

FIFTY-FIRST DAY

Monday, April 7, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Max Torkelsen of the Honolulu Central Seventh-Day Adventist Church, after which the Roll was called showing all Senators present with the exception of Senator Yee, who was excused.

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

Senator Anderson introduced to the members of the Senate thirty students from the fifth grade at Jefferson School, with their teacher, Mrs. Moriyama.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 262 and 263) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 262), transmitting the Annual Report of the Department of Agriculture for Fiscal Year 1979, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 263), transmitting a report prepared by the Executive Office on Aging in response to House Resolution No. 573 (1979) which requested the Executive Office on Aging to review the quality and adequacy of State activities for informing elderly persons about public services to which they are entitled, was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 401 to 403) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 401), returning Senate Bill No. 1346, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1980, was placed on file.

A communication from the House (Hse. Com. No. 402), informing the Senate that the House had requested a conference on House Bill No. 2532-80 in consequence of which on April 2, 1980, the Speaker appointed Repre-

sentatives Say, Chairman, Takamine, Toguchi and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

By unanimous consent, the naming of Managers on the part of the Senate was deferred until Tuesday, April 8, 1980.

A communication from the House (Hse. Com. No. 403), informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills and will name conferees at a later date for the consideration of said amendments:

H.B. No. 18, H.D. 1;
 H.B. No. 25, H.D. 1;
 H.B. No. 159, H.D. 1,
 H.B. No. 452, H.D. 1,
 H.B. No. 501, H.D. 1,
 H.B. No. 687, H.D. 1,
 H.B. No. 1222, H.D. 1,
 H.B. No. 1606, H.D. 2,
 H.B. No. 1610, H.D. 1,
 H.B. No. 1758, H.D. 2;
 H.B. No. 1762-80;
 H.B. No. 1772-80, H.D. 2,
 H.B. No. 1775-80, H.D. 2,
 H.B. No. 1782-80, H.D. 2,
 H.B. No. 1853-80;
 H.B. No. 1864-80, H.D. 1;
 H.B. No. 1865-80, H.D. 1;
 H.B. No. 1871-80, H.D. 1;
 H.B. No. 1873-80;
 H.B. No. 1911-80, H.D. 1;
 H.B. No. 1912-80, H.D. 1;
 H.B. No. 1915-80, H.D. 1;
 H.B. No. 1919-80;
 H.B. No. 1925-80, H.D. 1;
 H.B. No. 1947-80, H.D. 2;
 H.B. No. 1985-80, H.D. 1;
 H.B. No. 1986-80;
 H.B. No. 1991-80, H.D. 1;
 H.B. No. 1993-80;
 H.B. No. 2035-80, H.D. 2,
 H.B. No. 2058-80, H.D. 1;
 H.B. No. 2059-80;
 H.B. No. 2091-80, H.D. 1;
 H.B. No. 2161-80, H.D. 1;
 H.B. No. 2162-80, H.D. 1;
 H.B. No. 2167-80, H.D. 1;
 H.B. No. 2172-80;
 H.B. No. 2175-80;
 H.B. No. 2193-80, H.D. 1;
 H.B. No. 2196-80, H.D. 2;
 H.B. No. 2215-80, H.D. 1;
 H.B. No. 2241-80, H.D. 1;
 H.B. No. 2265-80, H.D. 1;
 H.B. No. 2321-80, H.D. 1;
 H.B. No. 2324-80, H.D. 1;
 H.B. No. 2344-80, H.D. 2;
 H.B. No. 2357-80;
 H.B. No. 2359-80;
 H.B. No. 2368-80, H.D. 1;
 H.B. No. 2443-80, H.D. 1;
 H.B. No. 2558-80, H.D. 1;
 H.B. No. 2634-80, H.D. 2;

H.B. No. 2647-80, H.D. 2;
 H.B. No. 2669-80, H.D. 1;
 H.B. No. 2672-80, H.D. 1;
 H.B. No. 2680-80, H.D. 1;
 H.B. No. 2720-80;
 H.B. No. 2729-80, H.D. 3;
 H.B. No. 2773-80, H.D. 1;
 H.B. No. 2826-80, H.D. 1;
 H.B. No. 2929-80, H.D. 1;
 H.B. No. 2930-80, H.D. 1; and
 H.B. No. 2944-80, H.D. 2,

was placed on file.

In accordance therewith, the President made the following appointments as Managers on the part of the Senate at the conference to be held for the consideration of said amendments:

H.B. No. 18, H.D. 1, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 25, H.D. 1, S.D. 3:
 (the naming of conferees on the part of the Senate was deferred until Tuesday, April 8, 1980);

H.B. No. 159, H.D. 1, S.D. 2:
 Senators Cobb, Chairman, Carpenter and Saiki;

H.B. No. 452, H.D. 1, S.D. 1:
 Senators Cobb, Chairman, Ushijima and Yee;

H.B. No. 501, H.D. 1, S.D. 1:
 Senators O'Connor, Chairman, Mizuguchi and Carroll;

H.B. No. 687, H.D. 1, S.D. 1:
 Senators Cobb, Chairman, Kuroda, Yim and Yee;

H.B. No. 1222, H.D. 1, S.D. 3:
 Senators Cayetano, Chairman, Carpenter, Yamasaki and Ajifu;

H.B. No. 1606, H.D. 2, S.D. 1:
 Senators Cayetano, Chairman, Kawasaki, Toyofuku and Anderson;

H.B. No. 1610, H.D. 1, S.D. 1:
 Senators Cayetano, Chairman, Kawasaki, Toyofuku and Anderson;

H.B. No. 1758, H.D. 2, S.D. 3:
 Senators Cayetano, Chairman, Kawasaki, Yamasaki and Yee;

H.B. No. 1762-80, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 1772-80, H.D. 2, S.D. 1:
 Senators Cayetano, Chairman, Abercrombie,

Toyofuku, Yamasaki, Anderson and Ajifu;

H.B. No. 1775-80, H.D. 2, S.D. 1:
 Senators Yim, Chairman, Yamasaki and George;

H.B. No. 1782-80, H.D. 2, S.D. 1:
 Senators Cobb, Chairman, Kuroda, Yim and Saiki;

H.B. No. 1853-80, S.D. 3: Senators Cayetano, Chairman, Abercrombie, Hara, Young, Anderson and Yee;

H.B. No. 1864-80, H.D. 1, S.D. 2:
 Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 1865-80, H.D. 1, S.D. 2:
 Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, O'Connor, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 1871-80, H.D. 1, S.D. 1:
 Senators Cobb, Chairman, Kuroda, Yim and Saiki;

H.B. No. 1873-80, S.D. 1: Senators O'Connor, Chairman, Cobb and George;

H.B. No. 1911-80, H.D. 1, S.D. 1:
 Senators O'Connor, Chairman, Carpenter and Saiki;

H.B. No. 1912-80, H.D. 1, S.D. 1:
 Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 1915-80, H.D. 1, S.D. 1:
 Senators O'Connor, Chairman, Mizuguchi and Carroll;

H.B. No. 1919-80, S.D. 1: Senators O'Connor, Chairman, Ushijima and Carroll;

H.B. No. 1925-80, H.D. 1, S.D. 1:
 Senators Cobb, Chairman, Kuroda, Yim and Saiki;

H.B. No. 1947-80, H.D. 2, S.D. 2:
 Senators Chong and Yim, Co-Chairmen, Mizuguchi and Saiki;

H.B. No. 1985-80, H.D. 1, S.D. 1:
 (the naming of conferees on the part of the Senate was deferred until Tuesday, April 8, 1980);

H.B. No. 1986-80, S.D. 1: Senators Cobb, Chairman, O'Connor and Carroll;

H.B. No. 1991-80, H.D. 1, S.D. 2:
 (the naming of conferees on the part of the Senate was deferred until Tuesday,

April 8, 1980);

H.B. No. 1993-80, S.D. 1: Senators Cobb, Chairman, Ushijima and Saiki;

H.B. No. 2035-80, H.D. 2, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Kawasaki, Toyofuku, Anderson and Yee;

H.B. No. 2058-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Ushijima and Saiki;

H.B. No. 2059-80, S.D. 2: Senators O'Connor and Cayetano, Co-Chairmen, Chong, Kawasaki, Ajifu and Carroll;

H.B. No. 2091-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Machida and George;

H.B. No. 2161-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Kuroda and George;

H.B. No. 2162-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Kuroda and George;

H.B. No. 2167-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Kuroda and George;

H.B. No. 2172-80, S.D. 1: Senators Machida, Chairman, Hara and Ajifu;

H.B. No. 2175-80, S.D. 2: Senators O'Connor, Chairman, Mizuguchi and Saiki;

H.B. No. 2193-80, H.D. 1, S.D. 2: Senators Cayetano, Chairman, Kawasaki, Ushijima, Yamasaki and Soares;

H.B. No. 2196-80, H.D. 2, S.D. 2: Senators Cayetano, Chairman, Campbell, Mizuguchi and Yee;

H.B. No. 2215-80, H.D. 1, S.D. 1: Senators Carpenter, Chairman, Campbell and Saiki;

H.B. No. 2241-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Campbell and Carroll;

H.B. No. 2265-80, H.D. 1, S.D. 1: (the naming of conferees on the part of the Senate was deferred until Tuesday, April 8, 1980);

H.B. No. 2321-80, H.D. 1, S.D. 1: Senators Cobb, Chairman, Carpenter and Saiki;

H.B. No. 2324-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Ushijima and Carroll;

H.B. No. 2344-80, H.D. 2, S.D. 2:

Senators Cayetano, Chairman, Abercrombie, Hara, Young, Anderson and Yee;

H.B. No. 2357-80, S.D. 2: Senators Cayetano and O'Connor, Co-Chairmen, Kawasaki and Soares;

H.B. No. 2359-80, S.D. 1: Senators O'Connor, Chairman, Cobb and Saiki;

H.B. No. 2368-80, H.D. 1, S.D. 2: Senators Cobb, Chairman, Kuroda, Yim and Carroll;

H.B. No. 2443-80, H.D. 1, S.D. 1: Senators Cobb, Chairman, Kuroda, Yim and Saiki;

H.B. No. 2558-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Ushijima and Carroll;

H.B. No. 2634-80, H.D. 2, S.D. 2: Senators Cayetano, Chairman, Kawasaki, Toyofuku, Yamasaki, Anderson and Ajifu;

H.B. No. 2647-80, H.D. 2, S.D. 2: (the naming of conferees on the part of the Senate was deferred until Tuesday, April 8, 1980);

H.B. No. 2669-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Campbell and Saiki;

H.B. No. 2672-80, H.D. 1, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Campbell, Kawasaki, Anderson and Yee;

H.B. No. 2680-80, H.D. 1, S.D. 2: Senators O'Connor, Chairman, Kuroda and Saiki;

H.B. No. 2720-80, S.D. 2: Senators Cayetano, Chairman, Kawasaki, O'Connor, Yamasaki, Anderson and Carroll;

H.B. No. 2729-80, H.D. 3, S.D. 2: Senators Cayetano, Chairman, Kawasaki, Yim and Soares;

H.B. No. 2773-80, H.D. 1, S.D. 1: Senators Cayetano, Chairman, Abercrombie, Kawasaki and Ajifu;

H.B. No. 2826-80, H.D. 1, S.D. 1: Senators O'Connor, Kuroda and George;

H.B. No. 2929-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Cobb and George;

H.B. No. 2930-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Cobb and George; and

H.B. No. 2944-80, H.D. 2, S.D. 2: Senators Cayetano, Chairman, Carpenter, Kawasaki and Ajifu.

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

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

Senator Kuroda introduced to the members of the Senate a group of famous Hawaiian sculptors and artists as follows: Rocky Jensen, a sculptor, with his wife Lucia and their children Natalie and Frank; and artists, Duncan Seto, Ipo Nihipali and John Dominis Holt.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 49 to 52) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 49), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A STATE EDUCATION PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 49 was referred to the Committee on Education, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 50), entitled: "SENATE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS AND GOOD WISHES TO THE HAWAII AAU TAE KWON DO TEAM IN THE SIXTH NATIONAL AAU TAE KWON DO CHAMPIONSHIPS", was jointly offered by Senators Wong, Chong, Ushijima, Machida, Yamasaki, Carpenter, Cayetano, Hara, Campbell, Ajifu, Young, Abercrombie, Toyofuku, O'Connor, Carroll, Mizuguchi, Soares and Kuroda.

On motion by Senator Mizuguchi, seconded by Senator Chong and carried, S.C.R. No. 50 was adopted.

A concurrent resolution (S.C.R. No. 51), entitled: "SENATE CONCURRENT RESOLUTION URGING THE INTERNAL REVENUE SERVICE TO FORGO CHARGING FEDERAL INCOME TAX TO THE FAMILIES OF AMERICAN HOSTAGES AND THE HOSTAGES THEMSELVES BEING HELD IN IRAN", was jointly offered by Senators Campbell, Chong, Cobb, Ajifu, Yee, O'Connor and Abercrombie.

By unanimous consent, S.C.R. No. 51 was referred to the Committee on Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 52), entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING ACTIONS

BY NEVADA AND OTHER WESTERN STATES TO GAIN EQUALITY WITH OTHER STATES IN LAND MANAGEMENT, CONTROL, AND OWNERSHIP", was jointly offered by Senators Kuroda, Cobb, Chong, Ajifu, Hara, Machida, Yamasaki, Ushijima, Cayetano, Toyofuku, Yee, Yim, Carpenter, Young, O'Connor, Campbell, Wong, Mizuguchi, Carroll, Anderson and George.

By unanimous consent, S.C.R. No. 52 was referred to the Committee on Intergovernmental Relations.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 258 to 266) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 258), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A BUDGETARY DISPLAY BY SCHOOLS OF THE FUNDS REQUIRED TO MEET TEXTBOOK AND OTHER INSTRUCTIONAL MATERIALS NEEDS", was jointly offered by Senators Mizuguchi, Hara, Toyofuku, Chong, Carpenter, Kuroda, Ushijima, Campbell, Carroll, Ajifu, Soares, Young, Yamasaki, Yim and O'Connor.

By unanimous consent, S.R. No. 258 was referred to the Committee on Education, then to the Committee on Ways and Means.

A resolution (S.R. No. 259), entitled: "SENATE RESOLUTION REQUESTING THAT STATE AGENCIES DEVELOP AND INSTITUTE A PROGRAM TO GIVE OPERATORS OF MOTOR VEHICLES USED FOR RIDESHARING PRIORITY WHEN ALLOCATING PARKING STALLS", was jointly offered by Senators Mizuguchi, Hara, Toyofuku, Carroll, Soares, Carpenter, Yamasaki, Campbell, Chong, Ajifu, Young, Yim and O'Connor.

By unanimous consent, S.R. No. 259 was referred to the Committee on Transportation.

A resolution (S.R. No. 260), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT ON PARK AND RIDE LOCATIONS", was jointly offered by Senators Mizuguchi, Hara, Toyofuku, Campbell, Carroll, Soares, Carpenter, Yamasaki, Yim, Chong, Ajifu, Young, Ushijima and O'Connor.

By unanimous consent, S.R. No. 260 was referred to the Committee on Transportation.

A resolution (S.R. No. 261), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND GOOD WISHES TO THE HAWAII AAU TAE KWON DO TEAM IN THE SIXTH NATIONAL AAU TAE KWON DO CHAMPIONSHIPS", was jointly offered by Senators Wong, Chong, Ushijima, Machida, Yamasaki, Toyofuku, Carpenter, Ajifu, Carroll,

Hara, Campbell, Young, O'Connor, Cayetano, Abercrombie, Soares and Kuroda.

On motion by Senator Mizuguchi, seconded by Senator Chong and carried, S.R. No. 261 was adopted.

A resolution (S.R. No. 262), entitled: "SENATE RESOLUTION SALUTING NANCY CORBETT AND THE HONOLULU THEATRE FOR YOUTH ON ITS 25TH ANNIVERSARY", was jointly offered by Senators Hara, Ushijima, Carpenter, Machida, George, Mizuguchi, Yamasaki, Chong, Young, Wong, Toyofuku, Yim, Soares, Yee, Kuroda, Cobb, Carroll, Abercrombie, Kawasaki and O'Connor.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 262 was adopted.

Senator Hara then stated as follows:

"Mr. President, our action this morning in adopting the resolution takes me back to the early years of the Honolulu Theatre for Youth; how it started way back in the Territorial Legislature at the Iolani Palace when the good Judge Gerald Corbett and his wife Nancy would come around and convince us what this program could do for the children throughout the State of Hawaii.

"When I served as Chairman of the Education Committee, I was brought closer to this group. I was informed this morning by the Director of the Theatre that they are now appearing before 125,000 students throughout the State of Hawaii.

"It is unfortunate that Nancy Corbett the honoree of the resolution met with an accident and is confined and therefore unable to be with us here this morning. But in her stead, we have the Managing Director of the Honolulu Theatre for Youth and it is my pleasure to introduce her to you, Ms. Jane Campbell."

Senator Hara presented a certified copy of the resolution to Ms. Campbell and Senator Machida presented her with a lei.

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

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

A resolution (S.R. No. 263), entitled: "SENATE RESOLUTION REQUESTING AN EFFECTIVE PROGRAM TO INFORM PATIENTS ABOUT THE HARMFUL SIDE EFFECTS OF SOME PRESCRIPTION

DRUGS", was offered by Senator Chong.

By unanimous consent, S.R. No. 263 was referred to the Committee on Health, then to the Committee on Higher Education.

A resolution (S.R. No. 264), entitled: "SENATE RESOLUTION RELATING TO PUBLIC SCHOOLS WEEK", was jointly offered by Senators Campbell, Chong, Carpenter, Abercrombie, Young, Soares, Ajifu, Cobb, Yim, Ushijima, Machida, Kawasaki, Kuroda and George.

On motion by Senator Campbell, seconded by Senator Chong and carried, S.R. No. 264 was adopted.

A resolution (S.R. No. 265), entitled: "SENATE RESOLUTION URGING THE INTERNAL REVENUE SERVICE TO FORGO CHARGING FEDERAL INCOME TAX TO THE FAMILIES OF AMERICAN HOSTAGES AND THE HOSTAGES THEMSELVES BEING HELD IN IRAN", was jointly offered by Senators Campbell, Chong, Cobb, Carpenter, Ajifu, Yee, O'Connor and Abercrombie.

By unanimous consent, S.R. No. 265 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 266), entitled: "SENATE RESOLUTION SUPPORTING ACTIONS BY NEVADA AND OTHER WESTERN STATES TO GAIN EQUALITY WITH OTHER STATES IN LAND MANAGEMENT, CONTROL, AND OWNERSHIP", was jointly offered by Senators Kuroda, Cobb, Chong, Ajifu, Young, Hara, Machida, Yamasaki, Ushijima, Cayetano, Carroll, Carpenter, O'Connor, Anderson, George, Wong, Toyofuku, Yim and Yee.

By unanimous consent, S.R. No. 266 was referred to the Committee on Intergovernmental Relations.

CONFERENCE COMMITTEE REPORT

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives to Senate Bill No. 1703, S.D. 1, presented a report (Conf. Com. Rep. No. 3-80) recommending that Senate Bill No. 1703, S.D. 1, H.D. 1, C.D. 2, as amended in C.D. 3, pass Final Reading.

In accordance with Article XVII, Section 3, of the Constitution of the State of Hawaii, ten days written notice was given to the Governor on this date on S.B. No. 1703, S.D. 1, H.D. 1, C.D. 3, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS".

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1021-80) informing the Senate that Senate Resolution Nos. 241 to 257 and Standing Committee Report Nos. 1018-80 to 1020-80 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. 1022-80) recommending that Senate Concurrent Resolution No. 33, as amended in S.D. 1, and Senate Resolution No. 162, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and

S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF AN AD HOC COMMITTEE TO STUDY THE MODEL STATE TRADEMARK BILL, AND CHAPTER 482, HAWAII REVISED STATUTES"; and

S.R. No. 162, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE FORMATION OF AN AD HOC COMMITTEE TO STUDY THE MODEL STATE TRADEMARK BILL, AND CHAPTER 482, HAWAII REVISED STATUTES",

were adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1023-80) recommending that the Senate advise and consent to the nominations of the following:

William A.K. Waters to the Hawaii Educational Council, term to expire December 31, 1983, in accordance with Gov. Msg. No. 161;

Elizabeth G. Plateau to the King Kamehameha Celebration Commission, for term to expire December 31, 1982, in accordance with Gov. Msg. No. 162;

Gard N. Kealoha to the King Kamehameha Celebration Commission, for term to expire December 31, 1980, in accordance with Gov. Msg. No. 163; and

Leonora Villatora, Hilda D. Cannon

and Helen H. Kaneshiro to the Library Advisory Commission, County of Kauai, for terms to expire December 31, 1983, in accordance with Gov. Msg. No. 166.

By unanimous consent, action on Stand. Com. Rep. No. 1023-80 and Gov. Msg. Nos. 161, 162, 163 and 166 was deferred until Tuesday, April 8, 1980.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1024-80) recommending that Senate Resolution No. 29, as amended in S.D. 1, be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 29, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING FUNDING FOR PROGRAMS FOR THE HANDICAPPED", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1025-80) recommending that Senate Resolution No. 164 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 164, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW POLICY AND REGULATIONS ON REPORTING STUDENT PROGRESS", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1026-80) recommending that Senate Resolution No. 170 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 170, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF IMPLEMENTING A HIGH SCHOOL LEGISLATIVE INTERNSHIP PROGRAM", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1027-80) recommending that Senate Resolution No. 172 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 172, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RE-EVALUATE THE PRESENTATION OF STANDARDIZED TESTS TO PARENTS", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1028-80) recommending that Senate Resolution No. 218 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 218, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON ITS POLICIES AND PROCEDURES ON CONSOLIDATING SCHOOLS WITH DECLINING ENROLLMENTS", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1029-80) recommending that Senate Concurrent Resolution No. 37 and Senate Resolution No. 173 be adopted.

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

S.C.R. No. 37, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON COMPUTER EDUCATION"; and

S.R. No. 173, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON COMPUTER EDUCATION",

were adopted.

MATTERS DEFERRED FROM APRIL 3, 1980

Senate Bill No. 2120-80, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2120-80, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 3145-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3145-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 1161, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1161, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Campbell and Carroll as

Managers on the part of the Senate at such conference.

Senate Bill No. 1831-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1831-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 1832-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1832-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1851-80, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1851-80, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb, Mizuguchi, Ushijima, George and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 1944-80, S.D. 1, H.D. 2:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1944-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2071-80, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2071-80, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2155-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2155-80, S.D. 1, and the request for a conference on

the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2156-80, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2156-80, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Chong and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2329-80, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2329-80, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Chong and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2501-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2501-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Machida and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2581-80, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2581-80, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 2741-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2741-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Mizuguchi and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2744-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2744-80, S.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Mizuguchi and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2784-80, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2784-80, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 2869-80, S.D. 3, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2869-80, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 2877-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2877-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2927-80, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2927-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", was deferred until Tuesday, April 8, 1980.

Senate Bill No. 3012-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3012-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Machida, Mizuguchi and George as Managers on the part of the Senate at such conference.

Senate Bill No. 3146-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3146-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Machida, Mizuguchi, Ushijima, George and Saiki as Managers on the part of the Senate at such conference.

At 12:02 o'clock p.m., the Senate stood

in recess subject to the call of the Chair.

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

House Bill No. 1684, H.D. 1, S.D. 2:

By unanimous consent, action on H.B. No. 1684, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", was deferred until Tuesday, April 8, 1980.

House Bill No. 1784-80, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1784-80, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb and Young as Co-Chairmen and Yee as Managers on the part of the Senate at such conference.

House Bill No. 2029-80, H.D. 2, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2029-80, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Yamasaki and Yee as Managers on the part of the Senate at such conference.

House Bill No. 2071-80, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2071-80, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Carpenter, Toyofuku, Yamasaki, Ajifu and Soares as Managers on the part of the Senate at such conference.

House Bill No. 2286-80, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2286-80, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Carpenter, Chairman, Abercrombie and Yee as Managers on the part of the Senate at such conference.

House Bill No. 2532-80, S.D. 1:

By unanimous consent, action on H.B. No. 2532-80, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE PLACEMENT OF THE SCULPTURE

'THE SPIRIT OF LILIUOKALANI' AT THE STATE CAPITOL COMPLEX", was deferred until Tuesday, April 8, 1980.

House Bill No. 2723-80, H.D. 2, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2723-80, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Abercrombie, Young and Soares as Managers on the part of the Senate at such conference.

At this time, Senator Yamasaki introduced to the members of the Senate 42 students from the Multicultural Studies Club at Lahainaluna High School, Island of Maui, with their teachers, Donna Domingo and Mr. and Mrs. Allan Kawaguchi, and their chaperones, Linda Shinozuka, Harriette Corpuz and Valerie Fernandez.

FINAL READING

Senate Bill No. 2186-80, S.D. 1, H.D. 1:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 2186-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2208-80, S.D. 1, H.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 2208-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2358-80, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2358-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1441, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Tuesday, April 8, 1980.

Senate Bill No. 1834-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1834-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT OF A MARRIAGE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1897-80, S.D. 1, H.D. 1:

On motion by Senator Yim, seconded by Senator Chong and carried, S.B. No. 1897-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2007-80, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2007-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VENDING FROM STATE HIGHWAYS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2070-80, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2070-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2081-80, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2081-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

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

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

Senate Bill No. 2232-80, S.D. 1, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2232-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT PARKING CONTROL", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Hara). Excused, 1 (Yee).

Senate Bill No. 2277-80, H.D. 2:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2277-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2419-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2419-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2512-80, S.D. 1, H.D. 2:

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, S.B. No. 2512-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING AND CONTRACTING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2514-80, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2514-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

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

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

Senate Bill No. 2682-80, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2682-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2770-80, S.D. 1, H.D. 1:

On motion by Senator Kuroda, seconded by Senator Machida and carried, S.B. No. 2770-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Kawasaki). Excused, 1 (Yee).

Senate Bill No. 2870-80, S.D. 1, H.D. 1:

Senator O'Connor moved that S.B. No. 2870-80, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cobb.

Senator Carroll then spoke for the measure as follows:

"Mr. President, this is a great pleasure to speak in favor of this bill since it has been part of my crime package for the past six years.

"It's the first time we're taking a sensible look at doing something that should have been done long ago and it was an amendment that we suggested should have been made back in 1971 with the passage of the Penal Code. It finally brings reason into this area of allowing an eye witness to give information to the police and allowing him to make an arrest in a misdemeanor situation when there is probable cause. I urge that we all vote 'aye'."

The motion was put by the Chair and carried, and S.B. No. 2870-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS BY POLICE OFFICERS WITHOUT WARRANT",

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

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

Senate Bill No. 2938-80, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2938-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 3003-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 3003-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

MATTERS DEFERRED
FROM APRIL 3, 1980

THIRD READING

Standing Committee Report No. 679-80 (S.B. No. 1829-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 679-80 and S.B. No. 1829-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT", was deferred until Thursday, April 10, 1980.

Standing Committee Report No. 695-80 (S.B. No. 1828-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 695-80 and S.B. No. 1828-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NON-PROFIT CORPORATION ACT", was deferred until Thursday, April 10, 1980.

House Bill No. 2259-80:

By unanimous consent, action on H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Thursday, April 10, 1980.

House Bill No. 2533-80, H.D. 1:

By unanimous consent, action on

H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was deferred until Thursday, April 10, 1980.

House Bill No. 2064-80:

By unanimous consent, action on H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was deferred until Thursday, April 10, 1980.

House Bill No. 2166-80, H.D. 1:

By unanimous consent, action on H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Thursday, April 10, 1980.

Standing Committee Report No. 987-80 (H.B. No. 2589-80):

By unanimous consent, action on Stand. Com. Rep. No. 987-80 and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Thursday, April 10, 1980.

House Bill No. 2629-80:

By unanimous consent, action on H.B. No. 2629-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Thursday, April 10, 1980.

House Bill No. 2853-80:

By unanimous consent, action on H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", was deferred until Thursday, April 10, 1980.

House Bill No. 2472-80:

By unanimous consent, action on H.B. No. 2472-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", was deferred until Thursday, April 10, 1980.

Standing Committee Report No. 1019-80 (H.B. No. 2181-80):

By unanimous consent, action on Stand. Com. Rep. No. 1019-80 and H.B. No. 2181-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", was deferred until Thursday, April 10, 1980.

At this time, Senator O'Connor, Chairman of various Conference Committees, then requested a waiver of the 48-hour notice of a Public Hearing on

the following measures:

S.B. No. 1944-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY";

S.B. No. 2156-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT";

S.B. No. 2071-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT";

S.B. No. 2869-80, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES";

H.B. No. 1762-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

H.B. No. 1911-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, AND CORRECTING REFERENCES";

H.B. No. 1915-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION";

H.B. No. 2059-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY";

H.B. No. 2091-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT PROCEEDINGS";

H.B. No. 2324-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING ORDERS";

S.B. No. 2581-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASED OR RENTED PERSONAL PROPERTY";

H.B. No. 2357-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION";

H.B. No. 2669-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION";

S.B. No. 2120-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS";

H.B. No. 2058-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY";

H.B. No. 2161-80, H.D. 1, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS";

H.B. No. 2162-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING";

H.B. No. 2167-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS";

S.B. No. 3146-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING";

S.B. No. 3012-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS";

S.B. No. 2501-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS; PENALTIES FOR VIOLATIONS";

H.B. No. 2826-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF DOG OWNERS"; and

H.B. No. 2175-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NAMES",

and the President granted the waiver.

Senator Carroll then stood on a point of personal privilege and stated as follows:

"Mr. President, I am aggrieved today and I am aggrieved because of the actions which occurred on the floor of this Senate and because of the actions which I believe are being taken on behalf of the Senate.

"On the Thirty-Third Day of this legislative session, addressing Senate Bill No. 2253-80, S.D. 1, I asked the Chairman of the Consumer Protection Committee whether or not certain language within that bill addressed the apartment precinct under the Special Design District definition of our city ordinances. The question had to do with whether or not hotel-apartment use noted in the bill would be includable as an area where time-sharing would be allowed. The Consumer Protection Committee Chairman's answer was, 'my answer is yes; that under either (a) or (b), it would not address the apartment precinct since both of these matters are addressed to areas zoned already by the county for hotel or resort use.'

"In previous hearings, the subject matter of the use of the Waikiki Apartment Precinct had been brought up. It's

noted that the apartment precinct is a residential use by definition. I understand that the conference committee over the weekend has come to the conclusion that the apartment precinct must be sacrificed; in effect that time-sharing will be allowed under special conditions in the apartment precinct.

"Now this is absolutely contrary to my understanding. I am not calling anybody a liar; I'm certain that the way that I posed the question to the Chairman left a certain amount of ambiguity but everything that I was led to believe by both the Chairman of the House Consumer Protection and the Senate Consumer Protection Committees was that the apartment precinct would not be includable as an area for time-share use.

"This is an extremely sensitive matter in the Waikiki district because of the impact on housing, rentals, hotel use, in what is essentially residential area.

"I want it to be known at this time to the conferees on the Senate Committee that I am adamantly opposed and I am certain that virtually anybody who knows anything about this subject matter, other than people in the time-sharing industry, have got to be adamantly opposed to the use of time-sharing in the apartment precinct in the Waikiki Special Design District, and I am aggrieved to understand that this potential use may be being allowed State statute or at least alluded to in the conference committee draft.

"I intend to fight this matter on the floor of this Senate and, if necessary, in the courts in order to insure that the proper uses in the residential district in Waikiki and elsewhere in the Sixth Senatorial District are followed. And to that extent, I am aggrieved and I think you for allowing me to present this to you."

Senator Abercrombie then commented as follows:

"Mr. President, I am not quite sure of the exact designation in which I should stand in response to that. I am equally concerned, but I would not like to see us get into a situation where rumor becomes fact and that becomes the basis for aggrievement by anyone.

"I'm assured that our Senate position is still that which was enunciated by the previous speaker in my conversation, so I would take the same position if I thought otherwise, but I do not now believe that to be the case."

The President then stated: "As I understand the Chairman of the conference committee, the bills alluded to here on the floor are still in conference. I think the Chairman of the conference committee is aware

of the concerns of the good Senator from the Sixth District as well as other Senators.

"My feeling of when discussion should be held on the final form of the bill should be when the conference committee reports out its draft for our consideration. As far as I am concerned, the bills are still in conference. The concerns should be addressed there at this time."

Senator Carroll commented further: "Mr. President, I would just like to add the comment that I am aggrieved because my understanding perhaps may be blurred; I'm rising today to make sure that there is no misunderstanding about what my position is with respect to the apartment precinct use."

Senator Cobb in response thereto stated as follows:

"Mr. President, I rise to attempt to respond and at least answer some of the concerns and also to clarify the record with respect to the question raised by one of the previous speakers.

"When the question was raised, it pertained to part (a) and (b) of the bill alluded to and did not touch upon

the two subsequent sections, both of which did deal quite exclusively in terms of the description of uses with the apartment precinct, and that the discussion that did take place in the committee before the Senate Bill was transmitted over did entail the apartment precinct in the Waikiki Special Design District, and when the bill was transmitted over, it required a 100% approval of the building owners in order for such a project to be done within that area.

"Specifically with regard to the question of part (a) and (b), the questioner did not include, and this was in a previous discussion, the question relative to part (c) and (d), as contained in the Senate Bill before it was transmitted over as Senate Draft 1.

"As the Chair indicated, the matter is still in conference and the good senators are welcome to come to this afternoon's conference if they so desire."

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Tuesday, April 8, 1980.