

FIFTY-NINTH DAY

Thursday, April 17, 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 Doctor Gerald Gifford of St. Elizabeth's Episcopal Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Eighth Day.

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

Senator Anderson introduced 105 members of the Koolau Senior Citizens Club from Windward Oahu. Senator Kawasaki introduced Mr. and Mrs. Ken Ouchi, formerly of Makaweli, Kauai and now residents of Kaneohe from among the group.

Senator Kawasaki then introduced Mrs. Mitama Takemoto, mother of former Congresswoman Patsy T. Mink.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 299), transmitting a report prepared by the Department of Labor and Industrial Relations relating to the State Program for the Unemployed which was prepared pursuant to Act 151, Eighth Legislature, was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 651 to 688) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 651), transmitting House Concurrent Resolution No. 74 which was adopted by the House of Representatives on April 16, 1980, was placed on file.

By unanimous consent, H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO INCREASE FUNDS AVAILABLE UNDER TITLE XX OF THE SOCIAL SECURITY ACT SO THAT THE VOCATIONAL/SOCIAL REHABILITATION SERVICES MAY RECEIVE ADEQUATE FUNDING", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 652), informing the Senate that the Speaker had discharged the Managers on the part of the House of Representatives to House Bill No. 2729-80, H.D. 3, was placed on file.

A communication from the House (Hse. Com. No. 653), informing the Senate that the House reconsidered its action taken on April 3, 1980 in disagreeing to the Senate amendments and on April 16, 1980, the Speaker discharged the Conferees on the part of the House on the following bills: House Bill No. 1606, H.D. 2, S.D. 1; House Bill No. 1610, H.D. 1, S.D. 1; House Bill No. 1762-80, S.D. 2; and House Bill No. 2193-80, H.D. 1, S.D. 2, was placed on file.

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

A communication from the House (Hse. Com. No. 654), informing the Senate that the amendments proposed by the Senate to House Bill No. 1429 were agreed to by the House; and H.B. No. 1429, S.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 655), informing the Senate that the amendments proposed by the Senate to House Bill No. 2074-80 were agreed to by the House; and H.B. No. 2074-80, S.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 656), informing the Senate that the amendments proposed by the Senate to House Bill No. 2131-80 were agreed to by the House; and H.B. No. 2131-80, S.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 657), informing the Senate that the amendments proposed by the Senate to House Bill No. 2133-80 were agreed to by the House; and H.B. No. 2133-80, S.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 658), informing the Senate that the amendments proposed by the Senate to House Bill No. 2134-80 were agreed to by the House; and H.B. No. 2134-80, S.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 659), informing the Senate that the amendments proposed by the Senate to House Bill No. 2135-80 were agreed to by the House; and H.B. No. 2135-80, S.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 660), informing the Senate that the amendments proposed by the Senate to House Bill No. 2219-80, H.D. 1, were agreed to by the House; and H.B. No. 2219-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 661), informing the Senate that the amendments proposed by the Senate to House Bill No. 2577-80 were agreed to by the House; and H.B. No. 2577-80, S.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 662), informing the Senate that the amendments proposed by the Senate to House Bill No. 2729-80, H.D. 3, were agreed to by the House; and H.B. No. 2729-80, H.D. 3, S.D. 2, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 663), transmitting House Concurrent Resolution No. 147 which was adopted by the House of Representatives on April 16, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING DONALD BOTELHO, DIRECTOR, AND EDWARD K. NAKANO, CHIEF, TRAINING AND SAFETY DIVISION, HAWAII STATE DEPARTMENT OF PERSONNEL SERVICES, FOR THEIR EXEMPLARY WORK IN THE PACIFIC INTERGOVERNMENTAL PERSONNEL ACT COUNCIL (PIPAC)", was adopted.

A communication from the House (Hse. Com. No. 664), transmitting House Concurrent Resolution No. 148 which was adopted by the House of Representatives on April 16, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 148, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING SANDY ZALBURG FOR HIS DEDICATION

TO JOURNALISM", was adopted.

A communication from the House (Hse. Com. No. 665), transmitting House Concurrent Resolution No. 149 which was adopted by the House of Representatives on April 16, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 149, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING APPRECIATION AND CONGRATULATIONS TO THE PARTICIPANTS OF THE 'PACIFIC ISLANDS CONFERENCE: DEVELOPMENT THE PACIFIC WAY' FOR A SUCCESSFUL CONFERENCE", was adopted.

A communication from the House (Hse. Com. No. 666), informing the Senate that House Bill No. 55, H.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, was placed on file.

A communication from the House (Hse. Com. No. 667), informing the Senate that House Bill No. 1313, H.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, was placed on file.

A communication from the House (Hse. Com. No. 668), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1944-80, S.D. 1, was adopted by the House; and S.B. No. 1944-80, S.D. 1, H.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 669), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2071-80, S.D. 2, was adopted by the House; and S.B. No. 2071-80, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 670), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2120-80 was adopted by the House; and S.B. No. 2120-80, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 671), informing the Senate

that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2134-80 was adopted by the House; and S.B. No. 2134-80, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 672), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2156-80 was adopted by the House; and S.B. No. 2156-80, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 673), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2869-80, S.D. 3, was adopted by the House; and S.B. No. 2869-80, S.D. 3, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 674), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 159, H.D. 1, was adopted by the House; and H.B. No. 159, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 675), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1873-80 was adopted by the House; and H.B. No. 1873-80, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 676), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1986-80 was adopted by the House; and H.B. No. 1986-80, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 677), informing the

Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1991-80, H.D. 1, was adopted by the House; and H.B. No. 1991-80, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 678), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1993-80 was adopted by the House; and H.B. No. 1993-80, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 679), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2161-80, H.D. 1, was adopted by the House; and H.B. No. 2161-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 680), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2162-80, H.D. 1, was adopted by the House; and H.B. No. 2162-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 681), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2321-80, H.D. 1, was adopted by the House; and H.B. No. 2321-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 682), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2324-80, H.D. 1, was adopted by the House; and H.B. No. 2324-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 683), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2368-80, H.D. 1, was

adopted by the House; and H.B. No. 2368-80, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 684), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2443-80, H.D. 1, was adopted by the House; and H.B. No. 2443-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 685), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2669-80, H.D. 1, was adopted by the House; and H.B. No. 2669-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 686), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2826-80, H.D. 1, was adopted by the House; and H.B. No. 2826-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 687), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2929-80, H.D. 1, was adopted by the House; and H.B. No. 2929-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

A communication from the House (Hse. Com. No. 688), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2930-80, H.D. 1, was adopted by the House; and H.B. No. 2930-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 16, 1980, was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 63 and 64) were read by the Clerk and were disposed of

as follows:

A concurrent resolution (S.C.R. No. 63), entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE OFFICE OF THE LIEUTENANT GOVERNOR, THE OFFICE OF THE ATTORNEY GENERAL AND THE FAMILY COURT TO RESOLVE THE PROBLEM OF CHANGES OF NAMES BY CONVICTED FELONS AND OTHERS", was jointly offered by Senators Soares, Carroll, Ajifu, O'Connor, Young, Hara, Yamasaki, Carpenter and Anderson.

By unanimous consent, S.C.R. No. 63 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 64), entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE CRIME COMMISSION TO CONDUCT A SERIES OF CITIZEN FORUMS ABOUT THE ROOT CAUSES OF CRIME AND VIOLENCE IN OUR SOCIETY", was jointly offered by Senators Soares, Carroll, Ajifu, O'Connor, Hara, Young, Yamasaki, Carpenter and Anderson.

By unanimous consent, S.C.R. No. 64 was referred to the Committee on Judiciary.

At 11:35 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:39 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 351 to 358) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 351), entitled: "SENATE RESOLUTION EXTENDING ALOHA AND GOOD WISHES TO THE PEOPLE'S REPUBLIC OF CHINA THROUGH THE FIVE PROFESSIONAL TRAINEES ENROLLED IN THE SCHOOL OF TRAVEL INDUSTRY MANAGEMENT AT THE UNIVERSITY OF HAWAII", was jointly offered by Senators Kuroda, Yim, Wong, Machida, Carroll, Soares, Toyofuku, Hara, Yee, Cobb, Saiki, Cayetano, Carpenter, Chong, Ushijima, Yamasaki, Campbell, Abercrombie, Ajifu, George, Mizuguchi and O'Connor.

On motion by Senator Kuroda, seconded by Senator Yim and carried, S.R. No. 351 was adopted.

Senator Kuroda then stated as follows:

"Mr. President, it's a real pleasure to have this opportunity because we are honored this morning to have with us the five students of the People's Republic of China enrolled in the School of Travel Industry Management of the University of Hawaii.

"The significance of their presence should be recognized with due importance because this is the first time that the Chinese government has sent students of tourism abroad to study and train in travel management work. These men are mid-career professionals in China's growing tourist industry. There were 120,000 visitors in China in 1979.

"Mr. President, there's no better place than in the United States to learn about the travel industry management than at the University of Hawaii and there is no other place than Hawaii to study about Asian-Pacific travel. So it is an honor that the University of Hawaii has been selected for this training and study experience for these men. Playing a major role in getting the group to study here is Dean Chuck Gee who is here with us, and also the President of the University of Hawaii Mr. Fujio Matsuda whom I shall introduce more formally later.

"I think it's significant that in 1978 when President Matsuda and Professor Gee were invited to China to talk about the possibility of training personnel for China's expanding tourism industry that the negotiation and discussion took place for these students to be here. As a result, they are here today fully deserving of recognition and honor we can bestow upon them as representatives of a country emerging into an economic program that already thrives in other parts of the world, and we in Hawaii are very fortunate that we have this thriving industry called tourism.

"Now, Mr. President, I take pleasure in introducing the Chinese delegation to you. First, I'd like to introduce Mr. Deng Guan Li, the leader of the group. He is now working with the China International Travel Service and will be compiling books on tourism when he returns to China. His background is teaching.

"Now, I'd like to at this time introduce Mr. Yu Bing Yan. Mr. Yu Bing Yan is an English teacher at Shanghai Institute of Tourism involved in training supervisors for hotels and will be active in teaching travel management on his return. I'd like to at this time share with you members of the Senate who are also school teachers. I'd like to have Senator Patricia Saiki rise to be recognized by the delegation and here we have Senator Charles Campbell.

"I'd like to at this time introduce Mr. Tao Hun Jun. Mr. Tao Hun Jun specialized in International Relations and Foreign Diplomacy by majoring in political economics

and he is presently a staff member of the North American Division of CITS and will be involved in teaching in Beijing upon his return.

"Also, I would like to introduce to you Mr. Tang Jia Dong who is also a staff member of CITS, serving as an interpreter, a tour guide, and supervises schedules for other tours, and who will be involved in curriculum development in a tourism college in Beijing, and you can see by his height we could use him on a basketball team. Both Mr. Yu and Mr. Tao are farmers in training and I would like to have you meet our senators who are farmers; that's Senator T.C. Yim and Senator Stanley Hara.

"And last but not least, is the youngest person, 28 years old, Mr. Hu Yong Hui who holds the position of tour guide with CITS and who will be teaching at the newly opened Tourism School of Jiangsu Province. Mr. Hu, we also have bachelors in our Senate. I'd like you to meet Senator Anson Chong and Senator Mamoru Yamasaki here.

"Now, I'd like to introduce Professor Chuck Gee, Dean of Tourism, and the President of the University of Hawaii, Dr. Fujio Matsuda."

Senator Kuroda then presented certified copies of the resolution to the honorees and Senators Young, George and Saiki presented them with leis.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

A resolution (S.R. No. 352), entitled: "SENATE RESOLUTION ENCOURAGING THE OFFICE OF THE LIEUTENANT GOVERNOR, THE OFFICE OF THE ATTORNEY GENERAL AND THE FAMILY COURT TO RESOLVE THE PROBLEM OF CHANGES OF NAMES BY CONVICTED FELONS AND OTHERS", was jointly offered by Senators Soares, Carroll, Ajifu, O'Connor, Young, Hara, Yamasaki, Carpenter and Anderson.

By unanimous consent, S.R. No. 352 was referred to the Committee on Judiciary.

A resolution (S.R. No. 353), entitled: "SENATE RESOLUTION ENCOURAGING THE CRIME COMMISSION TO CONDUCT A SERIES OF CITIZEN FORUMS ABOUT THE ROOT CAUSES OF CRIME AND VIOLENCE IN OUR SOCIETY", was jointly offered by Senators Soares, Carroll, Ajifu, O'Connor, Hara, Young, Yamasaki, Carpenter and Anderson.

By unanimous consent, S.R. No. 353 was referred to the Committee on Judiciary.

A resolution (S.R. No. 354), entitled: "SENATE RESOLUTION HONORING PROFESSOR ROBERT B. STAUFFER OF THE UNIVERSITY OF HAWAII, MANOA CAMPUS, ON HIS THIRTY YEARS OF TEACHING EXCELLENCE IN THE DEPARTMENT OF POLITICAL SCIENCE", was jointly offered by Senators Abercrombie, Chong, Kawasaki, Cayetano, Ushijima, Yamasaki, Carpenter, Machida, Carroll, Yim, Saiki, George, Toyofuku, Soares, Hara, Young, Yee, Wong, O'Connor, Ajifu, Anderson, Campbell, Mizuguchi, Cobb and Kuroda.

By unanimous consent, action on S.R. No. 354 was deferred until Friday, April 18, 1980.

A resolution (S.R. No. 355), entitled: "SENATE RESOLUTION COMMENDING AND CONGRATULATING EAGLE SCOUTS WALTER G. PARUBRUB AND EDWIN G. PARUBRUB", was jointly offered by Senators George, Ajifu, Anderson, Saiki, Soares, Carroll, Yim, Wong, Yamasaki, Kuroda, Abercrombie, Campbell, Ushijima, Chong, Young, Carpenter, Machida and Toyofuku.

On motion by Senator George, seconded by Senator Ajifu and carried, S.R. No. 355 was adopted.

Senator George then commented as follows:

"Mr. President, Eagle Scouts are fairly common even though only about one percent of the youths in our country ever make that exalted rank. But I would like people to note in reading this resolution that this is the third member of the Parubruba family to achieve this rank. I think this is really rather extraordinary. Thank you, Mr. President."

A resolution (S.R. No. 356), entitled: "SENATE RESOLUTION CONGRATULATING DR. OTTO DEGENER UPON HIS RECEIPT OF THE WILLDENOW MEDAL", was jointly offered by Senators Hara, Ushijima, Carpenter, Machida, Abercrombie, Chong, Cobb, Kuroda, Yamasaki, Kawasaki, Toyofuku, O'Connor, Campbell, Mizuguchi, George, Yee, Carroll, Cayetano, Wong, Young, Yim, Soares, Ajifu, Saiki and Anderson.

Senator Hara moved that S.R. No. 356 be adopted, seconded by Senator Ushijima.

Senator Abercrombie then spoke for the resolution as follows:

"Mr. President, the gentleman who is involved here in this resolution is one of the really fine people both from personal standpoint, from the

point of view of friendship and from the point of view of academic excellence, absolutely selfless willingness year in and year out to share his absolutely fantastic amount of knowledge in the area of biological and botanical study.

"The depth of his understanding and knowledge concerning the Hawaiian Islands and the Pacific in general in terms of plants, the preservation; his knowledge concerning endangered species; his absolute devotion and fidelity to seeing that we have a distribution of that knowledge to our young people is something that not only merits attention and merits reward, if you will, by virtue of this resolution or any other honor that might come his way, but it's the kind of thing that I hope will be passed on to generations to come.

"Mr. President, this kind of dedication, this kind of service in our community is a rare thing indeed, and it's a pleasure to see that Dr. Degener is being recognized today."

Senator Carroll then spoke for the resolution as follows:

"Mr. President, I was formerly a hiking companion of Dr. Degener and we honored him as recently as last year. He is internationally known; he's been honored in Germany and New York and around the world.

"Mr. President, I think he is over 80 years old now and when I talk to him on the phone, he still sounds like he's about 35 years old. He is a tremendously vigorous fellow and I think that this kind of honor is long overdue for Dr. Degener and his wife. I urge that we all vote 'aye'."

The motion to adopt the resolution was put by the Chair and carried, and S.R. No. 356 was adopted.

A resolution (S.R. No. 357), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING STEVEN RO, EAGLE SCOUT, BOY SCOUTS OF AMERICA", was jointly offered by Senators Young, Kuroda, Mizuguchi, Cayetano, Yamasaki, Ushijima, Chong, Machida, Carpenter, Cobb, Ajifu, Yim, Wong, George, Soares, Saiki, Yee, Carroll, Campbell, Hara and Abercrombie.

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 357 was adopted.

A resolution (S.R. No. 358), entitled: "SENATE RESOLUTION CONGRATULATING THE AIEA HIGH SCHOOL DECA CHEVRON AWARD RECIPIENTS AND ACHIEVEMENT AWARD WINNERS AT THE HAWAII STATE DECA CAREER DEVELOPMENT CONFERENCE", was jointly offered by Senators Young,

Kuroda, Mizuguchi, Cayetano, Yamasaki, Ushijima, Soares, Carroll, Chong, Carpenter, Abercrombie, Campbell, Machida, Ajifu, Saiki, George, Hara and Cobb.

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 358 was adopted.

CONFERENCE COMMITTEE REPORT

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2914-80, S.D. 2, H.D. 2, presented a report (Conf. Com. Rep. No. 89-80) recommending that S.B. No. 2914-80, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

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. 2914-80, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION".

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1101-80) informing the Senate that Senate Resolution Nos. 240 to 350, Conference Committee Report Nos. 78-80 to 88-80 and Standing Committee Report Nos. 1091-80 to 1100-80 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 Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1102-80) recommending that the Senate advise and consent to the following:

Donald F.B. Char, M.D., Erika Eberly, Hester V. Cox, and Rose Ann Poyzer, to the Board of Health, in accordance with Gov. Msg. No. 167;

Marion A. Metz to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 168;

John M. Ohtani, M.D., Leonard P. Paresa, Sr., Robert T. Kunichika, Marvin B. Hall, Manuel Buenconsejo, Susan Y. Fujihara, Mark B. Perlmutter, Kimie Lane and Mark M. Hamasaki, to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 169;

Shirley T. Akita to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 170;

R. Warwick Armstrong, Ph.D., to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 171;

Kathleen Campbell to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 172;

Andrew I.T. Chang to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 173;

Angie Connor, M.D., to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 174;

Eileen Dempster to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 175;

Miles S. Kawatachi to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 176;

Dianne M. Miyamoto to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 177;

Dixon Mugiishi to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 178;

Allan C. Oglesby, M.D., to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 179;

John K. Porter to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 180;

Leonard F. Takamura to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 181;

Lambert K. Wai to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 182;

Garret H. Yanagi, Ph.D., to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 183;

G. Terry Young to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 184;

Matthew S.K. Pyun, Jr., Carol M. Strait, W. Thomas Finley, John R. Penebacker, Robert C. Marvit, M.D., and Harry H. Kanada to the Advisory Commission on Drug and Controlled Substances, in accordance with Gov. Msg. No. 185;

William Blanchard to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 186;

Merle D. Crow to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 187;

Jeffrey C. Goodman, M.D., to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 188;

Glenn R. Hamberg to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 189;

Alwyn G. Hansen to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 190;

John H. Ide to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 191;

Barbara K. Ideta to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 192;

Djon Indra Lim, M.D., to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 193;

Natalie L. Pfeifer to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 194;

Shirley K. Takahashi to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 195;

Sakae Uehara to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 196;

Livingston M.F. Wong, M.D., to the State Emergency Medical Services Advisory Committee, in accordance

with Gov. Msg. No. 197;

Sumiko K. Tanouye and Roy A. Forbes to the Hawaii County Hospital Management Advisory Committee, in accordance with Gov. Msg. No. 198;

Allen B. Oblow, Norman E.P. Aweau, and Benedict L. Ho, to the County Hospital Management Advisory Committee, City and County of Honolulu, in accordance with Gov. Msg. No. 199;

Goro Hokama to the Maui County Hospital Management Advisory Committee, in accordance with Gov. Msg. No. 200;

Patsy S. Kinoshita to the Maui County Hospital Management Advisory Committee, in accordance with Gov. Msg. No. 201;

Kenneth Asato, Gerald M.H. Lau, John A. Imoto, Ralph T. Miyashiro, Jr., Stephen Howard Tenby, M.D., Fern V. Clark and Vernon Y.N. Chock to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 202;

Ronald F.M. Lee, Richard T. Kato, Hazel Akim-Naone, Harry H. Imy, Herita Agmata, Faaagi Taufete'e and Richard C. Courson, D.D.S., to the West Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 203;

Sergio N. Domondon, Ruby L. Hargrave, Russell Sowers, Haulani Leal and Melvin Y. Nishimoto to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 204;

Sandra Baers, Constance M. Stalker, Earle H. Nakagawa, O.D., Kayo R. Chung, Edward Tsukasa, June I. Takenaka and Virginia M. Burchett to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 205;

John J. Volanti, Katie Moa, Yvonne H. DeCanto, Vicki-Ann Barros, Reverend Charles A. Wothke, Anita A. Moore and James E. Roscher to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 206;

Gennie Ana Lenuani Kinney, Mark B. Perlmutter, Paul N. Tallett, Mildred Guerrero, Nellie A. Metcalf, Ruth A. Kunimura and Hannah K. Springer to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 207;

Betty June Bell, W. Ulu Breen, Mabel Fujiuchi, Josephine C. Duvauchelle,

Chiyoze Joe Shiramizu, George Kanna, D.D.S., and William R. Flanders to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 208;

Glenn S. Izawa, Kimie Lane, JoAnn T. Rida, James L. Stoll and Kathleen R. Johnson to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 209;

Audrey Rocha Reed to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 210; and

Angela M. Morehead, Manuel Maxie Moreno and Tamotsu Hiraoka to the Kauai County Hospital Management Advisory Committee, in accordance with Gov. Msg. No. 252.

By unanimous consent, action on Stand. Com. Rep. No. 1102-80 and Gov. Msg. Nos. 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210 and 252 was deferred until Friday, April 18, 1980.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1103-80) recommending that the Senate advise and consent to the nominations of Richard S. Dumanas, Robert B. Raneses and Edward S. Kushi, Jr., to the Civil Service Commission, in accordance with Gov. Msg. No. 213.

By unanimous consent, action on Stand. Com. Rep. No. 1103-80 and Gov. Msg. No. 213 was deferred until Friday, April 18, 1980.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1104-80) recommending that the Senate advise and consent to the nomination of Renton L.K. Nip to the Hawaii Employment Relations Board, in accordance with Gov. Msg. No. 215.

By unanimous consent, action on Stand. Com. Rep. No. 1104-80 and Gov. Msg. No. 215 was deferred until Friday, April 18, 1980.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1105-80) recommending that the Senate advise and consent to the nominations of Jamie McCormick, Emir Berg, M. Beth Godley Arruda and Roy A. Williams

to the Commission on the Handicapped, in accordance with Gov. Msg. No. 216.

By unanimous consent, action on Stand. Com. Rep. No. 1105-80 and Gov. Msg. No. 216 was deferred until Friday, April 18, 1980.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1106-80) recommending that the Senate advise and consent to the nominations of Sandra L. Hammond, Violet Z. Kam, Toru Suzuki, Virgie Chattergy, Ed.D., Gerri Watanabe, Henry V. Rosario, Michael C.K. Wong and Masashi Arinaga to the Advisory Commission on Manpower and Full Employment, in accordance with Gov. Msg. No. 217.

By unanimous consent, action on Stand. Com. Rep. No. 1106-80 and Gov. Msg. No. 217 was deferred until Friday, April 18, 1980.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1107-80) recommending that the Senate advise and consent to the nomination of Paul Pladera to the Board of Vocational Rehabilitation, in accordance with Gov. Msg. No. 218.

By unanimous consent, action on Stand. Com. Rep. No. 1107-80 and Gov. Msg. No. 218 was deferred until Friday, April 18, 1980.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1108-80) recommending that the Senate advise and consent to the nominations of Bernadine M. Mokiao, Shirley K. Kamakele, Rena Alao, Velma M. Santos, Edward K. Fujimoto, Ph.D., and Josephine E. Day to the State Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 253.

By unanimous consent, action on Stand. Com. Rep. No. 1108-80 and Gov. Msg. No. 253 was deferred until Friday, April 18, 1980.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1109-80) recommending that the Senate advise and consent to the nominations of Gordon C. Murakami, Thomas T. Toguchi and Christian Tirre to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 254.

By unanimous consent, action on Stand. Com. Rep. No. 1109-80 and Gov. Msg. No. 254 was deferred until Friday, April 18, 1980.

Senator Toyofuku, for the Committee on Human Resources, presented a report

(Stand. Com. Rep. No. 1110-80) recommending that the Senate advise and consent to the nominations of Lois H. Matsuda, Carolina S. Boland, Sandra T. Ohara, Barbara Adams and William K. Pacatang to the Board of Social Services, in accordance with Gov. Msg. No. 284.

By unanimous consent, action on Stand. Com. Rep. No. 1110-80 and Gov. Msg. No. 284 was deferred until Friday, April 18, 1980.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1111-80) recommending that the Senate advise and consent to the nominations of Barbara H. Luppold, Yaso Abe, Edwin Y. Chun, Carol Kikkawa, Reverend Franco Manuel, Ethel T. Mori, Sung Dai Seu, Satoru Izutsu, Ph.D., and J. Ward Russell to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 214.

By unanimous consent, action on Stand. Com. Rep. No. 1111-80 and Gov. Msg. No. 214 was deferred until Friday, April 18, 1980.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1112-80) recommending that the Senate advise and consent to the nominations of the following:

Jeffrey S. Tai and Eleanor K. Ahuna to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 219; and

Steven M. Nagata, Tamotsu Kitagawa, John W. Anderson, Jr., and Daniel S. Miyasato to the Advisory Council for Housing and Construction Industry, in accordance with Gov. Msg. No. 220.

By unanimous consent, action on Stand. Com. Rep. No. 1112-80 and Gov. Msg. No. 220 was deferred until Friday, April 18, 1980.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1113-80) recommending that the Senate advise and consent to the nominations of the following:

Mitsuo Shimizu, Michael J. Coy and Thomas M. Itagaki to the Hawaii Community Development Authority, in accordance with Gov. Msg. No. 281; and

Paul A. Tom to the Hawaii Housing Authority, in accordance with Gov. Msg. No. 282.

By unanimous consent, action on Stand. Com. Rep. No. 1113-80 and Gov. Msg. Nos. 281 and 282 was deferred until Friday, April 18, 1980.

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1114-80) recommending that the Senate advise and consent to the nomination of Kim Tet Lee to the Board of Trustees, Employees' Retirement System of the State of Hawaii, in accordance with Gov. Msg. No. 234.

By unanimous consent, action on Stand. Com. Rep. No. 1114-80 and Gov. Msg. No. 234 was deferred until Friday, April 18, 1980.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1115-80) recommending that the Senate advise and consent to the nominations of the following:

Margaret H. Cameron, Wayne W.K. Chang, and Lucille B. Cooper to the State Foundation on Culture and the Arts, in accordance with Gov. Msg. No. 160; and

G. Joette Kelley, Lawrence Kawasaki, Edward Espiritu, Jr., and Mary S. Monden to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 251.

By unanimous consent, action on Stand. Com. Rep. No. 1115-80 and Gov. Msg. Nos. 160 and 251 was deferred until Friday, April 18, 1980.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1116-80) recommending that the Senate advise and consent to the nominations of the following:

Daisy L. Aguiar, Roy L. Benham, Lillian Cameron and Thelma Black to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 278;

Lynne T. Shimazu and Chitose Kanuha to the Library Advisory Commission, County of Hawaii, in accordance with Gov. Msg. No. 279; and

Edith L. Clements, Clinton K. Akana, Li'amaanaia Afuvai, Jr., and Roy K. Sasaki to the Library Advisory Commission, City and County of Honolulu, in accordance with Gov. Msg. No. 280.

By unanimous consent, action on Stand. Com. Rep. No. 1116-80 and Gov. Msg. Nos. 278, 279 and 280 was deferred until Friday, April 18, 1980.

Senator Campbell, for the Committee

on Education, presented a report (Stand. Com. Rep. No. 1117-80) recommending that Senate Resolution No. 196 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 196, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER THE ACT IV BLANCHE POPE ELEMENTARY SCHOOL AS A MODEL FOR THE HAWAIIAN EDUCATION PROGRAM", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1118-80) recommending that Senate Resolution No. 251, 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, Roll Call vote having been requested, S.R. No. 251, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP AN ENERGY CONSERVATION EDUCATION PROGRAM IN ELEMENTARY AND SECONDARY SCHOOLS", was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Saiki and Soares).

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1119-80) recommending that Senate Resolution No. 252 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 252, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE EFFECTIVENESS OF THE SCHOOL SECURITY PROGRAM", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1120-80) recommending that Senate Resolution No. 253, 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. 253, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A JOB PREPARATION PROGRAM FOR ENERGY-RELATED JOBS IN THE VOCATIONAL CURRICULUM OF SECONDARY SCHOOLS", was adopted.

At 11:55 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.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1121-80) recommending that Senate Resolution No. 255 be adopted.

Senator Campbell moved that the report of the Committee be adopted and S.R. No. 255 be adopted, seconded by Senator Young.

Senator Mizuguchi then spoke for the resolution as follows:

"Mr. President, I'm voting for this resolution but I think this resolution does not go far enough to address the problems of textbook shortages in our public schools. I think what the legislature should be asking the Department of Education is a school-by-school display of the problems associated with the shortages of textbooks and instructional materials. For this reason, I have some reservations but I'll be voting for it. Thank you."

Senator Anderson, in speaking against the resolution, stated as follows:

"Mr. President, on the contrary I don't disagree but I don't think we ought to be studying it; we ought to be funding it.

"The school book question has been one that's been around for the last two or three years, and anybody who has visited any of the schools knows that the obvious problem where children can't bring home their books to do their homework is because they only have one set per group.

"Now we have some \$2,000,000 in the budget under consideration for textbooks and that's the kind of study we ought to do by putting the money up front to get the textbooks in those classrooms immediately. To prolong the question in a study is really not the answer. We know the problem."

Senator Abercrombie then stated as follows:

"Mr. President, I'd like to agree with the remarks of the last speaker, although I'm voting as well for this in the sense that it's not doing any harm, but I think a further question is raised by this resolution which the previous speaker also at least implied if in fact was not explicit about. And that is there is a question that should be addressed in the very near future by the legislature as to exactly what the relationship of this legislature and the Department of Education is going to be.

"I think we are floundering at the present time and the victims of it are the students in our schools. We have to come to a conclusion as to what authority, if any, exists in the Board of Education. Or if we have a Board of Education it should be an appointed board, so that we can end these long delays of useless argument about who has authority and who doesn't and determine once and for all whether or not we should have a Superintendent of Education nominated by the Governor and advised and consented to by the Senate, and simply dispense with the Board of Education, other than in a strictly advisory capacity and get right down to the nitty-gritty of education.

"And I think that this textbook resolution is an example, one of many before us, that is a manifestation of the frustration that exists in this legislature and the community as a whole as to whether or not our education system is unfortunately not progressing but whether it's going to regress any further than it already has."

Senator Campbell spoke for the resolution as follows:

"Mr. President, I share the feelings of the previous speakers that the book shortage is a serious problem, and I think the Committee approached it from that angle. But I think the Committee was also concerned that we not take hasty action without giving the Department at least a warning that it ought to make a comprehensive study of this problem because this problem did not develop just yesterday.

"The Committee has urged the Department to come back to this body with recommendations about all possible solutions to this serious problem. And in that context and on that basis, the Committee has taken the position that there ought to be a study of the problem so that this legislature can take proper action relative to solution, and of course obviously that's going to be in the area of funding. Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and Roll Call vote having been requested, S.R. No. 255, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE BOOK SHORTAGE IN OUR PUBLIC SCHOOLS", was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Senator Campbell, for the Committee

on Education, presented a report (Stand. Com. Rep. No. 1122-80) recommending that Senate Resolution No. 283 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 283, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE CRITERIA FOR ADMISSION OF GIFTED AND TALENTED CHILDREN WHO FAIL TO MEET STANDARD AGE REQUIREMENTS FOR SCHOOL ADMISSION", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1123-80) recommending that Senate Resolution No. 306 be adopted.

Senator Campbell moved that the report of the Committee be adopted and S.R. No. 306 be adopted, seconded by Senator Young.

Senator Soares then asked if the Chairman of the Committee on Education would yield to a question, to which Senator Campbell replied that he would.

Senator Soares then inquired: "I notice in the second 'WHEREAS' clause, the resolution refers to repairs and maintenance of our schools. Where does revenue sharing come into play in this regard?"

Senator Campbell answered, "Well, revenue sharing funds are available to the State to be used in whatever way the State desires and of course if we get revenue sharing, it simply means that we can certainly urge that those funds be appropriated and given to schools."

Senator Anderson then stated as follows:

"Mr. President, I don't want to belabor this but we again are under consideration of \$30 million worth of repairs and maintenance in our own budget, and asking the Federal government for anything beyond that is kind of contradictory, and the textbook here is kind of an admission to the third 'whereas clause' which reads, 'WHEREAS, our schools are suffering dramatically from a shortage of needed textbooks...'. I would like to see it amended and send a copy to the Chairman of Ways and Means to look it over."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.R. No. 306, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK ADDITIONAL REVENUE SHARING FUNDS FOR EDUCATION", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1124-80) recommending that Senate Resolution No. 309, 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. 309, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF EXTENDING THE LAMP PROGRAM", was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1125-80) recommending that the Senate advise and consent to the nominations of the following:

Richard E. Peterson and Arthur Fink to the Elevator Mechanics Licensing Board, in accordance with Gov. Msg. No. 248;

George Goto, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 249;

Cheuk Tong Tse, Mabel S.C. Chang, Yosei Shinsato and John K. Char, D.D. S., to the Board of Acupuncture, in accordance with Gov. Msg. No. 271;

Dr. Roy H. Tanaka, D.C., to the Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 272;

Aloysius M. Texeira to the Cemetery and Mortuary Board, in accordance with Gov. Msg. No. 273;

Melvin M. Kaetsu, Leonard F. Scanlan, George M. Waialaeale, Jalna S. Keala, Kwan Ho Kuh, Jean F. Cornuelle, Keenan K. Kelekolio, Robert M. Oda, Marvin R. Funes and Pamela S. Kimura to the Consumer Advisory Council, in accordance with Gov. Msg. No. 274;

Donald D. Chapman, Tadaka Nakahata, Cesar Portugal, Juli M. Kimura-Walters and Masaji Yamashita to the Board of Registration of Professional Engineers, Architects, and Surveyors, in accordance with Gov. Msg. No. 275; and

John K. Uyetake and Gregory T. Laureta to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 276.

By unanimous consent, action on Stand. Com. Rep. Nos. 1125-80 and Gov. Msg. Nos. 248, 249, 271, 272, 273, 274, 275 and 276 was deferred until Friday, April 18, 1980.

Senator Yim, for the Committee

on Economic Development, presented a report (Stand. Com. Rep. No. 1126-80) recommending that House Concurrent Resolution No. 124, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1126-80 and H.C.R. No. 124, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING AN INDUSTRIAL PARK IN NORTH KONA AND IF DEEMED FEASIBLE TO PROCEED WITH THE ESTABLISHMENT OF SUCH A PARK", was deferred until Friday, April 18, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1127-80) recommending that the Senate consent to the nomination of Donald K. Tsukiyama as Eleventh Judge for the Circuit Court of the First Circuit, for a ten (10) year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 259.

By unanimous consent, action on Stand. Com. Rep. No. 1127-80 and Gov. Msg. No. 259 was deferred until Friday, April 18, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1128-80) recommending that the Senate consent to the nomination of Richard Y.C. Au as Second Judge for the Circuit Court of the First Circuit, for a ten (10) year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 266.

By unanimous consent, action on Stand. Com. Rep. No. 1128-80 and Gov. Msg. No. 266 was deferred until Friday, April 18, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1129-80) recommending that the Senate consent to the nomination of Bertram T. Kanbara as Tenth Judge for the Circuit Court of the First Circuit, for a ten (10) year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 270.

By unanimous consent, action on Stand. Com. Rep. No. 1129-80 and Gov. Msg. No. 270 was deferred until Friday, April 18, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1130-80) recommending that the Senate advise and consent to the nominations of Myrtle Mokiao, H.K. Bruss Keppeler, Terence T. Yoshioka, Thomas R. Cole and Donald M. Fujimoto

to the Defender Council, in accordance with Gov. Msg. No. 283.

By unanimous consent, action on Stand. Com. Rep. No. 1130-80 and Gov. Msg. No. 283 was deferred until Friday, April 18, 1980.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1131-80) recommending that the Senate advise and consent to the nominations of Herman P. Clark, Edmund Toma and Edwin K. Hayashi to the Stadium Authority, in accordance with Gov. Msg. No. 286.

By unanimous consent, action on Stand. Com. Rep. No. 1131-80 and Gov. Msg. No. 286 was deferred until Friday, April 18, 1980.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1132-80) recommending that the Senate advise and consent to the nominations of the following to the Tax Review Commission:

Ah Quon McElrath, in accordance with Gov. Msg. No. 291;

Fred W. Bennion, in accordance with Gov. Msg. No. 292;

Christopher G. Pablo, in accordance with Gov. Msg. No. 293;

Albert S. Nishimura, in accordance with Gov. Msg. No. 294;

Hideo Matsushita, in accordance with Gov. Msg. No. 295;

John M. Hamano, in accordance with Gov. Msg. No. 296; and

Richard L. Pollack, in accordance with Gov. Msg. No. 297.

By unanimous consent, action on Stand. Com. Rep. No. 1132-80 and Gov. Msg. Nos. 291, 292, 293, 294, 295, 296 and 297 was deferred until Friday, April 18, 1980.

At 12:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m., with the Vice President assuming the rostrum.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 14, 1980

FINAL READING

Conference Committee Report No. 5-80 (H.B. No. 159, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 5-80 was adopted and H.B. No. 159, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 6-80 (H.B. No. 1986-80, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator O'Connor and carried, Conf. Com. Rep. No. 6-80 was adopted and H.B. No. 1986-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 7-80 (S.B. No. 2253-80, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 7-80 and S.B. No. 2253-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", was deferred until Friday, April 18, 1980.

Conference Committee Report No. 8-80 (S.B. No. 1516, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 8-80 and S.B. No. 1516, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", was deferred until Friday, April 18, 1980.

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 o'clock p.m.

Conference Committee Report No. 9-80 (S.B. No. 2869-80, S.D. 3, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 9-80 was adopted and S.B.

No. 2869-80, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 10-80 (S.B. No. 1944-80, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 10-80 was adopted and S.B. No. 1944-80, S.D. 1, H.D. 2, C.D. 1, 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 (Wong).

Conference Committee Report No. 11-80 (S.B. No. 2071-80, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 11-80 was adopted and S.B. No. 2071-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 12-80 (S.B. No. 2120-80, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 12-80 was adopted and S.B. No. 2120-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Wong).

Conference Committee Report No. 13-80 (S.B. No. 2156-80, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Chong and carried, Conf. Com. Rep. No. 13-80 was adopted and S.B. No. 2156-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED

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

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Wong).

Conference Committee Report No. 14-80 (S.B. No. 2202-80, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 14-80 was adopted and S.B. No. 2202-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF RADIATION THERAPY TECHNOLOGISTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

MATTER DEFERRED FROM APRIL 7, 1980

Conference Committee Report No. 3-80 (S.B. No. 1703, S.D. 1, H.D. 1, C.D. 3):

On motion by Senator O'Connor, seconded by Senator Campbell and carried, Conf. Com. Rep. No. 3-80 was adopted and 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", having been read throughout, passed Final Reading by not less than two-thirds vote of all the members to which the Senate is entitled on the following showing of Ayes and Noes:

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

MATTERS DEFERRED FROM APRIL 15, 1980

Conference Committee Report No. 15-80 (H.B. No. 452, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 15-80 and H.B. No. 452, H.D. 1, S.D. 1, C.D. 1, be recommitted to the Committee on Conference, seconded by Senator Ushijima.

Senator Cobb explained as follows:

"Mr. President, we have discovered some technical problems and have received some communication from the Police Department relative to this particular measure. Since there probably will be some additional time in this session, I'd like to recommit

this matter to the conference committee for further discussion."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 15-80 and H.B. No. 4452, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CONTROLS TO REGULATE BURGLARY AND HOLDUP ALARM SYSTEMS", were recommitted to the Committee on Conference.

At 12:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:20 o'clock p.m., with the President resuming the rostrum.

Conference Committee Report No. 16-80 (H.B. No. 1993-80, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 16-80 was adopted and H.B. No. 1993-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY LAW", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ajifu, Hara, Kawasaki and Yee).

Conference Committee Report No. 17-80 (H.B. No. 1991-80, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Campbell and carried, Conf. Com. Rep. No. 17-80 was adopted and H.B. No. 1991-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Carroll and Yee).

Conference Committee Report No. 18-80 (H.B. No. 2321-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 18-80 was adopted and H.B. No. 2321-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Carroll and Hara).

Conference Committee Report No. 19-80 (H.B. No. 2368-80, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 19-80 was adopted and H.B. No. 2368-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRICING IN SUPPLYING LIQUOR", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Carroll and Hara).

Conference Committee Report No. 20-80 (H.B. No. 2443-80, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 20-80 be adopted and H.B. No. 2443-80, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yim.

Senator Abercrombie inquired if the Chairman of the Committee on Conference would yield to a question, to which Senator Cobb replied in the affirmative.

Senator Abercrombie then queried: "Is there a relationship between this bill relating to state chartered credit unions and the existence over the past several months, some length of time increasing in the prime rate?"

Senator Cobb answered: "Insofar as it relates to the cost of money, yes, Mr. President."

Senator Abercrombie then continued:

"Mr. President, I oppose this bill. The predictions that have been heard on this floor and in committee, in the press and in conversation with people conversant with the various aspects of the financial industry were such that the prime rate in all likelihood would begin to decline perhaps before the end of the session, most certainly by the fall.

"There has likewise been discussion on this floor and in the other areas I mentioned, concerning the cost of money, concerning whether or not funds will be available and under what circumstances they might be available, not just for housing but for other economic activities that were being affected by the inflation rate and the rise in the prime rate as a result of the policy of the Federal Reserve.

"Mr. President, those members who are paying close attention to this matter

will note that the the prime rate has begun to decline. They will also note that President Carter is now indicating that he will take steps in the area of making loans available for housing and other steps in the area of providing relief to people who have been caught in this crunch of money, that is to say the availability of it and the cost of it. And as a result I think that we would be ill-advised to alter the time-tested circumstances that revolve around credit in respect of the chartered credit unions or in other bills that will be coming before us in respect of usury and other areas. And I hope that the members here do not find themselves in a situation where they voted on the moment in April not taking into consideration the likelihood that what we're voting on now will have no applicability within a very brief time, other than to have provided an opportunity and a methodology for various financial institutions to take advantage of the consumer.

"It is all well and good to focus on the instant when no other information is available to you and you have to act; it is quite another matter indeed when information is available to you that indicates quite another condition will be prevailing, if not in the immediate future, in the near future, so that when one is going to make such a profound and fundamental change in approach, a philosophy of approach in respect of protecting the consumer, it seems to me that it's not only well worth our while to pay attention to it, but not to try and use an excuse later on when people inquire of us as to why we did what we did, why we didn't know better. We had no other information; there wasn't anything indicating that there would be a change.

"I think that in respect of this bill and other bills of the nature that I mentioned, we would be well advised to see what changes take place in the next six months so that in January of next year should the trend which seems inevitable now, the pendulum swing, if you will, takes place, we would not have acted with precipitous haste and on the contrary, have acted in a responsible manner that will leave the consumers in this State protected. It does not seem to me that it is in any way, shape or form a rational step to take when it denotes panic. If this is in fact not the case, we should not pretend that it is so. Thank you."

Senator Cobb then spoke for the measure as follows:

"Mr. President, I reject completely and totally the idea that an increase

in interest rate is anti-consumer. And I want to set the record straight on this point.

"The choice is given to old usury rates at 12% of having no money available or very limited funds available at that rate. I belong to a credit union myself, and I've seen at least five additional restrictions imposed on borrowing by members of that credit union because of the increase in cost of funds.

"Now we've been so-called operating in a market environment without usury ceilings since December 28, 1979. I have not seen interest rates either in credit unions or other areas take off like a rocket. Yes, they are over 12%, but they are not anywhere near the prime rate of 20% or 19-1/2% or whatever some of the New York banks are doing today.

"Furthermore, Mr. President, I don't think interest rates are going to be coming down to a level below 12% within the next six months although I recognize that making any financial prediction in today's environment is hazardous at best, precarious at worst. But if the consumers who elect the members of their credit union want to be able to make additional loans at different or higher interest rates, they should have that choice and that is what this bill provides.

"It doesn't mandate it, it allows it, and the decision has to be made by each credit union, by its elected board of directors and by the members of that credit union."

Senator Kawasaki then asked if the Chairman of the Consumer Protection and Commerce Committee would yield to a question, to which Senator Cobb replied that he would.

Senator Kawasaki then inquired: "Can the credit unions among other institutions today charge an interest rate higher than what was in practice primarily because the Feds, as you put in language sometime ago, had lifted the ceiling?"

Senator Cobb answered: "Federally chartered credit unions can do that now under the provisions of the federal act that went into effect."

Senator Kawasaki continued: "Well, it just seems to me, though, the only reason why the interest hasn't just taken off, to use your words, is primarily because we still have the law on the books restricting the raising of the ceiling. In the next few days just as soon as we pass legislation empowering the institutions, including the state chartered credit unions, to raise their interest rates, you will see a little flying up in the air of the interest charges."

Senator Cobb responded: "Mr. President, I'd like to point out that there are only two or three state chartered credit unions in the State of Hawaii. All the rest are federally chartered credit unions. Under the provisions of the federal law passed on April 1st, they have the authority to go immediately to 15% and have an appeal mechanism to the National Credit Union Administration to go higher than that.

"If we fail to enact this measure, we would, in effect, by our inaction, be creating two classes of credit unions in this state--one class of interest for federal credit unions and the other for state chartered credit unions. And I would prefer to keep them on equal footing."

Senator Carroll then spoke in favor of the measure as follows:

"Mr. President, the whole concept of raising interest rates is abhorrent to me, but in this particular case as has been indicated by the Chairman of the Consumer Protection Committee, the person who will be hurt by our failure to pass this bill is that member of the state chartered credit union who saves his money because he is the one who is being penalized at the present time. I think if we want to focus any blame or attention on anybody, it ought to be on the Federal government that's created a situation in which we have got the runaway inflation and runaway interest costs that are impacting on everyone today.

"The Federal government, by going into the savings and loan business in effect by creating the so-called treasury bonds, without regulation by anybody I might add, has caused savers either to go to these bonds in order to maximize the gains on their savings or else remain with the credit unions at 5%, 6%, 7% or 8%, whatever the credit unions are able to afford while the restrictions are imposed upon them. So I think that for the benefit of the savers who belong to these credit unions the least we can do is make them equal to everybody else. For those reasons, I urge that we vote 'aye'."

Senator Abercrombie in rebuttal, spoke as follows:

"Mr. President, in brief rebuttal, I don't think there's any analogy between the treasury circumstances just outlined and the credit unions in terms of the kind of flexibility that's available to the saver in terms of what they want to accomplish. Secondly, if the argument is that someone is committing a crime so what we best do is get in on it

and join in, it seems to me a rather specious argument indeed. We have too many bills coming up now, all ostensibly protecting the consumer.

"We're blaming the county; we're blaming the Federal government; we're blaming everybody else but ourselves. If I understand correctly all the things we're doing here, we're operating in some kind of pristine vacuum of purity. While every other governmental entity on the planet is conspiring against the consumer, we find ourselves up against some mythical walls, fending them off in some respect.

"I think that's nonsense; I think anybody with any kind of sense looking at it will see it is the same. We are able in fact to legislate in this area and what we're saying in effect is that we are going to join the inflationary mill. We're going to jump in with both feet and give some kind of self-righteous indignant explanation that while we're contributing to it, it's not our fault and blame somebody else.

"Now if we in fact want to contribute to the inflation trend that is attacking the dollar, attacking the purchasing power of the consumer, let's just say so, and say we're going to give you the opportunity then to get whacked once again. If that's the way we want to do it, let's do it but let's not put it in terms of we're doing this because the Federal government is making us do it, or some other entity is making us do it. Nobody is making us do anything; we're doing it because we feel that this is an opportunity for us to get in there and play the inflationary game like everybody else. And just like every inflationary game that's being played in every nation, regardless of its economic philosophy, that game is going to be lost by the consumer."

Senator Anderson then spoke in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill. I hesitate to get involved in this but what concerns me more because of the complexities of this and the usury coming up is the way the media is going to report this.

"We've been wrestling this for sixty days now, I guess, and I think many of us are still not sure, confused and trying to out-guess the government and the economy.

"I don't agree that because the interest rate is being raised or lifted in other bills that may be coming that the so-called bad guys are going to rush in and raise the interest rates. The usury limit in this state for many, many years, Mr. President, has been 12%. If the same theory being applied today in discussion by some of

my colleagues were to hold true, the interest rates in this whole town would have been 12% all these past years and that hasn't been true. It means that you have no faith in the private sector in competing for dollars.

"Many, many of our people have bought homes for 5%, 6%, 7% and 8% for many years, when in fact the institutions could have charged 12%. We're going to 18% because of situations beyond our control and competition will dictate whether it's 18%, 17%, 16%, 15% or anywhere down. Not just because a limit is raised or a ceiling is raised a percent above does it mean in fact that that is going to be the case.

"It says here that the purpose of this bill is to raise the maximum interest rate that credit unions can assess, not shall assess. This is the range in which it can operate depending on the competition and the availability of dollars, so I'm very much concerned about how this is going to read in the press and how in a couple of column inches, they are going to tell this complexity, but I wouldn't want to see statements somewhat irresponsible and somewhat headline-grabbing stand in the paper without being challenged and some in-depth reporting be done explaining the complexities of this and the facts."

Senator O'Connor in favor of the measure, stated as follows:

"Mr. President, I think that the members should know, however, that there is a substantial difference between a state chartered credit union and an industrial loan company or a bank. The credit unions do not go out into the money market and obtain funds and come back to Hawaii and loan them out. They simply take money in from their members and only make loans to the members. They are a self-regulating organization, so to speak; therefore any comments that were made earlier about the cost of money on the national market and all of that are really irrelevant because these organizations simply aren't in that business.

"The reason I'm going to vote in favor of this measure is, first of all, the federal law does allow the federally chartered credit unions a 15% interest loan to their members. This bill will allow 18% to the members of the state chartered credit unions. Those members have a say in the loans because obviously if the loans are not of a logical amount, they are not going to borrow from their own credit union. These credit unions elect their own officers and in general are regulated pursuant

to Section 410 of our Hawaii Revised Statutes. I consider this a substantially different situation than the situation that we will face later in this session when we talk about usury and industrial loan company interest rates. Those are different and those increases are premised on something substantially different."

Senator Kawasaki then inquired if the previous speaker would yield to a question, to which Senator O'Connor replied that he would.

Senator Kawasaki then asked: "Does this mean that while you favor and you will vote for this particular bill that your posture on these other bills regarding the industrial loan companies and other institutions would be in a different vein?"

Senator O'Connor replied: "I'll talk privately to the questioner and inform him how I think about those other bills."

Senator Cayetano then spoke in favor of the bill as follows:

"Mr. President, first, I'd like to have the record reflect that I agree with the comments of Senator O'Connor. This is a kind of a different situation.

"As it was explained to me, the reason the ceiling has to be lifted is that the credit unions have a difficult time keeping their depositors because they cannot charge a higher interest rate, they are unable to pay a higher deposit rate. And that is the reason... that is my understanding of the situation."

Senator Cobb then commented:

"Mr. President, may I make just one observation in response to one of the earlier questions that was posed to me. The relationship of current money market rate is in effect what the Chairman of the Ways and Means Committee outlined, that if the credit unions cannot pay their own depositors above 12%, that money is obviously going to flow elsewhere and has been. And insofar as the relationship with outside money market rates, that is the relationship."

Senator Kawasaki then stated:

"Mr. President, I will vote against this bill. It will be very interesting for this body to observe that just as soon as we lift the ceiling so that the state chartered credit unions can pay 18%, let us hope that they will pay their depositor members 14% on their deposits. I would just like to see this 4% point spread maintained.

"Today, generally, because they can charge up to 12% on the loans, I assume that they are raving on the average

about 8% for a 4% spread. Let us hope that this 4% spread will be maintained after we lift the ceiling to 18% and they'll pay their depositors 14%. It will be interesting for us to see whether this happens or not."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 20-80 was adopted and H.B. No. 2443-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Abercrombie and Kawasaki). Excused, 3 (Ajifu, Kuroda and Hara).

Conference Committee Report No. 21-80 (H.B. No. 2161-80, H.D. 1, S.D. 1, C.D. 1);

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 21-80 was adopted and H.B. No. 2161-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Kuroda and Hara).

Conference Committee Report No. 22-80 (H.B. No. 2162-80, H.D. 1, S.D. 1, C.D. 1);

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 22-80 was adopted and H.B. No. 2162-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Cayetano). Excused, 3 (Ajifu, Kuroda and Hara).

Conference Committee Report No. 23-80 (H.B. No. 2324-80, H.D. 1, S.D. 1, C.D. 1);

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 23-80 was adopted and H.B. No. 2324-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING ORDERS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Hara).

At 12:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:42 o'clock p.m.

Conference Committee Report No. 24-80 (H.B. No. 2826-80, H.D. 1, S.D. 1, C.D. 1);

By unanimous consent, action on Conf. Com. Rep. No. 24-80 and H.B. No. 2826-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF DOG OWNERS", was deferred until Friday, April 18, 1980.

Conference Committee Report No. 25-80 (H.B. No. 2929-80, H.D. 1, S.D. 1, C.D. 1);

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 25-80 was adopted and H.B. No. 2929-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie). Excused, 4 (Ajifu, Hara, Yee and Yim).

Conference Committee Report No. 26-80 (S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1);

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 26-80 was adopted and S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ZONING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ajifu, Hara, Yee and Yim).

Conference Committee Report No. 27-80 (S.B. No. 2977-80, S.D. 2, H.D. 2, C.D. 1);

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 27-80 was adopted and S.B. No. 2977-80, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES COVERED BY CHAPTER 77, HAWAII REVISED STATUTES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,

4 (Ajifu, Hara, Yee and Yim).

Conference Committee Report No. 28-80 (H.B. No. 2634-80, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 28-80 was adopted and H.B. No. 2634-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ajifu, Hara, Yee and Yim).

Senate Bill No. 209, S.D. 2:

By unanimous consent, action on S.B. No. 209, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", was deferred until Friday, April 18, 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 Friday, April 18, 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 NONPROFIT CORPORATION ACT", was deferred until Friday, April 18, 1980.

Standing Committee Report No. 1076-80 (H.B. No. 2853-80):

Senator Mizuguchi moved that Stand. Com. Rep. No. 1076-80 be adopted and H.B. No. 2853-80, having been read throughout, pass Third Reading, seconded by Senator Kuroda.

Senator Mizuguchi then spoke for the bill as follows:

"Mr. President, this bill was recommitted so that the committee report could be rewritten to clarify the purpose and reasoning behind this bill.

"The purpose of this bill is to make clear that the construction and maintenance of harbors are matters of statewide concern, and as such, do not require the approval of county agencies.

"The immediate necessity for this bill is, of course, the opposition of the City administration to the construction of the deep draft harbor at Barber's Point. Even though the Legislature has authorized funds to develop the harbor, the City's Department of Land Utilization has refused to initiate a zoning change which was requested as far back as September 26, 1978.

"The basic issue is whether a matter of statewide concern and statewide policy should be subject to the control of an administrative department of a lower level of government. I believe it should not. Neither do I believe that a single county should have veto power over a project which has economic implications for all of the counties.

"There is a constitutional basis for this reasoning. First, the counties are creatures of the Legislature; and second, the constitutional provisions for local government to recognize the power of the Legislature to enact laws of statewide concern.

"With respect to the harbors program, the bill simply makes clear that the program is a State responsibility, and the only authority it is subject to is the Legislature.

"Mr. President, I urge the members to support the measure."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1076-80 was adopted and H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie). Excused, 4 (Ajifu, Hara, Yee and Yim).

MATTERS DEFERRED FROM APRIL 15, 1980

Standing Committee Report No. 1092-80 (Gov. Msg. Nos. 110, 111, 112, 113 and 247):

Senator Machida moved that Stand. Com. Rep. No. 1092-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Machida then moved that the Senate advise and consent to the nominations of the following:

Richard I. C. Caldito to the Board

of Agriculture, term to expire December 31, 1983;

George S. Fujii to the Advisory Committee on Agricultural Products, term to expire December 31, 1983;

Michael Goldstein to the Advisory Committee on Flowers and Foliage, term to expire December 31, 1983;

Asher K. Ota, Ph.D., to the Advisory Committee on Pesticides, term to expire December 31, 1983;

Norman E. Blomberg, Melvin Miranda and Edward S. Kurokawa to the Advisory Committee on Pesticides, terms to expire December 31, 1983;

Patrick Y. Nakagawa to the Advisory Committee on Pesticides, term to expire December 31, 1982;

Libert Landgraf to the Advisory Committee on Pesticides, term to expire December 31, 1980; and

Shoichi Nagamine to the Board of Agriculture, term to expire December 31, 1981,

seconded by Senator Mizuguchi.

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

Ayes, 21. Noes, none. Excused, 4 (Ajifu, Hara, Yee and Yim).

Standing Committee Report No. 1094-80 (Gov. Msg. No. 255):

Senator Ushijima moved that Stand. Com. Rep. No. 1094-80 be received and placed on file, seconded by Senator Kuroda and carried.

Senator Ushijima then moved that the Senate advise and consent to the nominations of David K. Kaupu and Victor K. Punua to the Civil Defense Advisory Council, terms to expire December 31, 1983, seconded by Senator Kuroda.

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

Ayes, 21. Noes, none. Excused, 4 (Ajifu, Hara, Yee and Yim).

MATTER DEFERRED
FROM APRIL 16, 1980

Senate Concurrent Resolution No. 15,

S.D. 1, H.D. 2:

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, the Senate agreed to the amendments proposed by the House of Representatives to S.C.R. No. 15, S.D. 1, and S.C.R. No. 15, S.D. 1, H.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON A CENTRALIZED COPIER AND COPIER/DUPPLICATOR MANAGEMENT PROGRAM AND REVIEW OF THE COMPETITIVE BIDDING FOR COPIER AND COPIER/DUPPLICATOR EQUIPMENT IN HAWAII", was finally adopted.

The President then stated as follows:

"Over the last couple of days, a number of you have made critical remarks about the Governor for the lateness of referral of nominations to the various board and commissions to the respective committees. Just to set the record straight, I should say that the fault is really not entirely that of the Governor. His office did send many of the nominations down to my office earlier, but because of some questions raised about certain nominees, about the referral to certain committees and the possible adjustments that often happen, the nominations were not referred to the committees until earlier this week. I take responsibility for that. I'd like to take this moment to apologize to you Senators.

"As to the suggestion that I meet with the Governor on this matter, I have already preliminarily discussed the matter with him. Moreover, I will be discussing it with him further and also with all the members of the Senate.

"Also at this particular time, as you know, we are still in conference with the House on the budget and many of the related bills. The House and Senate leadership, majority and minority, along with the money committee chairmen, have been trying to resolve a very difficult situation, given the problems that exist between the two bodies. I would particularly like to ask the members of the Senate to be understanding and patient during these difficult times. What is really needed here is an atmosphere of calm, reasonableness and sensitivity to positions expressed by members of the House as well as the Senate. In the best interest of the Legislature and the people of the State, both the Senate and the House members must try in the next few days to help facilitate and not aggravate the sensitive negotiations that will be forthcoming."

At 12:55 o'clock p.m., on motion

by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess for the purpose of receiving Conference Committee Reports on bills for Final Reading.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:00 o'clock a.m., Friday, April 18, 1980.