

TWENTY-FIFTH DAY

Wednesday, February 27, 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 the Reverend Shoten Kudo of the Soto Mission of Hawaii, after with the Roll was called showing all Senators present with the exception of Senators Chong, Cobb, Hara and O'Connor, who were excused.

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

Senator Anderson introduced to the members of the Senate thirty members of the Kanewai Senior Citizens Club.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 86 to 90) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 86), transmitting a report prepared by the Department of Health in response to Senate Resolution No. 148 (1979) which requested that Department to conduct a feasibility study on the possibility of implementing a payment scale for services for the developmentally disabled, based on the ability to pay, similar to the system in effect in California and other jurisdictions, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 87), transmitting a report, entitled "State Activities to Implement Priority Directions of the Hawaii State Plan", prepared by the Planning Division of the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 88), transmitting the Annual Report prepared jointly by the State Commission on Manpower and Full Employment pursuant to Section 202-2, Hawaii Revised Statutes and with the State Employment and Training Council under P.L. 95-524, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 89), transmitting the Annual Report prepared by the Department of Land and Natural Resources, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 90), transmitting the State Energy Plan prepared by the Department of Planning and Economic Development in compliance with the requirements of Chapter 226, Hawaii Revised Statutes; noting that the Plan sets forth the overall statewide policies governing the activities of energy and attaching a concurrent resolution to provide the means for the adoption of the State Energy Plan; and also enclosing a Report of the Energy Plan Advisory Committee, constituted in accordance with Chapter 226, Hawaii Revised Statutes, to advise the Department of Planning and Economic Development on the State Energy Plan, was referred to the Committee on Economic Development.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 15 and 16) were read by the Clerk and were disposed of as follows:

A communication from the Office of the Auditor (Dept. Com. No. 15), transmitting a report entitled, "Sunset Evaluation Report - Beauty Culture, Chapter 439, Hawaii Revised Statutes", was referred to the Committee on Consumer Protection and Commerce.

A communication from the Office of the Auditor (Dept. Com. No. 16), transmitting a report entitled, "Sunset Evaluation Report - Dental Hygienists, Chapter 447, Hawaii Revised Statutes", was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 27 to 45) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 27), transmitting House Bill No. 713 which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 713, entitled: "A BILL FOR AN ACT RELATING TO BANKS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 28), transmitting House Bill No. 714 which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 714, entitled: "A BILL FOR AN ACT RELATING TO SAVINGS AND LOAN ASSOCIATIONS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 29), transmitting House Bill No. 1256, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1256, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 30), transmitting House Bill No. 1801-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1801-80, entitled: "A BILL FOR AN ACT RELATING TO POLICE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 31), transmitting House Bill No. 1802-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1802-80, entitled: "A BILL FOR AN ACT RELATING TO THE MILITIA", passed First Reading by title and was referred to the Committee on Intergovernmental Relations.

A communication from the House (Hse. Com. No. 32), transmitting House Bill No. 1803-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1803-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE GUARD", passed First Reading by title and was referred to the Committee on Intergovernmental Relations.

A communication from the House (Hse. Com. No. 33), transmitting House Bill No. 1805-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1805-80, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FORESTER", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 34), transmitting House Bill No. 1806-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1806-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 35), transmitting House Bill No. 1808-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1808-80, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PROPERTY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 36), transmitting House Bill No. 1816-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1816-80, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANIES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 37), transmitting House Bill No. 1817-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1817-80, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse.

Com. No. 38), transmitting House Bill No. 1821-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1821-80, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 39), transmitting House Bill No. 1824-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1824-80, entitled: "A BILL FOR AN ACT RELATING TO WOMEN", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 40), transmitting House Bill No. 1827-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1827-80, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 41), transmitting House Bill No. 1829-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1829-80, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 42), transmitting House Bill No. 1874-80, H.D. 1, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1874-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WEIGHT OF BREAD", passed First Reading by title and was referred to the Committee on Consumer Protection

and Commerce.

A communication from the House (Hse. Com. No. 43), transmitting House Bill No. 1983-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 44), transmitting House Bill No. 1999-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1999-80, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 45), transmitting House Bill No. 2127-80, which passed Third Reading in the House of Representatives on February 26, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2127-80, entitled: "A BILL FOR AN ACT RELATING TO THE IMPOUNDMENT OF VESSELS", passed First Reading by title and was referred to the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 128 to 131) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 128), entitled: "SENATE RESOLUTION EXTENDING APPRECIATION TO HOMER A. MAXEY, JR.", was jointly offered by Senators Machida, Yamasaki, Ushijima, Toyofuku, Young, Cobb, Carroll, George, Ajifu, Mizuguchi, Kuroda, Hara, Saiki, Wong, Campbell, O'Connor, Soares, Anderson, Carpenter and Abercrombie.

On motion by Senator Machida, seconded by Senator Yamasaki and carried, S.R. No. 128 was adopted.

Senator Machida then introduced to the members of the Senate Mr. Homer A. Maxey, Jr., and those in the gallery who accompanied him, Ms. Amy Higa, Secretary, Foreign Trade Zone Division of the Department of Planning and Economic Development; Ms. Amy Tanouye, Secretary to Mr. Maxey;

and Mr. Shigeru Hino, Operations Supervisor, Foreign Trade Zone Division.

Senator Machida presented Mr. Maxey with a certified copy of the resolution and Senator Young presented him with a lei.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock a.m.

A resolution (S.R. No. 129), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO SHOSHANA HERZIG, ECONOMICS-MATHEMATICS TEACHER AT MOANALUA HIGH SCHOOL, FOR BEING DESIGNATED HAWAII'S TEACHER OF THE YEAR FOR 1980", was jointly offered by Senators Wong, Yim, Campbell and Kawasaki.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.R. No. 129 was adopted.

A resolution (S.R. No. 130), entitled: "SENATE RESOLUTION RECOGNIZING THE TENTH ANNIVERSARY OF HAWAII'S BUILDING MATERIALS EXPO", was jointly offered by Senators Young, Kuroda, Saiki, Cobb, Carroll, George, Hara, Chong, Campbell, Ajifu, Yee, Yamasaki, Toyofuku, Mizuguchi, Machida, Carpenter, Soares, Ushijima, Kawasaki and Abercrombie.

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 130 was adopted.

A resolution (S.R. No. 131), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO PROJECT THE FUTURE REQUIREMENTS FOR JUVENILE JUSTICE INTAKE, SHELTER, DETENTION AND CORRECTIONAL FACILITY CAPACITY", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 131 was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 67-80) informing the Senate that Senate Concurrent Resolution Nos. 26 to 29, Senate Resolution Nos. 115 to 127 and Standing Committee Report Nos. 29-80 to 66-80 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.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 68-80) recommending that Senate Bill No. 1951-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1951-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 1951-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 69-80) recommending that Senate Bill No. 1985-80, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1985-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE STATE BUREAU OF CONVEYANCES", was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 70-80) recommending that Senate Bill No. 1991-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1991-80, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM SECURITIES ACT (MODIFIED)", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 1991-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 71-80) recommending that Senate Bill No. 2104-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and

S.B. No. 2104-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 2104-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 72-80) recommending that Senate Bill No. 1828-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1828-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NON-PROFIT CORPORATION ACT", passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 73-80) recommending that Senate Bill No. 1833-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1833-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 74-80) recommending that Senate Bill No. 1993-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1993-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 1993-80, S.D. 1.

Senator Cobb, for the majority of

the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 75-80) recommending that Senate Bill No. 2066-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the majority of the Committee was adopted and S.B. No. 2066-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 2066-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 76-80) recommending that Senate Bill No. 2119-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2119-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 2119-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 77-80) recommending that Senate Bill No. 2121-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2121-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 2121-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 78-80) recommending that Senate Bill No. 2157-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2157-80, S.D. 1, 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 Friday, February 29, 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. 2157-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 79-80) recommending that Senate Bill No. 2171-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2171-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 80-80) recommending that Senate Bill No. 2686-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2686-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES", passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 81-80) recommending that Senate Resolution No. 54, as amended in S.D. 1, be adopted.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 54, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON SEX DISCRIMINATION IN INSURANCE", was adopted.

Senator Cobb, for the majority of

the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 82-80) recommending that Senate Bill No. 2215-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the majority of the Committee was adopted and S.B. No. 2215-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES", 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. 83-80) recommending that Senate Bill No. 1851-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 1851-80, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE SYSTEM", 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. 84-80) recommending that Senate Bill No. 2379-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2379-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STAY STRAIGHT PROGRAM, YOUTH AWARENESS PROGRAM", 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. 85-80) recommending that Senate Bill No. 2580-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2580-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING AND CONSTRUCTION AT THE COMMUNITY CORRECTIONAL CENTER", 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. 86-80) recommending that Senate Bill No. 2764-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2764-80, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", 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. 87-80) recommending that Senate Bill No. 3012-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 3012-80, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 88-80) recommending that Senate Bill No. 2246-80, as amended in S.D. 1, 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. 2246-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE DEBT LIMIT", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 2246-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 89-80) recommending that Senate Bill No. 2360-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2360-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC EMPLOYEES AND OFFICERS", passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee

on Ways and Means, presented a report (Stand. Com. Rep. No. 90-80) recommending that House Bill No. 18, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 18, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A COUNCIL ON REVENUES".

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 91-80) recommending that Senate Bill No. 1865-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 1865-80, entitled: "A BILL FOR AN ACT RELATING TO BIKEWAYS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 92-80) recommending that Senate Bill No. 2003-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2003-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 2003-80, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 93-80) recommending that Senate Bill No. 2006-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2006-80, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAYS", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 2006-80.

Senator Mizuguchi, for the Committee on Transportation, presented a report

(Stand. Com. Rep. No. 94-80) recommending that Senate Bill No. 2007-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2007-80, entitled: "A BILL FOR AN ACT RELATING TO VENDING FROM STATE HIGHWAYS", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 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. 2007-80.

ORDER OF THE DAY

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a bill that had been introduced on Thursday, February 1, 1979:

Senate Bill Referred to:

No. 398 Committee on Health, then
 to the Committee on Judiciary

MATTERS DEFERRED FROM FEBRUARY 26, 1980

Standing Committee Report No. 37-80 (Gov. Msg. No. 72):

Senator Mizuguchi moved that Stand. Com. Rep. No. 37-80 be received and placed on file, seconded by Senator Anderson and carried.

Senator Mizuguchi then moved 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, seconded by Senator Anderson.

The motion was then put by the Chair and Roll Call having been ordered, was carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Chong, Cobb, Hara and O'Connor).

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

Standing Committee Report No. 38-80 (Gov. Msg. No. 73):

Senator Mizuguchi moved that Stand.

Com. Rep. No. 38-80 be received and placed on file, seconded by Senator Anderson and carried.

Senator Mizuguchi then moved 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, seconded by Senator Anderson.

The motion was put by the Chair and Roll Call having been ordered, was carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Chong, Cobb and O'Connor).

Standing Committee Report No. 39-80 (Gov. Msg. No. 76):

Senator Mizuguchi moved that Stand. Com. Rep. No. 39-80 be received and placed on file, seconded by Senator Anderson and carried.

Senator Mizuguchi then moved 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, seconded by Senator Anderson.

The motion was put by the Chair and Roll Call having been ordered, was carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Chong, Cobb and O'Connor).

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

The Senate reconvened at 11:50 o'clock a.m., and the President directed the Clerk to note the presence of Senators Chong, Cobb and O'Connor.

MISCELLANEOUS COMMUNICATION

A communication from the Honorable Spark M. Matsunaga, United States Senator, (Misc. Com. No. 6), acknowledging receipt of Senate Concurrent Resolution No. 1 (1980) and expressing his support of similar-related resolutions, namely, Senate Resolution Nos. 292 and 318, which were offered in the U.S. Senate, was read by the Clerk and was placed on file.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

ADJOURNMENT

At 11: 58 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11: 30 o'clock a.m., Thursday, February 28, 1980.