.D. 3, was deferred to the end of the calendar.

Standing Committee Report No. 448
(S.B. No. 491, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 448 and S.B. No. 491, S.D. 3, was deferred to the end of the calendar.

Standing Committee Report No. 449
(S.B. No. 779, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 449 and S.B. No. 779, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 450
(S.B. No. 11):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 450 was adopted and S.B. No. 11, entitled: "A BILL FOR AN ACT RELATING TO DEDICATED LANDS FOR HISTORIC PRESERVATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 451
(S.B. No. 350, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 451 and S.B. No. 350, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 452
(S.B. No. 1266, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 452 was adopted and S.B. No. 1266, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENTRY AND EXIT CENSUS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 453
(S.B. No. 1342):

By unanimous consent, action on Stand. Com. Rep. No. 453 and S.B. No. 1342 was deferred to the end of the calendar.

Standing Committee Report No. 454

(S.B. No. 156, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 454 and S.B. No. 156, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 455 (S.B. No. 113, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 455 was adopted and S.B. No. 113, 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.

Standing Committee Report No. 456 (S.B. No. 74):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 456 was adopted and S.B. No. 74, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF THE SALE OF 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. 457 (S.B. No. 223, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 457 and S.B. No. 223, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 458 (S.B. No. 783, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 458 was adopted and S.B. No. 783, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 459 (S.B. No. 1305, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 459 was adopted and S.B. No. 1305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A RENTER'S INCOME TAX CREDIT", having been read throughout, passed

Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 460 (S.B. No. 246, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 460 was adopted and S.B. No. 246, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TAXES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Anderson, George, Henderson, Leopold, Saiki, Soares, Yamasaki and Yee).

Standing Committee Report No. 461 (S.B. No. 247, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 461 was adopted and S.B. No. 247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 462 (S.B. No. 251, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 462 was adopted and S.B. No. 251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

Standing Committee Report No. 463 (S.B. No. 258, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 463 was adopted and S.B. No. 258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIKEWAYS AND THE OPERATION OF BICYCLES", having been read throughout, passed Third Reading on the following showing of Ayes and

Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 464
(S.B. No. 532):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 464 was adopted and S.B. No. 532, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 465
(S.B. No. 891, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 465 was adopted and S.B. No. 891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF THE DEPARTMENT OF TRANSPORTATION TO ISSUE SPECIAL FACILITY REVENUE BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 466
(S.B. No. 893, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 466 was adopted and S.B. No. 893, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 467
(S.B. No. 1366, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 467 was adopted and S.B. No. 1366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT AND HARBOR REVENUE BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 148, S.D. 1:

By unanimous consent, action on S.B. No. 148, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 152:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 152, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 153:

Senator R. Wong moved that S.B. No. 153, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", be recommitted to the Committee on Ways and Means, and the President, noting that there was no objection, so ordered.

Senate Bill No. 449, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 449, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 450, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 451, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 451, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE EXPENSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 452:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 452, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 453, S.D. 1:

On motion by Senator R. Wong, seconded

by Senator Yamasaki and carried, S.B. No. 453, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 476 (S.B. No. 1100, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 476 was adopted and S.B. No. 1100, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 749:

By unanimous consent, S.B. No. 749, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF SCHOOL BUILDINGS, FACILITIES AND GROUNDS", was recommitted to the Committee on Education.

Senate Bill No. 750, S.D. 1:

Senator Hara moved that S.B. No. 750, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yim.

At this time, Senator Chong rose to speak in opposition to the measure as follows:

"Mr. President, we have existing systems that will handle unruly children in our schools.

This will open our State to all kinds of lawsuits, which is not in the best interest of anyone concerned."

Senator Kuroda then rose to speak in favor of the measure:

"Mr. President, four years ago, the Legislature enacted a bill to eliminate this provision from the law. In the ensuing years, the community has come to realize that the teachers and the principals need an additional tool in order to help the young people of our State grow up to be fine citizens.

This measure is necessary, and I urge my fellow members to vote for it."

The motion was put by the Chair and carried, and S.B. No. 750, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO THE PUNISHMENT OF STUDENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chong).

Senate Bill No. 1055, S.D. 1:

On motion by Senator Hara, seconded by Senator Yim and carried, S.B. No. 1055, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ART IN STATE BUILDINGS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 480 (S.B. No. 733):

By unanimous consent, action on Stand. Com. Rep. No. 480 and S.B. No. 733 was deferred to the end of the calendar.

Senate Bill No. 1226, S.D. 2:

On motion by Senator Hulten, seconded by Senator F. Wong and carried, S.B. No. 1226, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL PROCEDURES AFFECTING LAND USE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (King).

At 12:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:41 o'clock p.m.

Senate Bill No. 133:

By unanimous consent, action on S.B. No. 133 was deferred to the end of the calendar.

Senate Bill No. 594:

By unanimous consent, action on S.B. No. 594 was deferred to the end of the calendar.

Senate Bill No. 377, S.D. 1:

By unanimous consent, action on S.B. No. 377, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 752, S.D. 1:

By unanimous consent, action on S.B. No. 752, S.D. 1, was deferred

to the end of the calendar.

Senate Bill No. 856, S.D. 1:

By unanimous consent, action on S.B. No. 856, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1155, S.D. 1:

By unanimous consent, action on S.B. No. 1155, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 488 (S.B. No. 1472, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 488 and S.B. No. 1472, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1364:

By unanimous consent, action on S.B. No. 1364 was deferred to the end of the calendar.

Standing Committee Report No. 490 (S.B. No. 795):

By unanimous consent, action on Stand. Com. Rep. No. 490 and S.B. No. 795 was deferred to the end of the calendar.

Standing Committee Report No. 491 (S.B. No. 572, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 491 and S.B. No. 572, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 492 (S.B. No. 391, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 492 and S.B. No. 391, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 493 (S.B. No. 1407, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 493 and S.B. No. 1407, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 494 (S.B. No. 1464, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 494 and S.B. No. 1464, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 577, S.D. 1:

By unanimous consent, action on

S.B. No. 577, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 496 (S.B. No. 348):

By unanimous consent, action on Stand. Com. Rep. No. 496 and S.B. No. 348 was deferred to the end of the calendar.

Standing Committee Report No. 497 (S.B. No. 854, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 497 and S.B. No. 854, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 498 (S.B. No. 1280):

By unanimous consent, action on Stand. Com. Rep. No. 498 and S.B. No. 1280 was deferred to the end of the calendar.

Standing Committee Report No. 499 (S.B. No. 1489, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 499 and S.B. No. 1489, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 243:

By unanimous consent, action on S.B. No. 243 was deferred to the end of the calendar.

Senate Bill No. 346, S.D. 1:

By unanimous consent, action on S.B. No. 346, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1047, S.D. 1:

By unanimous consent, action on S.B. No. 1047, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1304, S.D. 1:

By unanimous consent, action on S.B. No. 1304, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1312:

By unanimous consent, action on S.B. No. 1312 was deferred to the end of the calendar.

Senate Bill No. 1452, S.D. 1:

By unanimous consent, action on S.B. No. 1452, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 347, S.D. 1:

By unanimous consent, action on S.B. No. 347, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1345:

By unanimous consent, action on S.B. No. 1345 was deferred to the end of the calendar.

Standing Committee Report No. 510 (S.B. No. 119):

By unanimous consent, action on Stand. Com. Rep. No. 510 and S.B. No. 119 was deferred to the end of the calendar.

Standing Committee Report No. 511 (S.B. No. 271, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 511 and S.B. No. 271, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 512 (S.B. No. 324):

By unanimous consent, action on Stand. Com. Rep. No. 512 and S.B. No. 324 was deferred to the end of the calendar.

Standing Committee Report No. 513 (S.B. No. 1202):

By unanimous consent, action on Stand. Com. Rep. No. 513 and S.B. No. 1202 was deferred to the end of the calendar.

Standing Committee Report No. 514 (S.B. No. 1251, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 514 and S.B. No. 1251, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 515 (S.B. No. 1479):

By unanimous consent, action on Stand. Com. Rep. No. 515 and S.B. No. 1479 was deferred to the end of the calendar.

Senate Bill No. 184, S.D. 1:

Senator O'Connor moved that S.B. No. 184, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taira.

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

"Mr. President,

During the past two days, this Chamber has been the setting for an example of democracy at work--a free and open discussion of common concern. The discussion at times has bordered on the hysterical. We have heard irrational conclusions tinged with a philosophy reminiscent of mankind's darkest ages. There has also been present the spirit of the new Hawaii, the rationale and deep felt passion of men and women unwilling to once again bind the citizens of this State to the shackles of yesterday.

The arguments set forth by those favoring and those opposing this measure have been documented, and I sincerely hope that my colleagues in this Chamber have studied, most carefully, the evidentiary body of this testimony.

I do not think it will benefit us much for me to retrace, step by step, the road we have traveled to this meeting place today. I will, therefore, briefly summarize our beliefs and conclusions.

'Deterrence' has been the argument most commonly and most often used by those who would restore the death penalty. Deterrence is, at best, an abstract philosophy and remains that--a philosophy, until supported by fact.

But what do the facts point out?

The answer is simple and irrefutable: Capital crimes do not decrease because of the presence of capital punishment.

The cry for vengeance increases...yes! But not the incident of capital crime.

As the technology and refinement of mass communications has increased--particularly in the area of television--so has our involvement in the events of the day.

Murder--by its very nature--is the perfect subject for documentation and discussion. Lurid images and sensational details make high drama. Rationale, it appears, does not.

We all become involved when a sensational capital crime occurs. How often during these times have you heard the expressions: 'They should kill the buga'...or 'They should feed the guy to the sharks'...or some other colorful phrase?

Is this deterrence talking...or merely vengeance? And isn't vengeance, really, a simple return to barbarity? The victim of a capital crime can never be restored to life. The legalized

'capital crime' of execution merely adds to the barbarity of the original offense.

The noted American attorney, Clarence Darrow, who spent a lifetime in opposition to capital punishment, said it all when he commented:

'There is nothing in the history of the world that ever cheapened human life like our first great war; next to that, the indiscriminate killing of men by the State.'

And there is another facet of this entire issue which does not seem to carry the same import with the proponents of this bill as it does with us who oppose it. This is the execution of the innocent.

Man is not infallible, and neither is the judicial process.

This is not a tennis match we're talking about, where the winner jumps over the net to greet his opponent. There's no leap involved after that cyanide drops. The outcome is irreversible.

The wrongfully convicted can be restored to society--impaired though their lives may be--when error has been corrected. But the pellets of death negate any chance of justice restored. The language of law becomes somewhat meaningless when it is viewed through a cloud of gas.

Are we to say here today that the men and women of Hawaii, who sit in judgment of their fellow citizens, are somehow more astute...more learned...more correct than others in our sister states throughout the union? I don't think so.

The National Council on Crime and Delinquency has said: 'One of the gravest charges against the use of the death penalty is that it makes execution of the innocent inevitable'.

Can we afford to take this chance--all under the guise of 'justice'?

Mr. President, I am proud to be a citizen of the Aloha State and proud to be a member of this Senate. I take pride in knowing that the Legislature of the State of Hawaii is rated so highly by the National Conference on State Legislature.

We have been responsible for some of the most progressive legislation in this nation, legislation which had as its foundation the protection, welfare and common good of all citizens.

Our Land Use Law was the first in the nation. We were the first state to ratify the Twenty-Seventh Amendment to the Constitution of the United States, the so-called 'Equal Rights for Women Amendment'. We have led the way in social legislation, labor/management relations, and many, many other areas of mutual concern. And the author of this bill, ironically, was a strong proponent of many of our progressive legislation. Mr. President, why then this bill?'

In 1957, there were only six states in the union which had abolished the death penalty. The Territory of Hawaii, that year, two years before statehood, joined them. It was a momentous decision, arrived at through careful study. What, may I ask, has happened in the twenty years since that day, to make the legalized killing of our citizens a topic for serious consideration?

It seems, Mr. President, that hysteria has gripped the land.

Many people have been brainwashed and confused into thinking that the death penalty will reduce murders, rapes, robbery, beatings, dishonesty, cheating, the malicious destruction of property and a whole host of criminal activities. They have somehow equated the death penalty with the elimination of all crimes. Statistics and facts show otherwise. States that have capital punishment have not experienced a reduction in murders and rapes and other violent and brutal crimes. Capital punishment is not the answer.

In the waves of confusion and hysteria and vengeance, the proponents of Senate Bill No. 184 are mooring our hopes in the wrong setting.

The proper setting, the possible answer may be in the Correctional Master Plan. A new system with dual purposes of corrections: Protecting the public while providing offenders with the opportunities to become law abiding and productive citizens. We are deeply into the process of implementing this Plan. We have committed ourselves by allocating \$25 million and already new structures are rising in place of the old.

Our present laws, which provide for life imprisonment without possibility of parole in the murder of a police officer in the performance of his duties, the murder of a witness in a murder prosecution, in the case of a murder by a hired killer, and the murder of a person by a convict, are adequate.

Mr. President, we have every hope

that Hawaii will again be at the forefront of the nation in the area of corrections. We should not, Mr. President, sacrifice innocence and compassion on the altar of vengeance and hysteria until we have given the future a chance to catch up with us.

One of the most unforgettable moments in all of our lives was the day that Neil Armstrong's voice came back to us from the moon: 'One small step for man...one giant step for mankind'.

The passage of Senate Bill No. 184 will insure that Hawaii, also, will take a giant step. Only this time it will be backward.

Thank you, Mr. President."

Senator O'Connor then rose to speak in favor of the measure:

"Mr. President,

I rise as Chairman of the Committee of the Whole to explain some modifications which have been made to the bill which is presented today, and to speak in favor of the bill as modified.

The bill as proposed has been reworked, so that two crimes are set forth--capital murder and non-capital murder. This has been done to conform the bill, as originally drafted, to the form of our Penal Code.

Incident to those two crimes, the drafter's concept that a separate hearing by jury or judge shall be held to determine sentencing, and that a death sentence shall automatically be appealed to the Hawaii Supreme Court, have been retained.

All of the safeguards of the original bill have been retained, so that insofar as is humanly possible, the review of the death penalty shall be as complete and thorough as our system allows to prevent any injustice being done.

In essence, however, the bill conforms to the intent and format of the original measure.

I urge all to vote in favor of it."

Senator Nishimura rose on a point of information to inquire if the Chairman of the Committee of the Whole would yield to a question, to which Senator O'Connor answered in the affirmative.

Senator Nishimura then asked, "Is there an appropriation in the bill to construct a facility to house a gas chamber?"

Senator O'Connor answered, "There is no information before the Committee of the Whole that a new facility would need to be constructed for this purpose".

Senator Nishimura continued, "There was testimony to the effect that there might be a cost...as much as \$2 million to \$4 million to construct such a facility. Was that testimony taken into consideration?"

Senator O'Connor replied, "Yes, that testimony was taken into consideration. However, it was a sheer guess on the part of the person testifying. There was no testimony concerning the type of construction required...whether or not it could be done in a room presently existing. There was some attempt to compare the intent of this bill with the 'highfangled' construction they have in California."

Senator Nishimura continued, "Then, Mr. Chairman, is it my understanding that the \$25 million now allocated for the Correctional Master Plan for the construction of new prison facilities is adequate, and there are plans for the construction of a gas chamber?"

Senator O'Connor answered, "I cannot answer...no testimony was taken by the Committee along those lines".

Senator Nishimura then stated as follows:

"Mr. President, as Chairman of the Judiciary Committee, I have heard quite a bit of testimony concerning the Correctional Master Plan and the implementation thereof.

It is my understanding that there is no appropriation, no plan, no money for the construction of a facility to house a gas chamber."

Senator O'Connor then rose to state, "Speaking very briefly to that point, Mr. President. I feel that had the Department of Social Services and Health planned for a gas chamber before this bill was passed, it would have been highly presumptuous on their part".

At 1:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:37 o'clock p.m.

Senator King moved that action on S.B. No. 184, S.D. 1, be deferred to the end of the evening session calendar, seconded by Senator Chong.

The President then ruled the motion undebatable.

The motion to defer action on S.B. No. 184, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES", to the end of the evening session calendar was put by the Chair and failed to carry on a voice vote.

At this time, Senator King rose to state that she intended to speak in opposition to Senate Bill No. 184, S.D. 1, and, also, that she intended to keep the floor. She then proceeded to read from the following:

- (1) The Crime of Punishment by Karl Menninger, M.D., The Viking Press, 1966;
- (2) Thinking About Crime by James Q. Wilson, Basic Books, Inc., 1975;
- (3) "Speech by Portia Speaking of Shylock", Merchant of Venice by William Shakespeare.
- (4) "Psychiatric Reflections on the Death Penalty" by Louis Jolyon West, M.D., Department of Psychiatry, University of California School of Medicine, Los Angeles, presented at the 1974 Annual Meeting of the American Orthopsychiatric Association in San Francisco (revised); and
- (5) A list of thirty-five states which have, or have reinstated, the death penalty, submitted by the Honorable Duke T. Kawasaki.

Senator King then stated, "I will now yield the floor to Senator Chong".

Senator Ching rose on a point of order, stating that it was not permissible for the former speaker to yield the floor.

The President then ruled that Senator King had lost the floor.

Senator Ching moved that the previous question be moved, seconded by Senator Toyofuku.

The President then ruled the motion undebatable.

At 5:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:57 o'clock p.m.

The motion was put by the Chair and carried, and, Roll Call having been requested, the previous question was moved 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, 18. Noes, 7 (Chong, George, King, Leopold, Nishimura, R. Wong and Young).

The motion to pass S.B. No. 184, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES", on Third Reading, having been read throughout, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Chong, George, Hara, King, Leopold, Nishimura, Ushijima, F. Wong, R. Wong, Yamasaki and Young).

At 6:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:02 o'clock p.m.

At 6:02 o'clock p.m., the Senate stood in recess until 7:30 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 7:42 o'clock p.m. with all Senators present, with the exception of Senators Hulten and Kawasaki who were excused.

ORDER OF THE DAY

THIRD READING

Standing Committee Report No. 516 (S.B. No 380, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 516 was adopted and S.B. No. 380, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT FOR SEWER WORKERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Standing Committee Report No. 517 (S.B. No. 22, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 517 was adopted and S.B. No. 22, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE EMPLOYMENT PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Hulten and Kawasaki).

Standing Committee Report No. 518
(S.B. No. 1348, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 518 was adopted and S.B. No. 1348, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Standing Committee Report No. 519
(S.B. No. 1308, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 519 was adopted and S.B. No. 1308, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Standing Committee Report No. 520
(S.B. No. 735):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 520 was adopted and S.B. No. 735, 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, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Standing Committee Report No. 521
(S.B. No. 47, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 521 was adopted and S.B. No. 47, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE POSTSECONDARY EDUCATION COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Senate Bill No. 530:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 530, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR TAX MAP TRACINGS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Senate Bill No. 1297:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 1297, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Senate Bill No. 496, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 496, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Standing Committee Report No. 525 (S.B. No. 330, S.D. 2):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 525 was adopted and S.B. No. 330, 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, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Senate Bill No. 460, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATORY BOARDS AND COMMISSIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noe, none. Excused, 2 (Hulten and Kawasaki).

Standing Committee Report No. 527
(S.B. No. 120):

On motion by Senator Nishimura, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 527 was adopted and S.B. No. 120, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Standing Committee Report No. 528
(S.B. No. 475, S.D. 2):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 528 was adopted and S.B. No. 475, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Standing Committee Report No. 529
(S.B. No. 804, S.D. 2):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 529 was adopted and S.B. No. 804, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AUTOMOBILE NO-FAULT INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Senate Bill No. 731, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 731, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Standing Committee Report No. 531
(S.B. No. 991, S.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 531 was adopted and S.B. No. 991, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONNEL OF THE JUDICIAL

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

Ayes, 20. Noes, 3 (Henderson, Soares and R. Wong). Excused, 2 (Hulten and Kawasaki).

Senate Bill No. 1408, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1408, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND MORALS, OFFENSES RELATED TO OBSCENITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Senate Bill No. 1281, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1281, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS-INDUSTRIAL DEMOCRATIZATION PLAN AND EXEMPTIONS FOR THOSE CORPORATIONS WHICH ADOPT IT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Henderson and Yee). Excused, 2 (Hulten and Kawasaki).

Senate Bill No. 1367:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1367, entitled: "A BILL FOR AN ACT RELATING TO NAMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2, (Hulten and Kawasaki).

Senate Bill No. 1370:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1370, entitled: "A BILL FOR AN ACT RELATING TO DIVORCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

Senate Bill No. 1371:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1371, entitled: "A BILL FOR AN ACT RELATING TO

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

Ayes, 23. Noes, none. Excused, 2 (Hulten and Kawasaki).

At this time, the President directed the Clerk to note the presence of Senator Kawasaki.

Standing Committee Report No. 537 (S.B. No. 855, S.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 537 was adopted and S.B. No. 855, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1059, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1059, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AND HEALTH CARE PROVIDERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 331:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 331, entitled: "A BILL FOR AN ACT RELATING TO OBSCENITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1074, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1074, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 541 (S.B. No. 1351, S.D. 2):

On motion by Senator Nishimura,

seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 541 was adopted and S.B. No. 1351, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 542 (S.B. No. 1355, S.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 542 was adopted and S.B. No. 1355, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 543 (S.B. No. 1120):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 543 was adopted and S.B. No. 1120, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 454:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 454, entitled: "A BILL FOR AN ACT RELATING TO BANKING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 355, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 355, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISQUALIFICATION FROM NOMINATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Anderson, Chong, George, Henderson, King, Kuroda, Saiki, Ushijima and Yee). Excused,

1 (Hulten).

At this time, the President directed the Clerk to note the presence of Senator Hulten.

Senate Bill No. 518:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 518, entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1368, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1368, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN LENDERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 869:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 869, entitled: "A BILL FOR AN ACT RELATING TO BANKING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 549 (S.B. No. 321):

Senator O'Connor moved that Stand. Com. Rep. No. 549 be adopted and S.B. No. 321, having been read throughout, pass Third Reading, seconded by Senator Ching.

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

"Mr. President, this bill would provide that in the case of public works projects, if someone brings a lawsuit which delays the project, and they lose, they would have to pay the State all of the construction and other costs which resulted from the delay.

What this means is that if anyone is stupid enough to sue the State for putting TH-3 through Halawa Valley and they lose, the State takes their house, their car, their life savings and any other piece of property they may own.

This is an incredibly vicious attitude for the State to take towards those who would dare to interfere with the State's CIP projects.

Worse than that, this bill could be unconstitutional. The terrible cost involved would chill people from bringing deserved suits, as well as screen out the frivolous ones. It is irrational under the due process clause, it places an impermissible burden upon one's right to his day in court, it discriminates against all but millionaires.

If the State tried to apply this statute to a lawsuit brought under a Federal law, such as the National Environmental Policy Act that TH-3/Moanalua Valley was stopped under, the courts would knock it out pretty quick. Under the supremacy clause, the State simply has no right to burden a citizen's Federal statutory rights in this manner.

I am shocked by this bill, and urge my fellow Senators to vote No."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 549 was adopted and S.B. No. 321, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MONEY AND PUBLIC CONTRACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Chong, George, King and Nishimura).

Standing Committee Report No. 550 (S.B. No. 761, S.D. 2):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 550 was adopted and S.B. No. 761, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SERIAL NUMBERS AND IDENTIFICATION MARKS ON MERCHANDISE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 551 (S.B. No. 244, S.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 551 was adopted and S.B. No. 244, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER PROTECTIVE DEVICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 552
(S.B. No. 86, S.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 552 was adopted and S.B. No. 86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (George, Henderson, Leopold, O'Connor, Saiki, Soares and Yee).

Senate Bill No. 1203, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1203, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACQUISITION OF VOTING STOCK BY FOREIGN INVESTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hara).

Senate Bill No. 533, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Ching and carried, S.B. No. 533, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR-DRIVEN BICYCLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Soares).

Senate Bill No. 517, S.D. 2:

On motion by Senator F. Wong, seconded by Senator Hara and carried, S.B. No. 517, S.D. 2, 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, 25. Noes, none.

Senate Bill No. 560:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 560, entitled: "A BILL FOR AN ACT RELATING TO TELEVISED CRIME", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Senate Bill No. 867, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 867, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1443, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1443, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE 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.

Senate Bill No. 799:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 799, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1460, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF PROPERTY AND CHOSES IN ACTION", 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

Senate Bill No. 1279, S.D. 1:

On motion by Senator King, seconded by Senator Hulten and carried, S.B. No. 1279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (O'Connor).

Senate Bill No. 140, S.D. 1:

By unanimous consent, action on S.B. No. 140, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 401 (S.B. No. 1302):

Senator Toyofuku moved that Stand. Com. Rep. No. 401 and S.B. No. 1302, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE FOR THE COUNTIES OF HAWAII, MAUI, AND KAUAI", be recommitted to the Committee on Human Resources, and the President, noting that there was no objection, so ordered.

Senate Bill No. 221, S.D. 1:

On motion by Senator Young, seconded by Senator Toyofuku and carried, S.B. No. 221, 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.

Senate Bill No. 1194, S.D. 1:

On motion by Senator F. Wong, seconded by Senator Hara and carried, S.B. No. 1194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 320:

Senator Nishimura moved that S.B. No. 320, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

At this time, Senator Chong rose to speak in opposition to the measure as follows:

"Mr. President,

This bill provides a new statute of limitations for environmental lawsuits. Statutes of limitation, of course, are necessary to ensure that the courts don't get bogged down with cases that go on forever and forever. They should be clearly written, however, so that the people bringing the lawsuits will know when their deadlines are.

Senate Bill No. 320 is very confusing. The time period begins to run after the appropriate government official gives the final approval, which is

required by the environmental law. I suppose that makes sense if there is a 'final approval'. What happens if the officials, agencies, developers, and everyone else decide that the project in question isn't subject to the environmental laws at all, and so, no final approval is needed? If I disagree, when do I bring the lawsuit? Chapter 343, the Environmental Impact Statement Law, says 180 days after the agency decides to start the project. Is that still good?

Senate Bill No. 320 gives us one statute of limitations for 'procedural' violations and another statute of limitations for 'substantive' violations. What are procedural and substantive violations?

Suppose a developer decides that his project isn't subject to the environmental laws, and does nothing. Is that failure to comply with the procedures of the environmental laws, or failure to prepare substantive environmental impact statements?

There are at least nine environmental lawsuits presently hung up in the Supreme Court on one technical point or another. Each case requires a couple hundred pages worth of briefs, and hundreds of hours of work for the attorneys, judges and law clerks--just to decide some picayune minor issue. The Supreme Court has never decided any environmental case on its merits because it has had to fight its way through all sorts of technicalities.

Why add to the mess? Why not just provide the same statute of limitations for procedural and substantive violations?

Senate Bill No. 320 doesn't list the laws it applies to--it just says 'environmental laws'. Once again, we are throwing the question to the courts to waste more time on, deciding whether building permits, fishing regulations, and so on, are environmental laws.

What is so hard about listing the laws that the bill applies to?

The worse part of this bill is Section B, which says that some not-rich citizens' group only has ninety days, but a rich person can have all the time he likes to bring a lawsuit, so long as he can convince the judge he had good reasons not to sue earlier. Why have one law for the rich and another law for the poor?

And why leave the statute of limitations open-ended for people who can put up one-fourth the cost of construction? That can lead to the environmental laws being used mainly by big companies trying to derail each other's projects, by bringing environmental lawsuits,

a few years down the line, for the cost of a one quarter construction bond. That is surely not what the law was intended to do.

I urge my colleagues to vote against this bill."

The motion was put by the Chair and carried, and S.B. No. 320, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Chong and King).

Senate Bill No. 338, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 338, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXTRADITION OF JUVENILE FUGITIVES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 677:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 677, 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.

Senate Bill No. 1446:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1446, entitled: "A BILL FOR AN ACT RELATING TO ADVISORY ORGANIZATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 424 (S.B. No. 1369, S.D. 2):

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 424 was adopted and S.B. No. 1369, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 112:

By unanimous consent, action on S.B. No. 112 was deferred to the end of the calendar.

Senate Bill No. 631, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAPSING OF PRIOR APPROPRIATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (King and Young).

Standing Committee Report No. 440 (S.B. No. 107):

Senator R. Wong moved that Stand. Com. Rep. No. 440 and S.B. No. 107, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", be recommitted to the Committee on Ways and Means, and the President, noting that there was no objection, so ordered.

Standing Committee Report No. 442 (S.B. No. 747):

Senator R. Wong moved that Stand. Com. Rep. No. 442 be adopted and S.B. No. 747, 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 at a loss as to how to vote on this bill, particularly since I could not get a satisfactory answer as to the reason for the seemingly grammatical change in the statutes, from the term 'Farm Loans' to 'Agricultural Loans'.

Are we trying to qualify certain projects that do not presently qualify under the 'Farm Loans' category?

I would like a clarification on that point."

By unanimous consent, action on Stand. Com. Rep. No. 442 and S.B. No. 747 was deferred to the end of the calendar.

Standing Committee Report No. 447 (S.B. No. 62, S.D. 3):

Senator R. Wong moved that Stand. Com. Rep. No. 447 be adopted and S.B. No. 62, S.D. 3, having been read throughout,

pass Third Reading, seconded by Senator Yamasaki.

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

"Mr. President, the purpose of this bill is to provide major tax incentives for the construction of new hotels, resorts, commercial and industrial buildings. It is true, it does grant major tax incentives...but it bothers me that at a time when the State is in dire need of revenues and the University system is bleeding, we pick on one particular segment of our economy and give them this kind of a tax boost.

The bill is actually addressed to the tourist industry and the construction industry.

We do need construction...earlier I voted for a bill that would give substantial tax breaks to the renovation of existing hotels...but to give this kind of tax break to resorts, at a time when we don't know what our tourism plan is going to be, seems to me precipitous.

The bill also provides that the resort hotels shall be exempt from county development plan designations, county zoning regulations, environmental assessments, impact statement requirements and coastal zone management requirements.

Mr. President, I urge a No vote on this bill."

Senator Kawasaki also rose to speak against the measure:

"Mr. President, literally, the former speaker took the words out of my mouth.

I don't know that the hotel industry is having such a hard time that they need to have special tax exemptions.

What bothers me more than that is, we are providing these exemptions and benefits to commercial and industrial areas. I just wonder whether or not we are opening up a Pandora's box...businessmen from other categories may come to us and demand similar concessions.

I agree with the previous speaker--some of her concerns are perfectly legitimate. I, also, urge my colleagues to vote No on this bill."

Senator O'Connor then rose to speak as follows:

"Mr. President, I am voting Aye on this bill. I feel that the economic situation of the State today merits wide experimentation in the economic area.

However, I, too, am very concerned about this particular endeavor. My reservations extend from watching the Orchid Isle Hotel in Hilo, which was indelibly linked with our Retirement System, flounder back and forth--to the lack of benefit to the Retirement System. We are now bidding in the entire State treasury, the same situation the Retirement System was in.

I hope against hope that this economic 'shot in the arm' will work, and not be the detriment of our overall economy."

Senator Kawasaki rose on a point of information to inquire if the introducer of the measure would yield to a question, to which Senator F. Wong answered in the affirmative.

Senator Kawasaki then asked, "I understand that as condominium complexes are built, the apartments themselves would not enjoy these benefits. However, would commercial areas that are part of a condominium complex enjoy the tax exemption?"

Senator F. Wong answered, "If a condominium complex contains a commercial condominium, it does not qualify...the condominium at Discovery Bay is an example".

Senator R. Wong then rose to speak in favor of the measure:

"Mr. President, it must be said at this point that the measures that we have before us tonight are probably the most innovative type of suggestions being made to alleviate the problem of jobs and, also, the question of development and red tape in government.

As you know, Mr. President, during the interim, under your direction, we did have hearings based on the red tape in government.

I think Senate Bill No. 62 addresses itself to the problem. Hopefully, we won't have to come back next year and make drastic amendments.

I believe that the Chairman of your Committee on Economic Development should be congratulated for coming out with a most imaginative and innovative program to attract investment capital to the State of Hawaii and, secondly, to create the necessary jobs for our often maligned construction industry.

Therefore, Mr. President, I urge the members of this Body to vote in favor of this measure."

The motion was put by the Chair and carried, and Stand. Com. Rep. No.

447 was adopted and S.B. No. 62, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 448 (S.B. No. 491, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 448 and S.B. No. 491, S.D. 3, was deferred to the end of the calendar.

Standing Committee Report No. 449 (S.B. No. 779, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 449 was adopted and S.B. No. 779, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 451 (S.B. No. 350, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 451 was adopted and S.B. No. 350, S.D. 2, entitled: "A BILL FOR AN ACT FOR MANDATORY CERTIFICATION OF OPERATING PERSONNEL IN WASTEWATER TREATMENT FACILITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 453 (S.B. No. 1342):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 453 was adopted and S.B. No. 1342, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS FOR ANTI-POLLUTION PROJECTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 454 (S.B. No. 156, S.D. 2):

Senator R. Wong moved that Stand.

Com. Rep. No. 454 and S.B. No. 156, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", be recommitted to the Committee on Ways and Means, and the President, noting that there was no objection, so ordered.

Standing Committee Report No. 457 (S.B. No. 223, S.D. 1):

Senator R. Wong moved that Stand. Com. Rep. No. 457 and S.B. No. 223, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", be recommitted to the Committee on Ways and Means, and the President, noting that there was no objection, so ordered.

Senate Bill No. 148, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.B. No. 148, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hulten).

Standing Committee Report No. 480 (S.B. No. 733):

Senator F. Wong moved that Stand. Com. Rep. No. 480 be adopted and S.B. No. 733, having been read throughout, pass Third Reading, seconded by Senator Hara.

At this time, Senator Kawasaki rose to speak against the measure:

"Mr. President, I am a little concerned about the powers this bill allows a county administration.

If a county administrator were opposed to a particular developer, or a particular subdivision in a particular area, he could use his powers, under this bill, to prohibit the development.

I am of the opinion that this bill gives the county administrations too much power, and I urge its defeat."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 480 was adopted and S.B. No. 733, entitled: "A BILL FOR AN ACT AMENDING SECTION 46-4 OF THE HAWAII REVISED STATUTES, RELATING TO COUNTY ZONING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senate Bill No. 133:

On motion by Senator Toyofuku, seconded

by Senator Young and carried, S.B. No. 133, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 594:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 594, entitled: "A BILL FOR AN ACT RELATING TO ACCIDENTAL INJURY LEAVE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 377, S.D. 1:

Senator Toyofuku moved that S.B. No. 377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", be recommitted to the Committee on Human Resources, and the President, noting that there was no objection, so ordered.

Senate Bill No. 752, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 752, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 856, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 856, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A 75TH ANNIVERSARY COMMISSION ON FILIPINOS COMING TO HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1155, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 1155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WORKERS' COMPENSATION LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 488 (S.B. No. 1472, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 488 and S.B. No. 1472, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1364:

On motion by Senator O'Connor, seconded by Senator Ching and carried, S.B. No. 1364, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS, MOTOR CARRIER VEHICLES, AND MOTOR VEHICLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 490 (S.B. No. 795):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 490 was adopted and S.B. No. 795, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS AND SALARY ADJUSTMENTS FOR EMPLOYEES EXCLUDED FROM CERTAIN BARGAINING UNITS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 491 (S.B. No. 572, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 491 and S.B. No. 572, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 492 (S.B. No. 391, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 492 was adopted and S.B. No. 391, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND ECONOMIC DEVELOPMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 493 (S.B. No. 1407, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 493 was adopted and S.B. No. 1407, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS",

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

Ayes, 21. Noes, 4 (Ching, Kuroda, F. Wong and Young).

Standing Committee Report No. 494 (S.B. No. 1464, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 494 and S.B. No. 1464, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 577, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 577, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE CONTROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 496 (S.B. No. 348):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 496 was adopted and S.B. No. 348, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE SAFETY RESPONSIBILITY ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 497 (S.B. No. 854, S.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 497 was adopted and S.B. No. 854, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 498 (S.B. No. 1280):

Senator Nishimura moved that Stand. Com. Rep. No. 498 be adopted and S.B. No. 1280, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

At this time, Senator Saiki rose to speak against the measure:

"Mr. President, this measure as written could cast a cloud of doubt as to whether a physician can give an emergency blood transfusion or perform emergency surgery without the specific consent of the next of kin or legal guardian when the patient himself is unable to speak.

As long as no specific language is included, the physician's traditional action of giving immediate medical care may be questioned if he did not seek the court's permission to act.

I know the introducer's intent, and I think the intent is commendable. However, as legislators very often disagree, I have found that attorneys also very often disagree. I have received contradictory legal opinions as to what this measure really does.

I am not willing to take the risk that any person brought into a hospital unconscious, whose next of kin cannot be contacted, may have his life jeopardized because of unclear language in the law.

I must ask you, my fellow colleagues, to vote this measure down."

Senator O'Connor then rose to speak in favor of the measure:

"Mr. President, the key words in this bill are 'the court shall have jurisdiction'. This is purely a jurisdictional action which allows the court to render orders.

As there is no such section in our statutory law today, certain judges have been 'scared' to enter orders for people, such as the Jehovah's Witnesses, who refuse blood transfusions and then are rendered unconscious. In such a circumstance, the doctor proceeds at his own peril in giving the transfusion.

I have been a party to taking a circuit court judge to the operating room of one of our local hospitals to convene court there, so that he could render an order to allow the doctor to give such a transfusion...only to have the judge, afterwards, ask me what his statutory authority was. Of course, there is none today.

I can see where a doctor would not understand the words 'shall have jurisdiction', and have some difficulty in understanding what exactly this means in terms of the law.

I urge all to vote for this bill."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 498 was adopted and S.B. No. 1280, entitled: "A BILL FOR AN ACT RELATING

TO EMERGENCY PROCEDURES AND OPERATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Anderson, George, Henderson, Leopold, Saiki, Soares, Takitani, F. Wong and Yee).

At 8:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:24 o'clock p.m.

Standing Committee Report No. 499 (S.B. No. 1489, S.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 499 was adopted and S.B. No. 1489, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTERING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 243:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 243, entitled: "A BILL FOR AN ACT RELATING TO BASIC RULE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 346, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1047, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1047, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1304, S.D. 1:

On motion by Senator Nishimura,

seconded by Senator O'Connor and carried, S.B. No. 1304, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST RATES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1312:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1312, 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, 24. Noes, 1 (Leopold).

Senate Bill No. 1452, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1452, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEBTOR EXEMPTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 347, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 347, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1345:

By unanimous consent, action on S.B. No. 1345 was deferred to the end of the calendar.

Standing Committee Report No. 510 (S.B. No. 119):

Senator Chong moved that Stand. Com. Rep. No. 510 and S.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SURVEILLANCE", be recommitted to the Committee on Judiciary, and the President, noting that there was no objection, so ordered.

Standing Committee Report No. 511 (S.B. No. 271, S.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 511 was adopted and S.B. No. 271, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPY", having been read throughout, passed Third

Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 512 (S.B. No. 324):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 512 was adopted and S.B. No. 324, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 8:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:31 o'clock p.m.

Standing Committee Report No. 513 (S.B. No. 1202):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 513 was adopted and S.B. No. 1202, entitled: "A BILL FOR AN ACT RELATING TO THE CONSERVATION, MANAGEMENT AND PROTECTION OF ENDANGERED OR THREATENED SPECIES OF WILDLIFE OR PLANTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hara).

Standing Committee Report No. 514 (S.B. No. 1251, S.D. 1):

Senator Nishimura moved that Stand. Com. Rep. No. 514 be adopted and S.B. No. 1251, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

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

"Mr. President,

The bill seeks to carve out yet another exception to the public meetings doctrine of the Sunshine Law, by allowing an agency to close its deliberations to the public in case it is investigating a unit of the State or county governments and taking testimony which may possibly affect the 'safety of civil rights of individuals'.

Recently, governmental agencies have been conducting investigations into controversial matters and, understand-

ably, some individuals may have been concerned about the effect their testimony might have on their careers or business dealings.

But this exception is so broad that, coupled with the subpoena powers that many governmental agencies already have, Senate Bill No. 1251 will have the effect of investing numerous civil investigative agencies with the awesome powers of a criminal grand jury, and with none of the safeguards applicable to the criminal process.

The infamous 'Star Chamber' of medieval England, the secretive and inquisitorial investigative body of the Court of Equity, has long been discredited as an institution of Anglo-American government. In the case of investigations into serious felonies--crimes against the state and people--perhaps such secrecy is justified.

But shall we empower agencies, uncontrolled by any judicial or court structural restraint, who are already capable of conducting 'fishing expeditions', the right to conduct such investigations out of the sight and scrutiny of the public and the media, whenever the issues which investigate become controversial?

A person has a right to confront his accusers. A person has the right to the safeguards imposed upon his accusers by our judicial system. And, more importantly, the public has a right to know and view the workings of a democratic government. It has the right to be free from secret investigating bodies which Senate Bill No. 1251 would make possible.

I urge this Honorable Body to vote down this bill."

Senator George also rose to speak against the measure:

"Mr. President, quite apart from the concerns of my distinguished colleague who preceded me, this is a further erosion of the Sunshine principals, to which we are all dedicated.

It is, quite specifically, an amendment of the Charter of the City and County of Honolulu, which specifies two occasions under which the members of the City Council can retreat into privacy--one is to consult with their attorneys and the other is to discuss matters of personnel. They cannot, according to their Charter, close the doors to the public under any other circumstances.

I urge my colleagues in this Body to refrain from tampering with the Charter of the City and County of Honolulu, which was adopted by an overwhelming majority vote of the citizens of this County."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 514 was adopted and S.B. No. 1251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Anderson, Chong, George, Henderson, King, Kuroda, Leopold, Saiki, Soares, R. Wong and Young).

Standing Committee Report No. 515 (S.B. No. 1479):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 515 was adopted and S.B. No. 1479, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIR INDUSTRY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 8:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:40 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Senate Bill No. 140, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 140, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 112:

Senator R. Wong moved that S.B. No. 112, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

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

"Mr. President, it seems to me that this is a very worrisome thing to do.

This allows the Retirement System of the State to invest in insurance company contracts. Very frequently, insurance companies loan their money out to hotels--and we know what a

risky business that is. Awhile back, the Retirement System funds seemed to be in dire straits because of the activities of the stock market.

I am not sure that it's a good idea to take Retirement System money, upon which so many people are depending, and allow it to be invested in insurance company contracts."

The motion was put by the Chair and carried, and S.B. No. 112, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF RETIREMENT SYSTEM FUNDS IN INSURANCE COMPANY CONTRACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (King and O'Connor).

Standing Committee Report No. 442 (S.B. No. 747):

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

"Mr. President, no one has yet been able to give me an explanation for the reason for this change of language. I'm just afraid that perhaps, under the appellation 'Agricultural Loans', we might pass on, in the future, projects similar to the Kohala Task Force, without actually realizing it.

Until someone from the Department of Agriculture can very clearly give us some rationale for this change, I am compelled to vote No."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 442 was adopted and S.B. No. 747, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS AND AMENDING CHAPTER 155, HAWAII REVISED STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 448 (S.B. No. 491, S.D. 3):

Senator R. Wong moved that Stand. Com. Rep. No. 448 be adopted and S.B. No. 491, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

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

"Mr. President, I would like to express my concern. What the bill does is empower the Department of Planning and Economic Development to provide mortgage insurance for part of the mortgage loans in financing

the construction of new hotels.

This would mean, Mr. President, that, at any given moment, the State would not really know what kind of a financial position it was in. If several of the hotels, for which DPED guaranteed part of the mortgage insurance, failed, we would find ourselves in difficulty.

I also find myself a bit bothered by the thrust of this. The Committee report again cites the fact that the visitor industry, which this bill is directed to stimulate, is the largest generator of civilian jobs. This may be true, but Ways and Means heard testimony by Mr. Gordon Frazier, Chief of the Research and Statistics Office of the Department of Labor, who pointed out that jobs in the hotel industry do not grow proportionately with the growth of visitors or with the growth of rooms.

In 1973 to 1974, when the daily census of visitors increased 7% and the number of hotel rooms increased 2.5%, hotel employment increased only 1.3%. The following year, visitors went up 4.3% and rooms 7.6%, but hotel employment was minus 1%."

Senator Nishimura then rose to speak as follows:

"Mr. President, I rise to speak more in protest than in opposition to this bill.

This bill means that the Department of Planning and Economic Development will provide mortgage insurance to developers to assist them in the financing of new hotels, commercial and industrial buildings. That's all good and fine.

But as many of you know, earlier this Session, I tried to help THC Financial Corporation depositors by introducing Senate Bill No. 176, which attempted to get them into the Thrift Guarantee Loan program. That failed. In trying to assist them further, I had a bill drafted which would provide them with loans guaranteed by the State. The Committee report, which was circulated, stated:

"This bill provides that the Director of Regulatory Agencies may guarantee the principal of any loan made by any private lending institution to any eligible borrower, in an amount not greater than fifty percent of the amount estimated by the courts to be paid by the eligible borrower. If the amount has not been fixed by the court, the Director of Regulatory Agencies shall determine such amount, taking into consideration all information on file

with the court."

In other words, Mr. President, what I had attempted to do was to provide that the State would guarantee up to fifty percent of the amounts THC depositors had 'stuck' in the bankruptcy court. I saw little risk as far as the State was concerned, and was very disappointed that I could not get the necessary support to help the THC depositors.

It's one thing to help developers... I think it's good that we help those who are in need of capital support... but, by the same token, I think it's incumbent on us not to forget the plight of human beings."

Senator Kawasaki rose to speak against the measure:

"Mr. President, the two previous speakers did echo my sentiments, but, more importantly, I feel that the Department of Planning and Economic Development has no business getting involved in guaranteeing mortgage insurance.

They've got enough to do in trying to expand our economic base, and I think this is a little beyond their scope of activity. We shouldn't tolerate that.

For that reason, I am going to vote against this bill."

Senator O'Connor also rose to speak against the measure:

"Mr. President, the basic concept is one that I oppose. In the event of default of one of these mortgages, the State has no priority, it has an obligation. And yet we find, in reading the bill carefully, that there isn't even an absolute requirement that the mortgage lender or the defaulted borrower notify the State, so that the State can protect itself if there is a default and a foreclosure sale.

Under those circumstances, the State would have absolutely no ability to protect itself, but would still stand liable to pay twenty percent.

I find that awfully tough to accept, and therefore I am going to vote against the bill."

Senator Chong also rose to speak against the measure:

"Mr. President, I just don't like it. Here we are being told that we are in the fifth and worse year of austerity budget, under which we are being forced to cut back on our State programs--hospitals, schools, needed construction and services for our people.

Now we are being asked, under Senate Bill No. 491, to provide what amounts to a handout to one industry. If we're going to provide financial assistance to the hotel industry, let's do it by loan--not by this outright gift."

Senator R. Wong then rose to speak in favor of the measure:

"Mr. President, when you look at the economic package proposed by the Committee on Economic Development . . . which was scrutinized very carefully by your Ways and Means Committee, where we had full discussion . . . you will find that all of the bills tie into the economic straits of the economy of Hawaii.

With reference to the mortgage loan portion of the bill, I feel that it would be incumbent upon the Department of Planning and Economic Development not to just 'willy-nilly' pass out money for the sake of encouraging the growth of tourism.

I would suspect that the Director of Planning and Economic Development, before lending mortgage money to any particular resort developer, would first meet with the approval of the Governor and legislative leaders.

I have confidence in the Governor and I have confidence in the Director of Planning and Economic Development. I also have a lot of confidence in the members of this Honorable Body.

Therefore, I urge the members of this Body to vote Aye."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 448 was adopted and S.B. No. 491, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Chong, Kawasaki, King, Leopold, Nishimura and O'Connor).

Standing Committee Report No. 488 (S.B. No. 1472, S.D. 1):

On motion by Senator Toyofuku, seconded by Senator Young and carried, Stand. Com. Rep. No. 488 was adopted and S.B. No. 1472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN POSITIONS IN THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (George, Henderson, Kawasaki, Leopold, Saiki, Soares and R. Wong).

Standing Committee Report No. 491 (S.B. No. 572, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 491 was adopted and S.B. No. 572, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Soares).

Standing Committee Report No. 494 (S.B. No. 1464, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 494 was adopted and S.B. No. 1464, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1345:

Senator Nishimura moved that Senate Bill No. 1345, entitled: "A BILL FOR AN ACT RELATING TO TAXES", be recommitted to the Committee on Judiciary, and the President, noting that there was no objection, so ordered.

At this time, Senator Kawasaki rose to state, "I just want to commend the Chairman of the Judiciary Committee for his excellent judgment".

At 8:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:00 o'clock p.m.

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

"Mr. President, it has been a long day, a very tiring day, and I think feelings ran rather high. But, in spite of it all, we remained ladies and gentlemen throughout the proceedings.

I do want to commend each and every one of you for bearing up under the ordeal and getting the work done. Thank you."

ADJOURNMENT

At 9:01 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., Thursday, March 17, 1977.