

TWENTY-FOURTH DAY

Tuesday, February 26, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Dennis Moore of the Metropolitan Community Church of Hawaii, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

The following introductions were then made to the members of the Senate:

Senator Anderson introduced a group of 25 senior citizens from the Kalima Hana O Lono Club who are visiting the Legislature and Washington Place and having lunch in Conference Room 5.

Senator Toyofuku then introduced 10 senior citizens from Kauai, accompanied by Ellie Lloyd and Kealoha Takahashi.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 77 to 85) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 77), transmitting a report prepared by the Department of Health in response to H.C.R. No. 133 (H.R. No. 547), 1979, which requested a report on the feasibility of establishing a health information system, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 78), transmitting a report prepared by the Department of Hawaiian Home Lands in response to S.R. No. 50, 1979, which requested the Department of Hawaiian Home Lands to review its education and public information program, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 79), transmitting the State Conservation Lands Plan prepared by the Department of Land and Natural Resources in compliance with the requirements of The Hawaii State Plan Act, Chapter 226, Hawaii Revised Statutes, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 80), transmitting the State Law Enforcement Planning Agency's Progress and Assessment Report of the Hawaii State Correctional Master Plan, January 1980,

prepared by the State Law Enforcement Planning Agency, in compliance with Section 59 of the Appropriation Act 214, SLH 1979, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 81), transmitting a report prepared by the Research and Statistics Office of the Department of Social Services and Housing, regarding costs of operation of adult family boarding and care homes, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 82), transmitting the State Historic Preservation Functional Plan prepared by the Department of Land and Natural Resources in compliance with the requirements of The Hawaii State Plan Act, Chapter 226, Hawaii Revised Statutes, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 83), informing the Senate that on February 19, 1980, he signed the following bills into law:

S.B. No. 1946-80 as Act 2, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS"; and

S.B. No. 1947-80 as Act 3, entitled: "MAKING APPROPRIATIONS FOR ADJUSTMENTS AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES",

was placed on file.

A message from the Governor (Gov. Msg. No. 84), transmitting for consideration the State Recreation Plan prepared by the Department of Land and Natural Resources in compliance with the requirements of The Hawaii State Plan Act, Chapter 226, Hawaii Revised Statutes. The Plan is an update and revision of the 1975 State Comprehensive Outdoor Recreation Plan (SCORP) prepared in conformance with the requirements for continuous receipt of federal funds for outdoor recreation projects under the Land and Water Conservation (LWCF), Public Law 88-578, and was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 85), transmitting a report prepared by the Economic Development Division of the Department of Planning and Economic Development in compliance with S.R. No. 84 (1979), relating to State owned drydocks, was referred

to the Committee on Transportation.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 7 to 14), were read by the Clerk and were disposed of as follows:

A communication from the Department of Planning and Economic Development (Dept. Com. No. 7), transmitting the comments of the members of the State Plan Policy Council on the State Recreation Plan (October 23, 1979 draft), December 10, 1979, pursuant to Section 226-54(c), Hawaii Revised Statutes, was referred to the Committee on Ecology, Environment and Recreation.

A communication from the Department of Planning and Economic Development (Dept. Com. No. 8), transmitting the comments of the members of the State Plan Policy Council on the State Conservation Lands Plan (November 16, 1979), December 10, 1979, pursuant to Section 226-54(c), Hawaii Revised Statutes, was referred to the Committee on Economic Development.

A communication from the Department of Planning and Economic Development (Dept. Com. No. 9), transmitting the comments of the members of the State Plan Policy Council on the Historic Preservation Plan (September 17, 1979 draft), November 30, 1979, pursuant to Section 226-54, Hawaii Revised Statutes, was referred to the Committee on Ecology, Environment and Recreation.

A communication from the Department of Planning and Economic Development (Dept. Com. No. 10), transmitting the comments of the members of the State Plan Policy Council on the State Transportation Plan (December 1979 draft), December 21, 1979 and January 14, 1980, pursuant to Section 226-54(c), Hawaii Revised Statutes, was referred to the Committee on Transportation.

A communication from the Department of Planning and Economic Development (Dept. Com. No. 11), transmitting the comments of the members of the State Plan Policy Council on the State Energy Plan (December 1979 draft), December 21, 1979 and January 14, 1980, pursuant to Section 226-54(c), was referred to the Committee on Economic Development.

A communication from the Office of the Legislative Auditor (Dept. Com. No. 12), transmitting a report, entitled: "Student Loan Assistance Program Administered by the University of Hawaii - Examination of Internal Control System", Report No. 80-3, February 1980, was referred to the Committee on Higher Education.

A communication from the Office of the

Legislative Auditor (Dept. Com. No. 13), transmitting a report, entitled: "Sunset Evaluation Report - Board of Examiners for Abstract Makers and Sunset Evaluation Report - Travel Agencies", Report Nos. 80-1 and 80-2, February 1980, was referred to the Committee on Consumer Protection and Commerce.

A communication from the Office of the Legislative Auditor (Dept. Com. No. 14), transmitting a report, entitled: "Sunset Evaluation Report - Practice of Barbering, Chapter 438, Hawaii Revised Statutes and Sunset Evaluation Report - Collection Agencies, Chapter 443, Hawaii Revised Statutes", Report Nos. 80-5 and 80-4, February 1980, was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 25 and 26) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 25), returning Senate Concurrent Resolution No. 24, which was adopted by the House of Representatives on February 15, 1980, was placed on file.

A communication from the House (Hse. Com. No. 26), returning Senate Concurrent Resolution No. 25, which was adopted by the House of Representatives on February 15, 1980, was placed on file.

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 26 to 29) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 26), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A CONSERVATION LANDS FUNCTIONAL PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 26 was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 27), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A STATE

RECREATION FUNCTIONAL PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 27 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 28), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A HISTORIC PRESERVATION FUNCTIONAL PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 28 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 29), entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO RESCIND THE FEDERAL EQUAL RIGHTS AMENDMENT", was offered by Senator Kawasaki, by request.

By unanimous consent, S.C.R. No. 29 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 115 to 127) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 115), entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF ELECTRIC CARS FOR STATE VEHICLES", was offered by Senator Campbell.

By unanimous consent, S.R. No. 115 was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A resolution (S.R. No. 116), entitled: "SENATE RESOLUTION REQUESTING THE CONSIDERATION OF HAWAII AS THE PERMANENT SITE OF THE WORLD OLYMPICS", was jointly offered by Senators Chong, Carpenter, Machida, Hara, Kuroda, Toyofuku, Yim, Yamasaki, Cayetano, Ajifu, Soares, Ushijima, Campbell, Wong, Young, Carroll, Saiki, George and Mizuguchi.

By unanimous consent, S.R. No. 116 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 117), entitled: "SENATE RESOLUTION REQUESTING THE COMMITTEE ON EDUCATION TO HOLD A HEARING TO DETERMINE THE STATUS OF ACT 4, THE HAWAIIAN HOME LANDS EDUCATION PROGRAMS", was jointly offered by Senators Mizuguchi, Kuroda, Hara, Ajifu, Yee, Carpenter, Young, Cobb, Saiki, Yamasaki, Chong and Campbell.

By unanimous consent, S.R. No. 117 was referred to the Committee on Education, then to the Committee on Legislative Management.

A resolution (S.R. No. 118), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION TO STUDY THE TRANSPORTATION PROBLEMS AT LEEWARD COMMUNITY COLLEGE", was jointly offered by Senators Mizuguchi, Cayetano, Kuroda, Ajifu, Yee, Carpenter, Cobb, Yamasaki, Chong, Young, Hara, Saiki and Campbell.

By unanimous consent, S.R. No. 118 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 119), entitled: "SENATE RESOLUTION CONGRATULATING LAURIE R. SERIKAKU ON WINNING THE HAWAII STATE GOOD CITIZEN AWARD", was jointly offered by Senators Anderson, Soares, Ajifu, Yamasaki, Wong, Chong, Mizuguchi, Ushijima, Yim, Young, Machida, Kuroda, Cobb, Carpenter, Hara, Toyofuku, Kawasaki, Abercrombie, Saiki, Carroll, Yee, Cayetano, Campbell, George and O'Connor.

On motion by Senator Anderson, seconded by Senator Soares and carried, S.R. No. 119 was adopted.

A resolution (S.R. No. 120), entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A LONG-RANGE PLAN FOR RESIDENTIAL LIVING ARRANGEMENTS FOR THE DEVELOPMENTALLY DISABLED", was jointly offered by Senators Carpenter, Young, Mizuguchi, Toyofuku, Cobb, Soares, Yamasaki, Chong and Campbell.

By unanimous consent, S.R. No. 120 was referred to the Committee on Health.

A resolution (S.R. No. 121), entitled: "SENATE RESOLUTION REQUESTING THE STATE OF HAWAII TO PROVIDE SERVICES TO DEVELOPMENTALLY DISABLED ADULTS OVER 20 YEARS OF AGE", was jointly offered by Senators Carpenter, Young, Mizuguchi, Toyofuku, Cobb, Soares, Yamasaki, Chong and Campbell.

By unanimous consent, S.R. No. 121 was referred to the Committee on Health.

A resolution (S.R. No. 122), entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION AND THE EXAMINER OF DRIVERS OF EACH COUNTY TO EXAMINE THE REQUIREMENT WHICH REQUIRES A

PERSON WHO DOES NOT RENEW SUCH PERSON'S DRIVER'S LICENSE ON TIME TO TAKE A ROAD TEST", was offered by Senator Ajifu.

By unanimous consent, S.R. No. 122 was referred jointly to the Committee on Transportation and the Committee on Intergovernmental Relations.

A resolution (S.R. No. 123), entitled: "SENATE RESOLUTION REQUESTING THE COUNTIES TO REPORT ON THEIR SERVICES TO VICTIMS OF CRIMES", was jointly offered by Senators O'Connor, Cobb, Soares, Saiki, Ajifu, Toyofuku, Carpenter, George, Cayetano, Hara, Young, Ushijima, Abercrombie, Mizuguchi, Yamasaki, Chong, Campbell and Kuroda.

By unanimous consent, S.R. No. 123 was referred to the Committee on Judiciary.

A resolution (S.R. No. 124), entitled: "SENATE RESOLUTION CONGRATULATING THE 1980 JUNIOR MISS OF HAWAII, MISS PAMELA MITCHELL", was jointly offered by Senators Yee, Chong, Soares, Mizuguchi, Toyofuku, Cobb, Carroll, George and Carpenter.

On motion by Senator Yee, seconded by Senator Chong and carried, S.R. No. 124 was adopted.

At this time, Senator Yee introduced to the members of the Senate the 1980 Junior Miss, Miss Pamela Mitchell, who was accompanied by her parents Dr. and Mrs. Wallace Mitchell, sister Janice Mitchell and close friend Jim Colegrove. The honoree was then presented with a lei and a copy of the resolution by Senator Yee.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

A resolution (S.R. No. 125), entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON THE DEPARTMENT OF EDUCATION'S MASTER PLAN FOR ATHLETICS", was jointly offered by Senators Yee, Chong, Cobb, Young, Soares, Mizuguchi, Carroll, George, Toyofuku and Carpenter.

By unanimous consent, S.R. No. 125 was referred to the Committee on Education.

A resolution (S.R. No. 126), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE WINNERS OF THE NA WAHINE O KE KAI MOLOKAI-TO-OAHU RACE", was jointly offered by Senators Saiki, George, Young, Carroll, Yim, Ajifu, Soares, Machida, Yamasaki, Ushijima, Wong, Anderson, Campbell, Toyofuku, Mizuguchi, Chong, Hara, Cayetano, Carpenter,

Yee, Kuroda, Abercrombie and Kawasaki.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 126 was adopted.

A resolution (S.R. No. 127), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE ORGANIZERS OF NA WAHINE O KE KAI--WOMEN OF THE SEA", was jointly offered by Senators Saiki, George, Young, Yim, Carroll, Ajifu, Soares, Machida, Yamasaki, Ushijima, Wong, Anderson, Hara, Campbell, Abercrombie, Toyofuku, Mizuguchi, Chong, Cayetano, Carpenter, Yee, Kuroda and Kawasaki.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 127 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 28-80) informing the Senate that Senate Concurrent Resolution Nos. 21 to 25 and Senate Resolution Nos. 107 to 114 have been printed and are ready for distribution.

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

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 29-80) recommending that Senate Bill No. 1419, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS IN THE DEPARTMENT OF THE ATTORNEY GENERAL", was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 30-80) recommending that Senate Bill No. 2053-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku,

seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2053-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF MOLOKAI REHABILITATION FACILITY AT KAUNAKAKAI, MOLOKAI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 31-80) recommending that Senate Bill No. 2054-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2054-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE THE OPERATION OF MAUNAOLU YOUTH RESIDENTIAL SHELTER PROGRAM, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 32-80) recommending that Senate Bill No. 1834-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1834-80, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT OF A MARRIAGE", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1834-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 33-80) recommending that Senate Bill No. 1836-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1836-80, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1836-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 34-80) recommending that Senate Bill No. 2030-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2030-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2030-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 35-80) recommending that Senate Bill No. 2050-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2050-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUATION OF LANAKILA REHABILITATION CENTER'S WAHIAWA DAY ACTIVITY PROGRAM FOR SEVERELY DISABLED ADULTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 36-80) recommending that Senate Bill No. 2099-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2099-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE HILO ASSOCIATION TO HELP RETARDED CITIZENS FOR THE CONTINUED DEVELOPMENT OF RESPIRE CARE HAWAII AT HILO, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 37-80) recommending that the Senate consent to the nomination of Yoshimi Hayashi as Chief Judge of the Intermediate Appellate Court, for a ten-year term, in accordance with the provisions of Article VI,

Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 72.

By unanimous consent, action on Stand. Com. Rep. No. 37-80 and Gov. Msg. No. 72 was deferred until Wednesday, February 27, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 38-80) recommending that the Senate consent to the nomination of Frank D. Padgett as Associate Judge of the Intermediate Appellate Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 73.

By unanimous consent, action on Stand. Com. Rep. No. 38-80 and Gov. Msg. No. 73 was deferred until Wednesday, February 27, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 39-80) recommending that the Senate consent to the nomination of James S. Burns as Associate Judge of the Intermediate Appellate Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 76.

By unanimous consent, action on Stand. Com. Rep. No. 39-80 and Gov. Msg. No. 76 was deferred until Wednesday, February 27, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 40-80) recommending that Senate Bill No. 1831-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1831-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1831-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 41-80) recommending that Senate Bill No. 2000-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report

of the Committee was adopted and S.B. No. 2000-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2000-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 42-80) recommending that Senate Bill No. 2109-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2109-80, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2109-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 43-80) recommending that Senate Bill No. 2110-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2110-80, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PROPERTY", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2110-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 44-80) recommending that Senate Bill No. 2156-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2156-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES

ACT", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2156-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 45-80) recommending that Senate Bill No. 2028-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2028-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TASK FORCE FOR THE STUDY OF LAWS RELATING TO GUARDIANSHIP, CIVIL COMMITMENT AND PROTECTIVE SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 46-80) recommending that House Bill No. 1060, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 3, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1060, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 47-80) recommending that Senate Bill No. 1370, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 3, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1370, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION LAW".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 48-80) recommending that Senate Bill No. 2531-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2531-80, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii,

the 48-hour notice was given on S.B. No. 2531-80.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 49-80) recommending that Senate Bill No. 1939-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Health.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1939-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HEALTH AUTHORITY", passed First Reading and was recommitted to the Committee on Health.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 50-80) recommending that Senate Bill No. 3055-80 pass Second Reading and be referred to the Committee on Human Resources.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 3055-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", passed Second Reading and was referred to the Committee on Human Resources.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 51-80) recommending that Senate Bill No. 1829-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1829-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT", passed Second Reading and was referred to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 52-80) recommending that Senate Bill No. 2029-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2029-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February

28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2029-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 53-80) recommending that Senate Bill No. 2035-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2035-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2035-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 54-80) recommending that Senate Bill No. 2120-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2120-80, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2120-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 55-80) recommending that Senate Bill No. 1847-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1847-80, entitled: "A BILL FOR AN ACT RELATING TO WITNESS IMMUNITY", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 56-80) recommending that Senate Bill No. 2883-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2883-80, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 57-80) recommending that Senate Bill No. 1835-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1835-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERMINATION OF PARENTAL RIGHTS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1835-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 58-80) recommending that Senate Bill No. 2047-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2047-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 59-80) recommending that Senate Bill No. 2603-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2603-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VOLINCOR: CORRECTIONS VOLUNTEER SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 60-80) recommending that Senate Bill No. 2869-80, as amended in S.D. 1, pass Second Reading and

be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2869-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 61-80) recommending that Senate Bill No. 2319-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2319-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 62-80) recommending that Senate Bill No. 2034-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2034-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2034-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 63-80) recommending that Senate Bill No. 3135-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 3135-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CRIMINAL INVESTIGATION AND PROSECUTION PROGRAM FOR HONOLULU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 64-80) recommending that Senate Bill No. 2811-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2811-80, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 65-80) recommending that Senate Bill No. 2129-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2129-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2129-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 66-80) recommending that Senate Bill No. 2857-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2857-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUED CENTRALIZED SUBSCRIPTION TO THE HAWAII LEGAL REPORTER SERVICE", passed Second Reading and was referred to the Committee on Ways and Means.

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

ORDER OF THE DAY

THIRD READING

House Bill No. 687, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 687, H.D. 1, S.D. 1, 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.

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a bill that was introduced on Friday, February 9, 1979:

Senate Bill Referred to:

No. 744, S.D.2 Committee on Human Resources, then to the Committee on Ways and Means

The President made the following re-referral of a bill that was introduced on Friday, February 1, 1980:

Senate Bill Referred to:

No. 2215-80 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

The President made the following re-referral of a bill that was introduced on Thursday, February 7, 1980:

Senate Bill Referred to:

No. 2373-80 Jointly to the Committee on Human Resources and the Committee on Public Utilities, then to the Committee on Ways and Means

The President made the following re-referral of a bill that was introduced on Friday, February 8, 1980:

Senate Bill Referred to:

No. 2517-80 Committee on Consumer Protection and Commerce

The President made the following re-referral of bills that were introduced on Monday, February 11, 1980:

Senate Bills Referred to:

No. 2562-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 2651-80 Committee on Health, then to the Committee on Ways and Means

No. 2763-80 Committee on Transportation, then to the Committee on Ways and Means

The President made the following re-referral of bills that were introduced on Tuesday, February 12, 1980:

Senate Bills Referred to:

No. 2767-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2956-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 3005-80 Committee on Transportation, then to the Committee on Ways and Means

No. 3060-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 3080-80 Committee on Education, then to the Committee on Ways and Means

No. 3108-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

MISCELLANEOUS COMMUNICATION

A communication from the Honorable Daniel K. Inouye, U.S. Senator (Misc. Com. No. 5), acknowledging receipt of the Senate resolution (S.C.R. No. 1) as regards the hostage situation in Iran was read by the Clerk and was placed on file.

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

The Senate reconvened at 11:58 o'clock a.m.

At this time, Senator Cobb rose on a point of personal privilege and stated as follows:

"Mr. President, I'd like to make an announcement and stand on a point of personal privilege in connection with it.

"Tomorrow afternoon at 3:30 and again at 8:30 (p.m.) the Committee on Consumer Protection and Commerce will be having hearings and decision-making on all boards and commissions up for 'sunset' review.

"In connection with that announcement, last year this Legislature passed a measure requiring the Legislative Auditor to submit to the Legislature, 20 days before the commencement of each session, a report on whether or not a board or commission should be continued, modified, or allowed to be 'sunsetting.' To date, we have received only four of those reports out of the eight that are necessary and of the eight boards and commissions that are to come before the committee

tomorrow for decision-making.

"The Auditor's office has been aware of my concern on this matter as well as aware of the date of the hearing, February 27th, for a period of four weeks now, so I find it a little incongruous that our own auditor is in violation of the law that we passed last year.

"I want to state for the record that any report not received in time to be considered by the committee at its decision-making tomorrow will not be taken into account subsequent to that decision, and that in fairness to any board or commission that is to be 'sunsetting,' unless they've had a copy of the Auditor's report with sufficient time to react to it, I would consider that fact unfair to them as well.

"The committee reports will note in each instance which report has been received and which one has not.

"Thank you, Mr. President."

Senator Kuroda then rose to make a report on the Pacific Basin Development Conference as follows:

"Mr. President, I'd like to just make a short verbal report on the conference that was held at the Kuilima Hotel regarding the Pacific Basin Development Conference.

"Over 300 persons participated in this conference representing the federal government, the territories of Guam and American Samoa, and the Commonwealth of the Northern Marianas. Economic development, trade and tourism were the main subjects discussed, but the underlying current was the excitement of having the federal government direct its attention to the Pacific Islands and Asia.

"I attended this conference as vice-chairman of the Intergovernmental Relations Committee and as chairman of the Tourism Committee, and I am sure that Senator Wadsworth Yee, who attended this conference as chairman of the Western Regional Pacific Fisheries Council, has a few words to share with us regarding this conference.

"I think it's a very happy time for Hawaii to be the center and the focus of attention of the federal government in the Pacific area and we can all be very satisfied that the Hawaii state administration is taking the leadership and working with the other administrators of the Pacific Islands.

"Thank you."

Senator Yee added his remarks as follows:

"Mr. President, I'd like to say that we were both very pleased that the reception we received from Washington was very

overwhelming and extremely cooperative. They indicated that they had overlooked the Pacific area for a great number of years and they now find that this area can be a great potential future of economic and military stability for the United States.

"There is a major effort by the White House Staff and the Washington people for the development of all of the islands in the Pacific Basin, including the State of Hawaii. I think we are going to be very happy with the results that will follow the conference."

Senator O'Connor rose on a point of personal privilege and stated as follows:

"Mr. President, I rise on a point of personal privilege. The point is to report on the five-day recess period which has just terminated.

"Today is the first working day since that recess period and I would like to report that in contradiction to what occurred last year, from the standpoint of our Judiciary Committee, we must count this recess period this year a positive one.

"We have had 200 recorded inquiries and visits from constituents during this period of time on various bills and questions on other measures. We have had countless other people drop by where staff has given answers concerning matters. The Judiciary chairman and staff and most of the members of the committee were in the building everyday doing a variety of work.

"During this period of time we held confirmation hearings on three judges and have reported them to this body today. We also visited the detention home, the youth correctional facility, and the police department in further research on the Juvenile Justice Master Plan and have considered and made decisions and done committee reports on something in the neighborhood of 50 bills.

"Together, Mr. President, I would say that this five-day recess period has afforded, at least the Judiciary Committee and those constituents of ours who are interested in our work, a measurable opportunity to find out the workings of the committee, its product, and to allow the committee to do an immeasurable amount of work which would not otherwise have been done.

"Thank you."

ADJOURNMENT

At 12:06 o'clock p.m., on motion by
Senator Mizuguchi, seconded by Senator

Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Wednesday, February 27, 1980.