

FIFTY-FIRST DAY

Friday, April 1, 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 the Reverend Baiho Nagamune of the Aiea Soto Mission after which the Roll was called showing all Senators present with the exception of Senator Leopold, who was excused.

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

Senator Kawasaki introduced to the members of the Senate thirty Kindergarten students from Punahou School, with their teachers, Mrs. Marilyn Ane and Mrs. Brinck; and parents, Mrs. Maeda, Mrs. Costello, Mrs. Love, Mrs. Naito, Mrs. Ostrem and Mrs. Miyamoto.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 330 to 332) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 330), advising the Senate that he had approved the transfer of \$7,697.87 in general funds from BUF 131 (Electronic Data Processing -- EDP) as follows: \$4,736.87 to TAX 104, Supporting Services and \$2,961.00 to AGC 901, General Administration Services; and noting that this transfer of funds is needed to cover unbudgeted third and fourth quarter personnel costs for positions which were transferred from EDP for implementation of the integrated statewide data processing system, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 331), transmitting the 1976 Annual Report of the Commission on Population and the Hawaiian Future, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 332), transmitting the proceedings of the Legislative Symposium held on March 4, 1977, by the Commission on Population and the Hawaiian Future, was referred to the Committee on Ecology, Environment and Recreation.

HOUSE COMMUNICATIONS

The following communications

from the House (Hse. Com. Nos. 452 to 454) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 452), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker, on March 31, 1977, appointed Representatives Suwa, Chairman, Peters, Caldito, Dods, Inaba, Kunimura, Larsen, Lunasco, Mina, Morioka, Takamura, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments.

In accordance therewith, the President appointed Senators R. Wong, Chairman, Yamasaki, Hara, Hulten, King, Kuroda, Nishimura, O'Connor, Toyofuku, Yim, Young, Anderson, Henderson and Soares as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 453), returning Senate Bill No. 836 which passed Third Reading in the House of Representatives on March 31, 1977, was placed on file.

A communication from the House (Hse. Com. No. 454), returning Senate Bill No. 1411, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1977, was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 141 and 142) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 141), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADMINISTRATION TO CONDUCT A STUDY AND PREPARE A REPORT ON THE USE OF A RESIDENTIAL DEVELOPMENT CONTROL SYSTEM AS A POPULATION GROWTH MANAGEMENT TOOL", was jointly offered by Senators Ushijima, Chong, Taira, Kawasaki, Yamasaki, Henderson, Takitani, F. Wong, Leopold, Soares, Yee, R. Wong, Hara, Saiki, O'Connor, Toyofuku, George, Yim, Kuroda, Anderson, Ching and King.

By unanimous consent, S.C.R. No. 141 was referred to the Committee on Housing and Hawaiian Homes.

A concurrent resolution (S.C.R.

No. 142), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO TAKE APPROPRIATE STEPS TO DEVELOP AND IMPLEMENT A SELECTIVE GROWTH PROGRAM", was jointly offered by Senators Ushijima, Taira, Kawasaki, Yamasaki, Chong, Henderson, Takitani, F. Wong, Leopold, Soares, Saiki, Hulten, O'Connor, Toyofuku, Yee, George, Yim, Kuroda, Anderson, Ching, R. Wong and King.

By unanimous consent, S.C.R. No. 142 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 400 to 403) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 400), entitled: "SENATE RESOLUTION RECOGNIZING THE OBSERVANCE OF NATIONAL SECRETARIES WEEK, APRIL 23 TO 30, 1977", was jointly offered by Senators Saiki, George, Kawasaki, Takitani, Young, Anderson, Yamasaki, Chong, Hulten, Leopold, Henderson, Kuroda, Soares, F. Wong, King, Yim, Nishimura, Taira, Toyofuku, R. Wong, Hara, Ching, O'Connor, Yee and Ushijima.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 400 was adopted.

A resolution (S.R. No. 401), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE 'BOY WITH GOLDFISH' PROJECT", was jointly offered by Senators Ushijima, Toyofuku, Nishimura, O'Connor, F. Wong, Takitani, Taira, Young, Yamasaki, Soares, Yee, Kuroda, Ching, R. Wong, Hara, Chong, Henderson, Kawasaki, Leopold, Saiki, Hulten, King, George, Yim and Anderson.

On motion by Senator Taira, seconded by Senator Henderson and carried, S.R. No. 401 was adopted.

A resolution (S.R. No. 402), entitled: "SENATE RESOLUTION REQUESTING THAT THE HAWAII ASSOCIATION OF REALTORS ADOPT A VOLUNTARY POLICY AND PROGRAM OF NOTIFYING POTENTIAL PURCHASERS OF PROPERTY WITHIN AIR INSTALLATION COMPATIBLE USE ZONES (AICUZ) OF POTENTIAL NOISE POLLUTION AND AIRCRAFT ACCIDENTS", was jointly offered by Senators Ching, Kawasaki, Leopold, Yee, O'Connor, Kuroda, George, Toyofuku, Hulten, Young and Takitani.

By unanimous consent, S.R. No. 402 was referred to the Committee

on Military and Civil Defense.

A resolution (S.R. No. 403), entitled: "SENATE RESOLUTION EXTENDING APPRECIATION TO THE UNITED STATES AIR FORCE UPON ANNOUNCEMENT OF THEIR DECISION TO KEEP PACAF IN HAWAII", was jointly offered by Senators F. Wong, Taira, Takitani, Ching, Saiki, Chong, Nishimura, Hulten, Kuroda, Henderson, Yee, King, Soares, George, Yim, Young, Anderson, R. Wong, Hara, Yamasaki, Kawasaki, Toyofuku and O'Connor.

On motion by Senator F. Wong, seconded by Senator Ching and carried, S.R. No. 403 was adopted.

SPECIAL COMMITTEE REPORT

Senator Kawasaki, for the Special Committee on Kohala Task Force, appointed to review KTF projects and the loans made by the KTF during the Interim of 1976, presented a report (Spec. Com. Rep. No. 6), with certain recommendations.

By unanimous consent, Spec. Com. Rep. No. 6 was received and placed on file.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 804), informing the Senate that Senate Concurrent Resolution Nos. 141 and 142, Senate Resolution Nos. 400 and 401, Standing Committee Report Nos. 805 to 809 and Special Committee Report No. 6 have been printed and are ready for distribution.

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

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 805), recommending that Senate Concurrent Resolution No. 93, as amended in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION TO PROMOTE THE IMPORTANCE OF HEALTH EDUCATION, POSITIVE HEALTH MAINTENANCE, AND PREVENTIVE MEDICINE IN GOVERNMENT PROGRAMS", was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand.

Com. Rep. No. 806), recommending that Senate Concurrent Resolution No. 114, as amended in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.C.R. No. 114, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT ADVISORY COMMITTEE ON NUTRITION AND PREVENTIVE HEALTH", was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 807), recommending that Senate Resolution No. 35, as amended in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.R. No. 35, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH AND ITS DEVELOPMENT OF PLANNING INFORMATION SYSTEMS", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 808), recommending that Senate Concurrent Resolution No. 19, as amended in S.D. 1, be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and carried, the report of the Committee was adopted and S.C.R. No. 19, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO TAKE ACTION TO PROTECT THE DOMESTIC SUGAR INDUSTRY", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 809), recommending that Senate Resolution No. 77, as amended in S.D. 1, be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 77, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO TAKE ACTION TO PROTECT THE DOMESTIC SUGAR INDUSTRY", was adopted.

ORDER OF THE DAY

MATTERS DEFERRED
FROM MARCH 30, 1977

House Bill No. 170:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 170, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 208:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO EXTENDING THE WORK HOURS LIMITATION OF MINORS UNDER 16 YEARS OF AGE AND AMENDING CHAPTER 390, OF THE HAWAII REVISED STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 213:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 213, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING OF WAGES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 218:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 218, entitled: "A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1221:

By unanimous consent, action on H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO MARINE CONSERVATION", was deferred until Monday, April 4, 1977.

House Bill No. 152, H.D. 1:

By unanimous consent, action on H.B. No. 152, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING", was deferred until Monday, April 4, 1977.

House Bill No. 178:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 178, entitled: "A BILL FOR AN ACT RELATING TO EXPORTS OF FLOWERS AND FOLIAGE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 177:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 177, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 511, H.D. 1:

By unanimous consent, action on H.B. No. 511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Monday, April 4, 1977.

House Bill No. 1060:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 1060, 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, none. Excused, 1 (Leopold).

House Bill No. 1247:

Senator Yee, on behalf of Senator Leopold who was absent, requested that action on H.B. No. 1247 be deferred until Monday, April 4, 1977. The President noted that this measure has been on the agenda for a few days and that it was necessary that this bill pass Third Reading at this time. Therefore, he denied the request for a one-day deferral.

Senator F. Wong moved that H.B. No. 1247, having been read throughout, pass Third Reading, seconded by Senator Hara.

Senator King then rose to speak against the measure as follows:

"Mr. President, usually when

a matter is before the courts, we defer action. We say it is before the courts and therefore we shouldn't be taking action.

The intent of this bill is actually to nullify a court decision that was entered by Judge Norito Kawakami in December of last year. At that time, it was a summary judgment for injunctive relief. The court stated very specifically in that judgment that milk prices under the Milk Control Act, Hawaii Revised Statutes, Chapter 157, must be established pursuant to orders rendered only after contested case proceedings and not pursuant to rule-making proceedings.

The language of the court is very clear. When we adjust milk prices, something of vital interest to all consumers of the State, we should do it pursuant to orders rendered only after contested case proceedings and not pursuant to rule-making proceedings. The specific intent of this bill is to say that they shall be done according to rule-making proceedings.

Mr. President, this means that the witnesses then cannot be cross-examined as to their evidences and it seems to me that in something as vital as the price of milk that affects all the consumers of this State, we should certainly protect them to this extent.

I therefore urge members of this Body to vote against this bill which will nullify the excellent judgment entered by the courts."

The motion was put by the Chair and carried and H.B. No. 1247, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Anderson, Chong, George, King and Soares). Excused, 1 (Leopold).

House Bill No. 325, H.D. 1:

By unanimous consent, action on H.B. No. 325, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION", was deferred until Monday, April 4, 1977.

Standing Committee Report No. 759 (H.B. No. 1144, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 759 and H.B. No. 1144, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until

Monday, April 4, 1977.

House Bill No. 164:

On motion by Senator Kuroda, seconded by Senator R. Wong and carried, H.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED ACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1321:

By unanimous consent, action on H.B. No. 1321, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", was deferred until Monday, April 4, 1977.

House Bill No. 215, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 215, H.D. 1, 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, 24. Noes, none. Excused, 1 (Leopold).

House Bill No. 217:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 217, 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, 24. Noes, none. Excused, 1 (Leopold).

House Bill No. 1658:

By unanimous consent, action on H.B. No. 1658, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", was deferred until Monday, April 4, 1977.

House Bill No. 1667:

By unanimous consent, action on H.B. No. 1667, entitled: "A BILL FOR AN ACT RELATING TO INJURY TO PUBLIC UTILITY PROPERTY", was deferred until Monday, April 4, 1977.

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

By unanimous consent, action on H.B. No. 374, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", was deferred until Monday, April 4, 1977.

House Bill No. 841, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 841, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF WAGES BY PAYROLL CHECK", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 829:

By unanimous consent, action on H.B. No. 829, entitled: "A BILL FOR AN ACT RELATING TO THE ENRICHMENT OF BREAD AND FLOUR", was deferred until Monday, April 4, 1977.

Standing Committee Report No. 718 (H.B. No. 1425, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 718 and H.B. No. 1425, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH, ENVIRONMENTAL PROTECTION", was deferred until Monday, April 4, 1977.

Standing Committee Report No. 724 (H.B. No. 187):

On motion by Senator Toyofuku, seconded by Senator Young and carried, Stand. Com. Rep. No. 724 was adopted and H.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 212:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 212, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF WAGES AND OTHER COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1215, H.D. 1:

By unanimous consent, action on 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", was deferred until Monday, April 4, 1977.

House Bill No. 1353:

By unanimous consent, action on H.B. No. 1353, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE FOR THE COUNTIES OF HAWAII, MAUI, AND KAUAI", was deferred until Monday, April 4, 1977.

House Bill No. 1547, H.D. 1:

By unanimous consent, action on H.B. No. 1547, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", was deferred until Monday, April 4, 1977.

Senate Concurrent Resolution No. 64, S.D. 1, H.D. 1:

On motion by Senator King, seconded by Senator Hulten and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 64, S.D. 1, and S.C.R. No. 64, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING EFFORTS TO SAVE THE WHALES", was finally adopted.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:58 o'clock p.m.

MATTERS DEFERRED FROM MARCH 31, 1977

House Bill No. 892, H.D. 1, S.D. 1:

By unanimous consent, the appointment of conferees on H.B. No. 892, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", was deferred until Monday, April 4, 1977.

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

On motion by Senator King, seconded by Senator Hulten and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 577, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President

appointed Senators King, Chairman, Chong, Nishimura and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 246, S.D. 1, H.D. 1:

On motion by Senator R. Wong, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 246, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees on the part of the Senate was deferred until Monday, April 4, 1977.

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

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1047, S.D. 1, and requested a conference on the subject matter thereof.

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

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

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1059, S.D. 1, and requested a conference on the subject matter thereof.

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

Senate Bill No. 1350, S.D. 1, H.D. 2:

On motion by Senator Toyofuku, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1350, S.D. 1, and requested a conference on the subject matter thereof.

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

Senate Bill No. 1370, H.D. 1:

Senator Nishimura stated that the amendments made by the House were technical amendments and did not change the intent and purpose of the bill.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1370, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIVORCE".

Senate Bill No. 3, S.D. 1, H.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until Monday, April 4, 1977.

Senate Bill No. 47, S.D. 2, H.D. 2:

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 47, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE POSTSECONDARY EDUCATION COMMISSION".

Senate Bill No. 74, H.D. 1:

On motion by Senator R. Wong, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 74, and requested a conference on the subject matter thereof.

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

Senate Bill No. 122, H.D. 1:

Senator Nishimura stated that the purpose of this bill is to permit marriage license agents to issue marriage licenses at State facilities. The House amendment deletes the district of Honolulu from application of this bill.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 122, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO MARRIAGE LICENSE ISSUANCE".

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

On motion by Senator Toyofuku, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 140, S.D. 1, and requested a conference on the subject matter thereof.

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

Senate Bill No. 144, H.D. 1:

Senator Nishimura stated that the purpose of this bill is to provide that insurance benefits will not be reduced when Social Security benefits to insureds are increased. The House amendment pertains only to the effective date of the bill, setting it at January 1, 1978 to allow for smoother implementation.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 144, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW".

Senate Bill No. 237, S.D. 1, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 237, S.D. 1, and requested a conference on the subject matter thereof.

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

Senate Bill No. 245, S.D. 1, H.D. 1:

Senator O'Connor stated that the purpose of this bill is to clarify a section regarding bicycle safety and the operation of bicycles and the amendment made by the House is a technical one.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 245, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDING ON ROADWAYS AND BICYCLE PATHS".

Senate Bill No. 251, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Ching and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 251, S.D. 1, and requested a conference on the subject matter thereof.

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

Senate Bill No. 416, H.D. 1:

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 416, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES OF COUNTY LEGISLATIVE BODIES".

Senate Bill No. 454, H.D. 1:

Senator Nishimura explained, "the original intent of the bill was to allow branch banks to be established at universities with more than 15,000 students. At the present time, our banks can establish branches only if they have not exceeded their quota for that particular district. The House amended the bill to provide that the branch bank establishment would apply only to the University of Hawaii, Manoa Campus, and to remove the criteria which the Director of Regulatory Agency was supposed to provide in making his bid notices. The House has indicated that there are other standards which should be taken into consideration for the banks to make their bids on."

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 454, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKING".

Senate Bill No. 475, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 475, S.D. 2, H.D. 1, was deferred to the end of the calendar.

Senate Bill No. 533, S.D. 1, H.D. 2:

On motion by Senator O'Connor, seconded by Senator Ching and carried, the Senate disagreed to the amendments made by the House

to S.B. No. 533, S.D. 1, and requested a conference on the subject matter thereof.

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

Senate Bill No. 563, S.D. 1, H.D. 2:

On motion by Senator O'Connor, seconded by Senator Ching and carried, the Senate disagreed to the amendments made by the House to S.B. No. 563, S.D. 1, and requested a conference on the subject matter thereof.

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

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

Senator Nishimura explained that the purpose of this bill is to require tax map keys to be added to deeds and other instruments of conveyances, and the amendment made by the House merely corrected a typographical error.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 731, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCES".

Senate Bill No. 761, S.D. 2, H.D. 1:

Senator Nishimura stated that the purpose of this bill is to prohibit the defacing alteration of identifying marks on merchandise. He said that the House amended the bill by deleting the words "by the owner" to allow prosecution of people accused of this particular offense to go along more smoothly.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 761, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERIAL NUMBERS AND IDENTIFICATION MARKS ON MERCHANDISE".

Senate Bill No. 799, H.D. 1:

Senator Nishimura explained that the original purpose of this bill was to increase the capital requirements

of industrial loan companies from \$100,000 to \$500,000 and the House amended the bill to lower the amount from \$500,000 to \$300,000.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 799, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES".

Senate Bill No. 804, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 804, S.D. 2, H.D. 1 was deferred to the end of the calendar.

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

By unanimous consent, action on S.B. No. 1074, S.D. 1, H.D. 1, was deferred to the end of the calendar.

At 1:15 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 1:20 o'clock p.m.

Senate Bill No. 1100, S.D. 1, H.D. 1:

On motion by Senator R. Wong, seconded by Senator F. Wong and carried, the Senate disagreed to the amendments made by the House to S.B. No. 1100, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators R. Wong, Chairman, F. Wong and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1193, S.D. 1, H.D. 1:

On motion by Senator R. Wong, seconded by Senator F. Wong and carried, the Senate disagreed to the amendments made by the House to S.B. No. 1193, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators R. Wong, Chairman, F. Wong and Anderson as Managers on the part of the Senate at such conference.

Senate Bill No. 1202, H.D. 1:

On motion by Senator Nishimura, seconded by Senator King and carried, the Senate disagreed to the amendments made by the House to S.B. No. 1202, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Nishimura, Chairman, King, Hulten, F. Wong and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1203, S.D. 1, H.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments made by the House to S.B. No. 1203, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until Monday, April 4, 1977.

At 1:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:24 o'clock p.m.

Senate Bill No. 1209, S.D. 1, H.D. 1:

On motion by Senator Yim, seconded by Senator King and carried, the Senate disagreed to the amendments made by the House to S.B. No. 1209, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yim, Chairman, Yamasaki and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1226, S.D. 2, H.D. 1:

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1226, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL PROCEDURES AFFECTING LAND USE".

Senate Bill No. 1308, S.D. 2, H.D. 1:

On motion by Senator R. Wong, seconded by Senator Nishimura and carried, the Senate disagreed to the amendments proposed by the House

to S.B. No. 1308, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators R. Wong, Chairman, Nishimura, Yim and Anderson as Managers on the part of the Senate at such conference.

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

Senator Nishimura explained that the pupose of this bill is to encourage foreign lenders to make equity investments in the State by specifically providing them with the authorization to do so without losing their foreign lenders' status. The House made some technical changes such as deleting the words "...or engage in any business or activities in this State..." which is purely grammatical and has no effect on the intent and purpose of the bill.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1368, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN LENDERS".

Senate Bill No. 1369, S.D. 2, H.D. 1:

Senator Hulten stated that when this bill left the Senate, it related to dedication of land for parks. However, the House used this bill as a vehicle to amend the statutes to take care of a problem in connection with sewer assessments on neighbor islands. They deleted the parks dedication from this bill and sent over another one which covers the parks dedication.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1369, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES".

Senate Bill No. 1371, H.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1371, and requested a conference on the subject matter thereof.

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

Senate Bill No. 1407, S.D. 2, H.D. 1:

On motion by Senator R. Wong, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1407, S.D. 2, and requested a conference on the subject matter thereof.

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

Senate Bill No. 1443, S.D. 1, H.D. 1:

Senator Nishimura explained that the original purpose of this bill was to allow the use of government bonds to back up retainage on public contracts. The House amended the bill by deleting the phrase "or the treasury bond of the United States of America", meaning that treasury bonds would not be used as back-up on retainage at the advice of the Comptroller of the State of Hawaii.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1443, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS".

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

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1452, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until Monday, April 4, 1977.

Senate Bill No. 1460, S.D. 1, H.D. 1:

Senator Nishimura noted that the House had made only technical changes to this bill which did not change the substantive provisions.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1460, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT

OF PROPERTY AND CHOSE IN ACTION".

At 1:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:33 o'clock p.m.

Senate Bill No. 1464, S.D. 2, H.D. 2:

On motion by Senator R. Wong, seconded by Senator Kuroda and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1464, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators R. Wong, Chairman, Hara, King, Kuroda, O'Connor and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1479, H.D. 1:

By unanimous consent, action on S.B. No. 1479, H.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1489, S.D. 1, H.D. 1:

Senator Nishimura explained that this bill includes the enforcement of the State's litter laws by making it illegal to litter from vehicles. The House amended the bill to provide that persons who are convicted of the offense of littering be given a number of hours of picking up litter.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1489, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTERING".

Senate Bill No. 244, S.D. 1, H.D. 1:

Senator Nishimura stated that the purpose of this bill is to exclude the requirement that motorcycle and motor scooter operators wear a safety helmet. The bill would also eliminate the requirement that a person leasing or renting a motorcycle or motor scooter be furnished a safety helmet. The language of the bill is also amended to clarify the intent that no person under 18 years of age shall travel on a motorcycle or motor scooter on any highway in the state unless he wears a safety helmet.

In accordance with Article III,

Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 244, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY EQUIPMENT FOR MOTORCYCLES AND MOTOR SCOOTERS".

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

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 462, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTS OF KALAUPAPA, MOLOKAI".

Senate Bill No. 485, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Hulten and carried, the Senate disagreed to the amendments made by the House to S.B. No. 485, S.D. 1, and requested a conference on the subject matter thereof.

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

House Bill No. 198:

By unanimous consent, action on H.B. No. 198, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER", was deferred until Monday, April 4, 1977.

House Bill No. 206, H.D. 1:

By unanimous consent, action on H.B. No. 206, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE EMERGENCY MEDICAL SERVICES PROGRAM", was deferred until Monday, April 4, 1977.

At 1:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:50 o'clock p.m.

MATTERS DEFERRED FROM EARLIER IN THE CALENDAR

Senate Bill No. 475, S.D. 2, H.D. 1:

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 475, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL

HEALTH".

Senate Bill No. 804, S.D. 2, H.D. 1:

Senator Nishimura explained that the bill refers to a loan of a motor vehicle by a garage or a repair shop. The amendments made by the House are technical ones to clarify the intent and purpose of the bill.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 804, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMOBILE NO-FAULT INSURANCE".

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

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1074, S.D. 1, and requested a conference on the subject matter thereof.

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

Senate Bill No. 1479, H.D. 1:

Senator Nishimura explained that

the bill refers to the motor vehicle repair industry and that the amendments made by the House are technical in nature. They deleted the word "direct" before "supervisor" to reflect the general nature of supervision in the apprenticeship trainee programs. The House also amended the bill by providing separate definitions for "mechanic helper" and mechanic "apprenticeship trainee". He added that no substantive amendments were made.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1479, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY".

At this time, Senator Chong introduced to the members of the Senate, Mr. Bruce E. Barnes, a third-year law student at the University of Hawaii, who was a Peace Corps Volunteer who served in Nigeria with him. Mr. Barnes is also a past President of the United Nations Association of Hawaii.

ADJOURNMENT

At 1:55 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., Monday, April 4, 1977.