

JOURNAL
of the
SENATE OF THE TENTH LEGISLATURE
of the
STATE OF HAWAII

Regular Session of 1980

Convened Wednesday, January 16, 1980
Adjourned Monday, April 28, 1980

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DISTRICT	NAME	ADDRESS
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Eighth	Toyofuku, George H. (D)	P. O. Box 547 Lihue, Kauai, Hawaii 96766

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Senator George H. Toyofuku		Senator W. Buddy Soares
Senator Mamoru Yamasaki		Senator Wadsworth Yee

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TENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1980**



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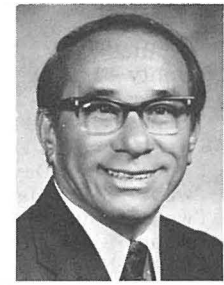
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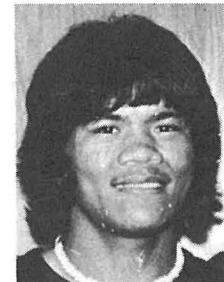
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Economic Development



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Clerk



TIMOTHY DAVID WOO, JR.
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THE
TENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1980
JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 16, 1980

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, was called to order at 10:00 o'clock a.m., Wednesday, January 16, 1980, by the Honorable Richard S. H. Wong, President of the Senate.

At this time, the President appointed Senators Kuroda, Mizuguchi and Yee to escort Reverend Raymond Nishigaya of St. Stephen's Catholic Church, to the dais for invocation.

The Committee of three escorted Reverend Nishigaya to the dais and was discharged with thanks.

The Divine Blessing was then invoked by Reverend Nishigaya.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 1), informing the Senate that in accordance with Section 17-3, Hawaii Revised Statutes, as amended, he has appointed Gerald K. Machida, Senator for the Second Senatorial District, State of Hawaii, effective October 9, 1979, to fill the vacancy in the membership of the Senate created by the resignation of former State Senator Henry Takitani, was read by the Clerk and was placed on file.

Senator Mizuguchi moved that a Committee of three Senators be appointed by the President as a Committee on Credentials, seconded by Senator Anderson and carried.

The President then appointed Senators Yamasaki, Chairman, Mizuguchi and Anderson as members of the Committee.

At 10:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:40 o'clock a.m.

SPECIAL COMMITTEE REPORT

Senator Yamasaki, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) which was read by the Clerk as follows:

"The Honorable Richard S. H. Wong
President of the Senate
The Tenth State Legislature
State Capitol
Honolulu, Hawaii 96813

Sir:

Your Committee on Credentials begs to report that it has examined the Letter of Appointment of Honorable Gerald K. Machida and finds that he is qualified to fill the vacancy in the Senate created by the resignation of State Senator Henry Takitani for the Tenth Legislature of the State of Hawaii, Regular Session of 1980.

Respectfully submitted,

Mamoru Yamasaki, Chairman
Norman Mizuguchi
D. G. Anderson"

Senator Yamasaki moved that Special Committee Report No. 1 be adopted, seconded by Senator Anderson and carried.

The Committee was thereupon discharged with thanks.

The President then appointed Senator Yamasaki to escort Senator Machida to the floor of the Chambers.

Chief Justice William Richardson then administered the oath of office to Senator Machida.

The President thanked Chief Justice Richardson and then offered congratulations to Senator Machida and requested that he take his seat.

At this time, the Roll was called showing all Senators present.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 2), submitting for consideration and consent to the State Supreme Court, the nomination of Herman T. F. Lum, Associate Justice, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was read by the Clerk and was referred to the Committee on Judiciary.

At 10:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:18 o'clock a.m.

The President introduced to the members of the Senate his 10-month old grandson, Joshua Alexander Maioho.

The President then addressed the members of the Senate and guests as follows:

"Governor Ariyoshi, Lieutenant Governor King, Chief Justice Richardson, Distinguished Guests, Members of the Senate, Ladies and Gentlemen:

"We meet at a time when international as well as national events weigh heavily in the minds of many of us--the continuing crisis in Iran, the Soviet incursion into Afghanistan, the spiral of inflation, the distractions of a year of presidential politics.

"It would be easy to allow these events to overshadow the business at hand and for the Senate to follow the conventional political wisdom that in an election year we 'don't rock the boat.' We avoid controversial issues. We defer difficult decisions until next year. However, we, in the Senate, you and I, have traveled too far together to not now go all the way in discharging our responsibilities.

"It is my hope that this 1980 session be a productive, active and meaningful one.

"Over the past year, the Senate has developed a reputation for being a body of independent-minded and determined individuals. We have had our debates and differences of opinion. However, to my mind, this has been a creative process--one which has produced legislation behind which we can all ultimately unite.

"In this environment, I believe

that this Senate has emerged as a stronger Body, and that all Senators, majority as well as minority members, have been and are ready, willing, and able to tackle the issues.

"As your presiding officer, it is my responsibility to see to it that the business of this Body is conducted with efficiency and fairness to all members and viewpoints. I will continue to discharge that responsibility to the best of my ability.

"I believe the responsibility of leadership also requires me to advise you on the importance of certain issues and to recommend the courses of action which we might take. You may not necessarily agree with my position, but I am confident that after due deliberation, we will find common ground for agreement as to what we should do and how we should do it.

"So that you may know what I foresee as some of the major issues before us and also what my own position is on them, let me now present eight of them for your consideration.

"First is the issue of amending our State Usury Law so as to assure the continued influx of mortgage capital into Hawaii for our local prospective home buyers. Our statutory 12% ceiling is unrealistic when prevailing rates across the nation are up to 14-15%. In order for Hawaii to be competitive with the rest of the nation, our law must be changed.

"I should state that I do not favor eliminating the ceiling altogether. I believe some statutory control on interest costs is necessary. Therefore, I ask the Housing Committee and the Consumer Protection and Commerce Committee to consider either a floating ceiling tied to some economic indicator or a mechanism for giving the administration emergency powers for temporary lifting of the ceiling.

"Second, the condition at Honolulu International Airport, with its dangerous mix of commercial and general aviation aircraft worsens over the years. This can only mean that we are very much on borrowed time in avoiding a major air tragedy.

"To correct this dangerous problem, the State administration apparently is proceeding to develop a new general aviation airport at Poamoho. The problem is that any new airport would take between four to five years to complete. In the meanwhile, the dangerous mix at Honolulu International Airport remains.

"As a temporary stop-gap measure, our Transportation Committee Chairman has proposed general aviation activities be moved temporarily to Wheeler Field on a joint-use basis with the military. He has been pursuing this proposal with the Federal government. This is a difficult process. We need to show some indication at the State level that the joint use is indeed temporary; that we are committed to developing a new general aviation airport and that we are so proceeding expeditiously.

"Therefore, I call on the Transportation Committee to proceed on the following courses of action: first, determine what actions can be taken at Honolulu International Airport itself--through runway realignments or other means--to reduce the hazards there; second, determine whether any existing State airfield, such as Dillingham Airfield, can be developed in short order to accommodate a higher level of general aviation operations; third, pursue with the Federal government the temporary use of Wheeler, and possibly other military airfields, for general aviation; and fourth, make a decision on a site or sites for the long-term use of general aviation--whether it is Bellows, my own personal preference, or, as alternatives, Kahuku, Poamoho or Dillingham. It is only through a combination of these actions that the perilous problem will be reduced over the short term and resolved over the longer term.

"No less than the interest of safety, the next issue that I would like to address is likewise very much the people's business. It is about the people's money.

"The Chairman of the Ways and Means Committee has been working on a plan for tax relief and reform which involves the restructuring of the General Excise Tax and the Individual Income Tax.

"At the same time, the State administration has indicated it will propose a plan for tax rebates from surplus revenues. Various legislators may propose still other rebate plans.

"At this early juncture and before the issues become hopelessly confused, I should note that the issue of tax relief and reform is separate from the issue of tax rebates. While both involve the people's money, they are different in their origins and their effects.

"As I understand the plan of the Ways and Means Chairman, its objective

is to reform the tax system which will result in reduced taxes for virtually all resident taxpayers, especially for those in low and middle income brackets. Senators, I ask you to discard the conventional wisdom that we should not engage in major tax writing in an election year. We should hear out the plan as it is developed and refined, and make a decision on its merits. Speaking for myself, I am personally committed to the principle of tax reform--having sponsored a tax reform bill myself in 1975--and I am very impressed by the Ways and Means plan.

"As for the tax rebate plans proposed by the administration and by various legislators, I likewise ask you to consider and compare them all on their merits. The State has a projected \$160 million surplus available and it is fitting that we consider ways of returning some of these funds to the taxpayers. I urge you to give serious consideration in acting on this matter.

"My fourth issue is energy, a subject that has been of longstanding interest to me.

"Hawaii is extremely vulnerable to imported oil and oil products for our energy requirements. Oil supplies some 90% of these requirements and its cost to Hawaii is approaching \$1 billion a year. Over the last few years, the Senate under the impetus of our Economic Development Committee Chairman has moved Hawaii into the forefront of developing our indigenous alternate energy sources--solar, wind, biomass, geothermal, and OTEC. Our prospects for attaining greater energy self-sufficiency are both promising and exciting.

"However, continued research and development costs money. One possible approach we should seriously consider is the establishment of an energy self-sufficiency fund--perhaps by earmarking certain revenues--to cover some of the costs incurred.

"Fifth is the issue of crime. The alarming increase in crime is a source of great concern to me, and I expect, to all of you. It is intolerable that our people are afraid for themselves, their families and their property. The Chairman of the Judiciary Committee has been developing legislation in this area. He needs your support.

"We need implementing legislation for the Juvenile Justice Master Plan. We need to curb criminal violence in our community.

"Additionally, we will have to review

the Crime Commission which has been the subject of recent controversy. If we are to approve the continued existence of the Commission, we need to more carefully define its role, function and powers. I for one feel that the Commission should be basically a citizens' panel, devoted to broad studies and public education, and that immunity powers for it are neither necessary nor desirable.

"The sixth issue I'd like to discuss is mass transit. The various plans and studies for the proposed HART fixed-guideway system have been completed. We need to make a decision on whether or not to proceed with the actual construction. Frankly, this is a decision the Legislature has been putting off for the better part of two decades.

"Now, I for one am a believer. I think we should proceed with HART, very likely in conjunction with a bus feeder system. Given our future energy and population outlook, we cannot continue to rely on the automobile. There is no question that the construction and operation of HART will be expensive. Now is the time for us to consider giving the counties general excise taxing powers, which may then be used to support a mass transit system.

"My next issue is tourism. The tourist industry is the single largest sector of our economy. I, along with many knowledgeable people, believe that our tourist industry infrastructure is weak and that strong action is necessary to strengthen and enhance it.

"I refer specifically to Waikiki, our primary tourist destination area and the heart of our tourist industry infrastructure. We need to clean up Waikiki and control the honky-tonk, sleazy and dubious elements present there. We need to alleviate the crowding and congestion. We need to proceed expeditiously with the improvements which had been delayed due to city-state differences.

"Priority attention needs to be given to upgrading Waikiki. I call on the Tourism Committee to follow up on this problem.

"The eighth and final issue I want to mention deals with the problems and concerns of small business. The small business community accounts for a very significant share of Hawaii's new jobs and economic growth and its continued well-being is important to the State's economy. Compared to other State economic development

activities, assistance to small businesses has been scant. Insufficient capital and bureaucratic red tape are but some of the persistent problems affecting small business.

"To deal with these and other problems, a comprehensive small business program has been developed under the leadership of the Chairman of the Economic Development Committee. I look forward to it being given serious attention by the members of this Body.

"The limitations of time prevent me from going beyond these issues. They, and others, have been under review by our various committees in the Senate and will be addressed in depth in our majority party program. From time to time in the days ahead, I intend to apprise you of my views on other issues coming before the Senate.

"This particular Tenth State Legislature is at midpassage. The past--the troublesome decade of the seventies--is behind us, the decade of the eighties lies before us. The time is to now rekindle old aspirations for the better Hawaii we all want for our people. The time is also now to aspire to new hopes and to strengthen our resolve that whatever has been done before, we can do better in the future.

"Most of us sense a new political dawn breaking, with old political perspectives giving way to new ones. This is the way of political life.

"For myself, I look forward to the challenges of the eighties. Working together with you, my fellow Senators--majority and minority members alike--and with the cooperation and participation of the administration, our colleagues in the House of Representatives, the several counties, and all interested individuals and groups, we can accomplish much in the spirit of shared aspirations, in the spirit of unity, in the spirit of ohana.

"Members of the Senate, I ask for your support in continuing to make this Body a more effective instrument of the people's will. And to the people of Hawaii, I announce that the Senate is ready to serve you--and resolves to serve you well.

"Thank you very much."

Senator Yee then responded as follows:

"Mr. President, I thank you for your comments and you can be assured that the Republicans will give very deep consideration to these problems as we are well aware of them.

"Mr. President and fellow members of the Senate:

"I would like to take this opportunity to welcome our newest member to the State Senate, Senator Gerald Machida from Maui. Jerry, we look forward to working with you as we seek solutions to the many difficult problems which are before us this year.

"As we begin a new decade, I believe that it is appropriate for me, as leader of the Senate Republicans for the past 10 years, to briefly review a few of the contributions of Republican legislators during the 1970's.

"It is with pride, and a great deal of satisfaction, that we are able to point to the new Constitutional provision for a State general fund spending limit as a major Republican goal which has finally been achieved. This concept was first developed by the Republicans and was presented for legislative consideration in 1973. The enabling legislation currently under consideration incorporates many of the basic elements of our original proposal.

"It is also with pleasure that we welcome the support of the Chairman of the Ways and Means Committee for our longstanding efforts to exempt the sale of food and drugs from the General Excise Tax. Continuing bipartisan support for this idea brings the prospect of enactment within sight, and we believe that passage in 1980 would be a credit to this Honorable Body.

"We also note the growing awareness on the part of government of the need to foster, encourage, and support small businesses in our community. When I say small businesses, I include small agricultural, fishing, and aquacultural enterprises because they are a source of new jobs, new ideas, and new strength for our economy.

"But enough of these past accomplishments. During the 1980 session, we must be prepared to make the right decisions on many tough issues, for example, changes in the State's Usury Law will be proposed. We have already heard some very good arguments for repealing or raising the present 12% limit on mortgages. While the Federal government has relieved the immediate pressure by temporarily overriding the states' limits, we hope the majority will agree that a cautious and careful examination of the more subtle aspects of the issue is needed before final decisions are made. Benign neglect

is simply not an option when housing for hundreds and thousands of the people of Hawaii is the bottom line.

"And finally, we all know that political points can be made by offering a tax rebate this session. However, we also know that the uncertainties of the 80's will call for particular care in protecting Hawaii's fragile economy.

"I strongly recommend that we look carefully at the benefits of returning so called 'surplus' to the State's economy by way of cash capital improvements and to fund certain projects that have been denied by the Governor for lack of funds. This would shift us from the present policy of 100% bond financing of capital improvements and reserve a greater debt margin for our future as we learn to work with the new Constitutional debt limit. At the same time, it would help us insure that public funds are effectively used to generate quality employment opportunities and economic stability in the coming decade.

"In closing, I want to stress that the Republican members of the Senate pledge to consider all proposals on the basis of merit and not partisanship. We hope, Mr. President, that under your leadership the majority will also operate this way as they have in the past and, if we all do, we will have a productive session that we can all be proud of.

"Thank you, Mr. President."

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

The Senate reconvened at 11:52 o'clock a.m.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 1), transmitting House Concurrent Resolution No. 1, which was adopted by the House of Representatives on January 16, 1980, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION", was adopted.

The President then announced that Senator Machida will serve as Chairman of the Committee on Agriculture; Vice-Chairman of the Committee on Tourism; and as a member of the Committee on Education, Committee on Health, Committee on Judiciary and Committee on Transportation.

The President expressed thanks and appreciation to Al Harrington, the Surfers, the Brothers Cazimero, Zoulou, Leinaala Heine, Andy Bumatai and Bobby Enriques for their performances this morning and to Audissey for the use of their sound equipment for the entertainment.

ADJOURNMENT

At 11:54 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., on Thursday, January 17, 1980.

SECOND DAY

Thursday, January 17, 1980

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

The Divine Blessing was invoked by Reverend Marlene Younger of the Community Church of the Islands, after which the Roll was called showing all Senators present.

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

The Senate reconvened at 11:36 o'clock a.m.

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

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock a.m.

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

"Mr. President, I was very disturbed last night. After the session, I went home to watch public service television on the Legislature. I always thought that they were a fair-minded public body that is supposed to serve the public and present all views. They give me adequate time and they give my Republican Senators adequate time when they come to solicit funds; but when it comes to proper air time we get no time at all. I speak not only on my behalf and my six other Republican Senators but also for Representative Kinau Kamalii.

"During the entire showing on public television of the Legislature yesterday, during the actual showing and the replay, they televised Speaker Wakatsuki's speech in length and I thought it was very well done but as he concluded his remarks they came over to the Senate to fill it with entertainment and no one in the public ever heard a word from Representative

Kamalii, representing the Minority and their views.

"In the Senate, Mr. President, you gave a very eloquent speech; we liked it; but lo and behold, when you were through they switched back to the entertainment on the House floor. Nowhere was Senator Yee speaking on the screen.

"I am not complaining because I'm better looking than most of you but, really, what I had to say was something that the Republican Senators got together on ... a little message not only to you but to the constituents that we represent.

"Now, I think that this is wrong, and if our public television system operates this way I think I'll have to ask my Republican friends and other members to review their budget. This is where it hurts and they have hurt us.

"Thank you, Mr. President."

Senator Abercrombie then remarked as follows:

"Mr. President, perhaps Senator Yee can look for an explanation as to why he was suppressed on television by making an inquiry on that subject to Senator Anderson."

The President then announced that tomorrow is aloha attire day and he is hopeful that the members will continue to wear aloha attire on Fridays.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

ADJOURNMENT

At 11:46 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 18, 1980.

THIRD DAY

Friday, January 18, 1980

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

The Divine Blessing was invoked by the Reverend Ruth Senter, Executive Director of the Oahu Association of the United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Machida, Saiki, Soares and Wong, who were excused.

The Vice President announced that the President had read and approved the Journal of the Second Day.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 1), entitled: "SENATE RESOLUTION EXTENDING ALOHA TO GOVERNOR JUNJI NISHIME OF OKINAWA", was jointly offered by Senators Young, Ajifu, Cayetano, Wong, George, Yee, Saiki, Mizuguchi, Kawasaki, O'Connor, Chong, Soares, Yamasaki, Yim, Carroll, Kuroda, Cobb, Abercrombie, Ushijima, Carpenter, Hara, Campbell, Machida, Toyofuku and Anderson.

By unanimous consent, consideration of S.R. No. 1 was deferred until later in the calendar.

A resolution (S.R. No. 2), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE UNIVERSITY OF HAWAII AT HILO VULCANS WOMEN'S VOLLEYBALL TEAM", was jointly offered by Senators Carpenter, Hara, Ushijima, Yamasaki, Kuroda, Campbell, Mizuguchi, Kawasaki, Toyofuku, Abercrombie, Cayetano, Yee, Carroll, Anderson, George, Ajifu, Cobb, Yim, Chong, Young and O'Connor.

Senator Carpenter moved that S.R. No. 2 be adopted, seconded by Senator Hara.

Senator Carpenter then spoke as follows:

"Mr. President, I, together with my colleagues, Senator Hara and Senator Ushijima from the Big Island, would like to recognize the national champions of the volleyball circuit from the University of Hawaii at Hilo Campus. At the same time, Mr. President,

we would like to concurrently congratulate the volleyball Wahines of the University of Hawaii at Manoa. I think it is a feather in the cap of the entire State of Hawaii that the wahines did indeed prevail throughout the national circuit in terms of volleyball championship. Thank you."

The motion was put by the Chair and carried, and S.R. No. 2 was adopted.

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

The Senate reconvened at 12:05 o'clock p.m.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Senate Resolution No. 1:

On motion by Senator Young, seconded by Senator Ajifu and carried, S.R. No. 1, entitled: "SENATE RESOLUTION EXTENDING ALOHA TO GOVERNOR JUNJI NISHIME OF OKINAWA", was adopted.

Senator Young then introduced to the members of the Senate, the Governor of Okinawa, the Honorable Junji Nishime and Mrs. Nishime; and the following members of the group who accompanied them: Mr. Masaharu Minei, Director, General Affairs Department, and his wife, Mrs. Chizuko Minei; Mr. Ryosho Taira, the Mayor of Naha; Mr. Junshiro Nishime, Secretary to the Governor; Mr. Ken Shinsato, the Governor's Aide; Mr. Jussei Kinjo, Chairman of the City Council of Naha; Mr. Yoshio Kinjo, Secretary to the Mayor of Naha; Mr. Albert Teruya, President of the Okinawan 80th Anniversary Club; Mr. Stanley Takamine, President of the United Okinawan Association; Mr. Peter Iha, General Chairman of the 80th Anniversary Club; and Mrs. Yasuko Kawakami, who served as Interpreter.

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.

The Vice President called upon Governor Nishime to address the members of the Senate.

Governor Nishime then spoke as follows:

"I am heartily grateful for having such a wonderful opportunity of meeting you today. I also thank you very much for taking precious time off your busy work. I am Junji Nishime, Governor of Okinawa Prefecture.

"I have come to this island at the invitation of Mr. Peter Iha, Chairman of the United Okinawan Association of Hawaii's 80th Anniversary Celebration Steering Committee, to attend the memorial services for the pioneer emigrants, to appreciate their labor and their children's services, and also to express my heartfelt gratitude in person to the Governor of the State and to the members of the State Legislature for their many years' kind assistance and cooperation on behalf of the people from the Okinawa Prefecture.

"As you are aware, Hawaii and Okinawa are alike in a few points, such as the natural conditions and industrial structure, and a great number of Prefectural people did emigrate to Hawaii. Thus, our Okinawan people feel strong affinities with the State of Hawaii.

"This year is marked by the 80th anniversary of Okinawan emigration to Hawaii, and I understand that the United Okinawan Association has been able to make plans for various events and activities, thanks to the full cooperation extended by the State Governor, the legislative members and the Hawaiian people at large.

"It is strongly hoped that a better

understanding and combined efforts will further promote the friendly relations between the State of Hawaii and Okinawa Prefecture.

"Lastly, I wish you continued health and prosperity. Thank you."

Senator Yee then introduced to the members of the Senate Mr. Roy Nakada, an attorney practicing law in Okinawa, who commutes regularly between Hawaii and Okinawa.

Senator Campbell then introduced to the members of the Senate a group from the Political Action Committee of the Hawaii State Teachers Association as follows: Dottie Aganos from the Island of Maui; Frances Hasegawa from Kohala, Hawaii; Steve Ono from Hilo, Hawaii; Bob Hu from Mililani, Oahu; Chuck Overman from Pearl City, Oahu; Joan Spillner from Wahiawa, Oahu, and Masako Ledward from Honolulu, Oahu.

Senator Mizuguchi then introduced to the members of the Senate Mrs. Frenchy De Soto from Waianae.

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 9:45 o'clock a.m., Monday, January 21, 1980.

FOURTH DAY

Monday, January 21, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 9:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Sergeant J. Edwards of Calvary Episcopal Church, after which the Roll was called showing all Senators present, with the exception of Senators Abercrombie and Ushijima, who were excused.

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

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 3) submitting for consideration and consent to the State Supreme Court, the nomination of Edward H. Nakamura, Associate Justice, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was read by the Clerk and was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1-80) informing the Senate that Senate Resolution Nos. 1 and 2 have been printed and are ready for distribution.

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

At 9:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair to meet in joint session with the House of Representatives in accordance with House Concurrent Resolution No. 1.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives was called to order at 10:00 o'clock a.m., by the Honorable James Wakatsuki, Speaker of the House of Representatives.

At this time, the Speaker introduced the following to the members of the Joint Session: the First Lady of Hawaii, Mrs. Jean Ariyoshi, Donn Ariyoshi, son of Governor and Mrs. Ariyoshi, Lieutenant Governor Jean King and Chief Justice William Richardson.

The Speaker then appointed the Committee from the Senate, composed of Senators Kawasaki, Kuroda and Yee, and the Committee

from the House, composed of Representatives Fukunaga, Kihano, Peters and Kamalii, to escort the Honorable George R. Ariyoshi, Governor of the State of Hawaii, to the dais.

Representative Fukunaga then presented Governor Ariyoshi with a red carnation lei on behalf of the Senate and the House of Representatives.

The Speaker presented to the members of the Tenth Legislature, the Honorable George R. Ariyoshi, stating:

"Members of the Tenth Legislature, distinguished guests, visitors, ladies and gentlemen, it is my high privilege and honor to present to you our Governor, Governor George R. Ariyoshi."

Governor Ariyoshi addressed the Joint Session as follows:

"Mr. Speaker, Mr. President, members of the Tenth Legislature, Lieutenant Governor Jean King, Chief Justice Richardson, members of the consular corps, my fellow Hawaiians:

"It is my pleasure to appear before this distinguished gathering, and the people of Hawaii, to share some of my thoughts and observations, and to report on our stewardship of the past, and some of our plans for the future as we face the new year and a new decade.

"I look forward to this 'coming together' each year. It is in this way that we contribute to a better understanding of the goals that we seek and lay the groundwork for the role which government will play in achieving them.

"The era of the 1970's ended less than a month ago, and this month heralds the beginning of a new decade -- the 1980's. It is a point in our history which presents us with a unique opportunity -- with a wisdom which only an ending enjoys, and the hope which only a beginning offers.

"As citizens of the United States, it would be unrealistic if we entered this new decade without acknowledging that our nation, and its leaders, carry heavier burdens and greater responsibilities than ever before.

"There are major national and international conditions which will test the strength and moral fiber of all Americans. We, who call this State our home, will share with our fellow citizens, the problems, the sacrifices, and

the changes which are inevitable.

"But I do not face the future with fear.

"To be sure, there are problems which cannot and should not be dismissed. But this nation has faced many problems in the past -- the excruciating problems of war, of economic depression, and of political villainy.

"The important thing is that we have survived as a nation -- one indivisible -- and actually seemed to have gained strength and purpose from our adversities.

"It is our purpose here today to address ourselves to Hawaii and her people -- where we began, where we are, and what we need to do if we are to deal with the challenges of the 1980's in a way to assure each of us a life of promise and satisfaction.

"Perhaps no peoples in our world have reached the level of social, economic and political sophistication as rapidly and as completely as those in Hawaii in the 25-year period preceding the 1970's.

"We moved from a plantation economy dominated by a few closely interlocked companies, to an economy made up of a variety of large and independent commercial enterprises.

"We transformed our public educational system from one where some graduates could not compete on an equal basis with their contemporaries to one that offers a quality educational experience. The University of Hawaii has progressed from a small land grant college offering limited options, to a university which has achieved major standing in the academic world.

"Our visitor industry and our federal establishment expanded to become equals with, and then to surpass sugar and pineapple as our economic mainstays.

"As the decade of the 70's proceeded, we had the opportunity to reflect upon, and to assess what we had become and what we wanted Hawaii and ourselves to become in the future.

"We thought about the impact excessive growth would have on our environment and on our lifestyle.

"We recognized our vulnerability to the ebbs and flows of an economy too heavily dependent upon tourism.

"We acknowledged the need to continue to provide meaningful jobs for our children in sufficient quantity and of appropriate quality to allow them to remain in Hawaii.

"We recognized the danger inherent

in being so highly dependent on forces outside of our shores for the basic necessities of life.

"We determined that we must strive for a greater measure of self-sufficiency, acknowledging at the same time that we probably could not produce everything that we need but that we should do as much as possible in that regard. In addition, we concluded that it would also be in our best interest if we produce, grow and manufacture those things which we can sell outside of our State -- and not just commodities -- but also the expertise, and the talents and the abilities of our people.

"And so in response to those conclusions about ourselves and about our lifestyle, and as the 70's drew to a close, we set in motion a number of initiatives and took numerous actions which we felt were essential if we were to retain the uniqueness that Hawaii represented not only to the world, but also to our own people. It is about that period of assessment and adjustment, those programs that we have undertaken, and about our direction for the 80's that I would now like to speak.

"I believe that the most significant action we took in the decade just past was to address the problem of too rapid growth of our population and of our economy.

"The result was the preparation and adoption of our Hawaii State Plan.

"It is a unique document. It sets out and establishes as public policy the goals and the directions for our future. It is the product of your efforts, of this Administration, and of many thousands of concerned citizens.

"But the State Plan, prepared in the later years of the 1970's, is just the beginning of a more comprehensive and long-range task, a task which we will now address in the 80's.

"In this session you will have the opportunity to review the next step in this significant planning process: the functional plans. They have been prepared for the major areas of Transportation, Agriculture, Energy, Health, Housing, Education -- both higher and lower -- Historic Preservation, Water Resources Development, Recreation, Conservation Lands, and Tourism. And it is from these more specific guidelines that we will draw our directions for the 80's in each of the particular areas which they address.

"I encourage you to study them carefully

for they are at this time our recommendations to you and it is for you as legislators to adopt or modify them as you conclude to be appropriate. We are available to assist in whatever way we can.

"During the 1970's we also spent considerable time discussing the foundations of our economy. There were many in our community who argued that the only viable economic future for Hawaii in the 1980's and beyond rests with an expansion of the visitor industry.

"They seemed to dismiss the potential of any other economic endeavor as insignificant.

"As important as tourism is -- and I will refer to it again shortly -- I simply do not agree with the premise that all else is unproductive.

"I have said on many occasions, and I repeat it here today, that Hawaii has the potential in the 1980's and beyond, to dramatically increase its self-sufficiency in agricultural products, and to increase its exports of many other products.

"There is no doubt that sugar and pineapple will remain foremost in agriculture here. Our efforts to diversify agricultural production are in no way a denigration of these basic and vital industries. But our potential for diversifying our agricultural base is only just beginning.

"Already, because of both public and private sector initiatives, phenomenal growth has been experienced in recent years in the economic contribution of cut flowers and foliage, nursery plants, macadamia nuts, papaya, guava, passion fruit, vegetables and melons.

"And I would remind you that the development of agriculture serves two purposes: it has value in our economy in producing income to Hawaii, and it contributes the open spaces which are so vital to those of us who live here, and so important to those who visit us.

"It is for these reasons that in the most recent past we have undertaken programs for setting aside lands for agricultural parks, negotiated long-term leases for farming on State lands, funded the promotion of Hawaii agricultural products both here and throughout the world, provided low-cost loans to farmers, and provided agricultural expertise to new farmers.

"Our supplemental budget request contains recommendations for increased funding in many of these areas.

"Our efforts to develop an aquaculture industry parallel those of diversified agriculture.

Aquaculture can become a vital income-producing part of our economy. It, too, needs the kind of government support that agriculture has received. We are the only state in the nation which has developed an Aquaculture Master Plan and our efforts now need to be directed toward its implementation.

"Hawaii is the only island state, and that fact affords us the opportunity to utilize the resources of the ocean which surrounds us.

"We are continuing our efforts to secure for Hawaii the economic benefits which will come from the mining and the harvesting of the resources of the ocean.

"We are proposing the establishment of a marine education program in our public schools.

"We are also submitting to you a Hawaii Fisheries Development Plan which has my wholehearted support. It was prepared in a cooperative effort by the public and private sectors and it concludes that the potential for expanding Hawaii's role in the fisheries industry is indeed very great.

"There is no more exciting potential for Hawaii to expand its economy in the 1980's, in my view, than as the hub of the interchange between the United States and countries in the Pacific-Asian Basin. In matters of trade, finance, insurance, cultural and recreational relationships, and scientific and technological exchange, our long-perceived role as the broker between East and West finally is being realized.

"Multi-national companies are looking increasingly to Hawaii to establish headquarters. In the past year, eight major American corporations established regional headquarters here.

"These join 23 other such corporations which have recognized the importance of this meeting ground between East and West.

"We intend to intensify our efforts in the 1980's to attract new corporations to our islands, not only to provide jobs for our people, but also to firmly establish our position in the Pacific.

"These activities are to complement, rather than to compete with, the existing corporations and businesses of Hawaii.

"Many of the present corporate entities of Hawaii have been among the foremost

builders of our modern society. They have provided the capital, and the initiative and the goodwill that has been so necessary to achieving the social miracle that has been wrought in Hawaii.

"But each society must renew itself. Each society must look beyond itself and its present boundaries for new ideas, and new approaches, and new opportunities. This we are doing in our approach to making Hawaii the meeting place of the Pacific and the world, not just in a physical or economic sense, but also as a way of life, and of style, and of understanding.

"Work on the Aloha Tower Complex fits significantly into this picture of the future.

"Regional cooperation is emerging as a dominant theme in our Pacific community. For example, two major conferences, drawing together many of the island countries in the Pacific to discuss mutual concerns and interests will be held in our State this year. Increasingly, we are becoming the facilitator of information and dialogue in this part of the world.

"The role Hawaii increasingly can play and will play in the world was demonstrated this past year by two very different, but significant trips, I took as the Governor of Hawaii.

"In the one case, as representative of the President of the United States, I participated in independence ceremonies in the new Republic of Kiribati. My presence served to emphasize Hawaii's role as the only island state of the United States and also our preeminent importance in the Pacific.

"The other significant trip was as a member of a National Governors' Association tour of the People's Republic of China.

"China is a vast and ancient land, the cradle of much of Asia's heritage, language, and philosophy, and just as Kiribati struggles to become a part of the modern world, and to find its place in it, so does China.

"The magnitudes are different, the outcome unquestionably will be different, and the impact on the world will be vastly different, but each in its own way reflects the world's long delayed recognition of the importance of the Pacific and its rim nations in the destiny of all the peoples of this world.

"I am truly convinced that the skills and the expertise of Hawaii's people will be called upon by the People's Republic of China in the years immediately ahead. We can offer them much and we can, at the same time, receive much in return.

"The role Hawaii increasingly is playing

on the world stage is exceedingly significant not only to those of us who live here, but also to those unknown and unseen around the world who will benefit in the years to come from the successful social and economic experiments that have taken place in these islands.

"It was here, in our red soil and black volcanic rock, that a new society was born. It was here that many from other societies gathered in disparate ways to start a new life and form a new society. It was here that the sons and daughters of these early immigrants learned their lessons of tolerance and understanding and Americanism.

"It was here that they learned the verity that all men truly are created equal. And it was here that they learned that no one is bound by previous status, but rather bound only by the limitations of their own creation. It was here that hard work and application were rewarded.

"This is the lesson of Hawaii, and it is one that increasingly is being learned by the world.

"Let me turn now to our most important economic segment -- the visitor industry. The 1970's saw tremendous growth in the number of visitors who came to these Islands and in the dollars that they spent.

"At no time in our history has the need for maintaining a viable visitor industry been more crucial. It is a major source of employment for our people and a major contributor of tax revenues for the operation of our State government. Our proposed Tourism Functional Plan sets the kinds of goals and directions for it which will assure its appropriate place in our future. You will have the plan before you for your consideration.

"I am recommending, too, that the Legislature reconsider its action of last year which significantly reduced government funding for the Hawaii Visitors Bureau. The increasing cost of fuel and its impact on airline fares may well discourage travelers to Hawaii. Therefore I believe that it is in our own best interest to vigorously support the Hawaii Visitors Bureau at this time.

"In other efforts to reinforce and to expand our economic base in the 80's, we are also asking for your favorable consideration of funds to encourage the development of an electronics industry here. It is my belief that

expanding markets in the Pacific Basin area make Hawaii's location ideal for those mainland electronic companies who wish to take advantage of the potential for increased business. In this connection, I addressed leaders of the electronics industries on two separate occasions last year in the San Francisco area. I reminded them that Hawaii imports \$43 million worth of electronic products every year, and that our strategic location in this part of the world should be recognized for the potential which it holds for those who would do business in the Pacific region.

"And finally in this quest for greater self-sufficiency, we are continuing our efforts to promote locally-manufactured Hawaii products throughout the world -- a 'made in Hawaii' program. These products include garments, jewelry and perfumes, processed foods such as candy, tofu, and tropical drinks, recycled aluminum and many others.

"It is in all of these ways that I believe Hawaii will become master of its own economic destiny.

"In the last decade, we became acutely aware that much of our most beautiful land and coastal areas were becoming inaccessible to many of our people. Private development and the burgeoning visitor industry continually were shutting off selected areas for general recreational use.

"In response to this concern we have made major progress in our efforts to retain many of our most beautiful beach and mountain areas in open space. In Windward Oahu alone we have determined that the area from Waiahole to Kahuku should remain as rural and as agricultural as possible. We have purchased hundreds of acres in that region -- at Malaekahana Bay, over a thousand acres, to Sacred Falls, Heeia Kea-Matson Point, Waiahole Valley -- to assure that future generations may enjoy these lands as we have. We are also doing this in other areas of our State. To maintain these and to protect all of our conservation and recreation areas, we are recommending additional funding in our supplemental budget request. This effort will remain one of our primary concerns as we move into the 80's.

"Probably no area of State government efforts attracted more attention in the latter part of the 1970's than that of energy -- the attempt to find alternative sources of energy for Hawaii and in the actual use of such sources in the daily lives of our people.

"Of all the 50 states, Hawaii is possibly the best endowed with the various potential alternatives to fossil fuels. We have an

abundance of sun, sea and wind, and a favorable geological substructure.

"In just a few short years, but with the assistance of many, we have made tremendous progress.

"Where once sugarcane waste was a pollutant in our oceans, today it provides a substantial portion of the energy used on the Islands of Hawaii and Kauai.

"Where once geothermal energy was only a scientific probability, early next year, we will be generating electricity from it and will seek proposals for its commercial use.

"Where once, OTEC -- Ocean Thermal Energy Conversion -- was an unproven scientific concept, we here in Hawaii have seen its first actual successful test. We are now assisting in the application for a \$150 million OTEC project for Hawaii in a joint venture with several large local and mainland corporations.

"Our commitment to education, for all of our people, remains constant and of the highest priority. Education is what makes achievement possible, and what also makes possible a worthwhile and rewarding life.

"We have seen a revolution in education in these Islands in the recent past.

"In the years to come, we are going to reap the benefits of the efforts that have been expended in education, not only in the area of competency on the part of our citizens, but also in the enjoyment of life and in their contributions to our communities.

"The emphasis this Administration, and the previous Administration, have placed on education is, I am convinced, of paramount importance to this State and its people.

"To be sure, we read and hear that our children, as a whole, do not measure well on national tests. Some of this, without question, is due to an imperfect knowledge of the English language. Because of that, I am proposing a \$776,000 appropriation to identify and resolve problems of immigrant children. But the heartening fact is that our children are, in significant areas, measuring better in national testing.

"I am especially pleased to see the increasing involvement of parents in the educational program. An interested and enlightened parent serves as

a positive reinforcement to the efforts of school teachers, principals and administrators.

"At the University, too, we have made great strides in offering advanced educational opportunities to those who wish to pursue such a course.

"For a number of years in the 60's and the 70's, we set a goal of offering a university experience that served all the needs of every person regardless of the cost.

"We have come to realize now that with limited State resources, a more prudent course of action is to seek selective excellence.

"Health and social services program expenditures as a percentage of total State spending grew faster than any others in the decade of the 70's. This is eloquent testimony to the generosity and willingness of our citizens to provide for those needing help.

"At the same time, we have attempted to protect the integrity of the program by the careful screening of applicants, and by increased efforts to detect fraud and abuse. In this way we can assure the continuance of the public's support and confidence in this area.

"Also, we have expanded fivefold our expenditures to provide services to the elderly, the children, the family and the afflicted so that they, too, may enjoy a meaningful life.

"For the mentally ill and developmentally disabled the decade saw the successful implementation of our efforts to provide a more home-like environment for their treatment and for the living of their daily lives.

"In the future we will see our programs shift further from treatment to prevention -- to 'wellness' for the individual; we will explore the need for a gerontology program; we will bring our hospitals up to standard; and reduce the pollution of our waters.

"For our people of Hawaiian ancestry, the work of the Department of Hawaiian Home Lands in the 1970's has been clearly remarkable. More homes were built for Hawaiians on homestead land in the past five years than in the preceding 25 years of the program. While we will continue to maintain a viable housing program, we are now also turning our attention to providing native Hawaiians with new opportunities to become successful farmers and ranchers. Not only will we continue to make agricultural lands available, but most importantly we will provide monies and technical assistance necessary to effectively utilize those lands.

"We are also focusing on programs to develop businesses and jobs such as in a recent moss rock project in Nanakuli where a new business was formed and employment created for 23 young native Hawaiians. These will be our continued directions in the 80's, offering native Hawaiians hope and optimism for control and determination of their own future.

"This was the expressed hope in the creation of the Office of Hawaiian Affairs by the recent amendment to the Hawaii Constitution.

"Our society was built on the foundation of Aloha which we all inherited from those who were here before us. It is incumbent upon us all that we retain the Hawaiian heritage, and the Hawaiian way. I will have a bit more to say about this later.

"Our progress in modernizing major transportation facilities can be seen each day as we move about the Islands but there remains several major projects needed to complete that picture. In this regard, let me stress the importance that I place on your authorization for the Barber's Point deep draft harbor, a new inter-island terminal at Honolulu, and the completion of our highway network.

"For too long now we have put off the issue of a new general aviation airport for Oahu. I cannot over-emphasize the need for action in this session.

"We have carefully looked at all the reasonable alternatives and we are convinced that the Poamoho site, while not perfect, is the most feasible one.

"If you do not agree with our selection of a site at Poamoho then I ask that you designate a suitable alternative.

"Those are some of the areas of program emphasis which I see emerging as we begin our new decade. There are others which are not mentioned because of time constraints.

"The beginning of the 1980's also provides us with the opportunity to implement the amendments to our State Constitution. These include among others, the structuring of the Office of Hawaiian Affairs, funding the Hawaiian Culture and Language program for which we are requesting \$335,000, adopting standards for determining how grants of public moneys may be provided, establishing a tax revenue estimating committee. In each of these areas, we are prepared to provide

you with whatever assistance you may need.

"There are a number of legislative proposals which we will be forwarding to you in the early days of this session and we ask for your favorable consideration of them. Members of my cabinet will take the leadership in discussing them with you. For now, I would like to discuss two of them: one is a proposal for a tax rebate and the other for collective bargaining cost items.

"Because of the prudent manner in which we have managed the State's funds and also because of the rise in tax collections, we now have a sizeable surplus in the treasury and we expect that condition to continue. I am convinced that the accumulation of a surplus for any long period is neither necessary nor desirable, and I am further convinced that it should be returned to the taxpayers in an equitable manner.

"I would remind you, too, that this is now a fundamental policy of our State, as that policy was adopted by the people when they approved the amendments to the State Constitution.

"I will therefore propose to you that a sizeable portion of that surplus be refunded to each resident of Hawaii who qualifies as an exemption under our income tax law. It will be in an amount which will approximately offset the 4 percent tax on food and drugs which the average person now pays.

"In addition I will propose that a substantial portion of the balance of the surplus be used for the repair and maintenance of our public facilities, especially our schools. In recent years we have made significant investments in our physical plant facilities and there is a clear need to maintain them adequately as time and wear take their toll.

"Let me say this about our surplus tax dollars. If you do not agree to a rebate, let me caution you about the use of these tax dollars for programs which require continuous future expenditures. We will soon be operating under a Constitutional spending limit and to commit us at this time to future spending increases now could lead us to great fiscal problems.

"With respect to the collective bargaining contracts which we recently signed with our public employees, I will send you a message in the next few days asking your expeditious passage of a bill to provide those increased benefits to our employees as quickly as possible. I believe this is only fair to them and the State has the funds available to make these payments promptly.

"Finally, let me say a word to the people of Hawaii about our legislators who are assembled here today. As one who has served long in this branch of government, and who has been in public service for more than a quarter of a century, it disturbs me greatly that so many of our citizens feel a strong sense of cynicism about public officials and the legislative process.

"I can say that there is a genuine desire and sincere intention in each of the legislators here to make the right decisions, and to make Hawaii a better place for all of us.

"But just as with any human endeavor it is easier to agree on the general objectives than on the specific ways to achieve it.

"For the legislator, the right decision is not always clear, because the issues are complex and the solutions are very difficult. I know that they frequently agonize over what the 'right decision' truly is.

"This is the public officials' dilemma.

"People want more and better programs, but they want to pay less taxes. People want faster services, but want our officials to follow a more time-consuming process. People want perfect solutions where there are no perfect solutions; perhaps, in some instances, no solutions at all. A given response may help some but may create other problems.

"In this Legislature, I see compassion, I see initiative and creativity. I see people with vision serving us. They are our neighbors -- decent human beings. And they are not infallible. They make mistakes, just as we all make mistakes. But they do give us their very best efforts. I therefore ask for your understanding, patience and the prayers for our public officials.

"At the beginning of each new and challenging task, involving the cooperation, the goodwill and the Aloha of many people, I am reminded of the most poignant moment -- for me -- of man's adventure in space.

"It was the Apollo 8 crew, who for the first time in the history of mankind, had broken free of the gravity of earth and were soaring at the rate of thousands of miles an hour toward the moon.

"As they saw their home planet, the Earth, recede and grow smaller, and as they saw its blue beauty glowing in the black and white austerity of the rest of the universe, they all wondered

aloud why men on earth could not live in peace and harmony.

"From their unique vantage point, they could see that those of us who inhabit this earth truly are one people, and that the differences that separate us are insignificant compared to the common feelings that bind us together.

"In my 1977 State-of-the-State message, I offered a conviction which has become the theme of this Administration, and of this State. It is that we will be the masters of our destiny.

"In the three years since I appeared before you then, we truly have taken giant steps toward becoming the masters of our destiny.

"In closing, I want to share with you my unbounded optimism about this State and its people.

"Whenever I travel, I always return to these Islands and become refreshed and restored. It is not merely because I am coming 'home,' but rather because we truly do have a unique society here, one which is responsive to our past, and also one which looks to the future and is aware of its needs.

"All of us living in these Islands have a unique opportunity, and a very unique obligation, to do our best as stewards, and to keep the beacon of Hawaii ever bright throughout the world.

"Never before have the people of this State been so much in control of their future, and I applaud you and all of our citizens who make this possible.

"Just as we are one world, we also are one State, and one people.

"We have our differences, to be sure, but we also have a commonality of purpose that makes us one in the pursuit of what is best for our beloved Hawaii.

"I wish all of you well for a productive and a fruitful session.

"Mahalo, Aloha, and God bless you."

Senate President Wong then rose and stated:

"Thank you for your words of concern and wisdom, in terms of the State Administration's presentation toward the Legislature. I must say this, Governor, that differences are not in the subject matter, rather one of approach.

"I can assure you that your proposals and your suggestions will be fairly heard and considered and the legislative input will be part of the total package that in the end will result in a better Hawaii.

"Thank you very much, Governor.

"There being no further business, I adjourn this Joint Session of the Tenth State Legislature."

At 10:45 o'clock a.m., the President declared the Joint Session adjourned.

The Senate reconvened at 10:50 o'clock a.m.

ADJOURNMENT

At 10:55 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, January 22, 1980.

FIFTH DAY

Tuesday, January 22, 1980

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

The Divine Blessing was invoked by the Reverend Kim On Chong, Retired Chaplain of Mid-Pacific Institute, after which the Roll was called showing all Senators present.

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

Senator Yee then introduced to the members of the Senate Mr. and Mrs. Andy Love, who are visiting from Denver, Colorado.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 2), transmitting House Concurrent Resolution No. 2, which was adopted by the House of Representatives on January 21, 1980, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND CONGRATULATING THE PACIFIC FLEET SUBMARINE MEMORIAL ASSOCIATION, INC., UPON ITS SPONSORSHIP OF THE RESTORATION OF THE WORLD WAR II SUBMARINE USS BOWFIN", was adopted.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, January 23, 1980:

Senate Bills

No. 1826-80 "A Bill for an Act Making Appropriations to Provide for the Expenses of the Legislature, the Legislative Auditor, the Legislative Reference Bureau, and the Ombudsman."

Introduced by: Senator Cayetano.

No. 1827-80 "A Bill for an Act Relating to the Hawaii Rules of Evidence."

Introduced by: Senators O'Connor, Hara, Cobb, Campbell, Kuroda, Mizuguchi, Machida, Wong, Chong and Abercrombie.

No. 1828-80 "A Bill for an Act Relating to the Hawaii Non-Profit Corporation Act."

Introduced by: Senators O'Connor, Hara, Cobb, Kuroda, Mizuguchi, Machida, Wong, Campbell, Chong and Abercrombie.

No. 1829-80 "A Bill for an Act Relating to the Hawaii Business Corporation Act."

Introduced by: Senators O'Connor, Hara, Cobb, Wong, Campbell, Kuroda, Abercrombie and Machida.

No. 1830-80 "A Bill for an Act Relating to Information Practices."

Introduced by: Senators O'Connor, Hara, Chong, Young, Cobb, Kuroda, Mizuguchi, Toyofuku, Machida, Wong, Campbell and Abercrombie.

No. 1831-80 "A Bill for an Act Relating to Crimes."

Introduced by: Senators O'Connor, Chong, Hara, Cobb, Yamasaki, Kuroda, Mizuguchi, Machida, Wong, Campbell, Abercrombie and Carpenter.

No. 1832-80 "A Bill for an Act Relating to Career Criminals."

Introduced by: Senators O'Connor, Chong, Hara, Cobb, Kuroda, Mizuguchi, Carpenter, Campbell, Yamasaki, Abercrombie, Toyofuku, Machida and Wong.

No. 1833-80 "A Bill for an Act Relating to Partnerships."

Introduced by: Senators O'Connor, Hara, Cobb, Kuroda, Machida, Wong, Campbell, Chong, Abercrombie and Carpenter.

No. 1834-80 "A Bill for an Act Relating to Annulment of a Marriage."

Introduced by: Senators O'Connor, Young, Cobb, Kuroda, Mizuguchi, Toyofuku, Machida, Campbell, Abercrombie and Chong.

No. 1835-80 "A Bill for an Act Relating to Termination of Parental Rights."

Introduced by: Senators O'Connor, Hara, Chong, Yamasaki, Kuroda, Mizuguchi, Toyofuku, Machida, Wong, Abercrombie and Carpenter.

No. 1836-80 "A Bill for an Act Relating to Adoption."

Introduced by: Senators O'Connor, Hara, Cobb, Kuroda, Mizuguchi, Machida,

Carpenter, Chong, Campbell,
Abercrombie, Kawasaki and Wong.

No. 1837-80 "A Bill for an Act Relating
to Bail."

Introduced by: Senators O'Connor,
Chong, Hara, Cobb, Yamasaki,
Kuroda, Abercrombie, Mizuguchi,
Machida, Wong, Campbell and
Carpenter.

No. 1838-80 "A Bill for an Act Relating
to the Hawaii Crime Commission."

Introduced by: Senators O'Connor,
Chong, Hara, Cobb, Kuroda, Wong,
Campbell, Abercrombie, Toyofuku,
Mizuguchi, Machida and Carpenter.

No. 1839-80 "A Bill for an Act Relating
to the Implementation of the Juvenile
Justice Plan."

Introduced by: Senators O'Connor,
Chong, Hara, Cobb, Kuroda, Mizuguchi,
Machida, Wong, Campbell and
Abercrombie.

No. 1863-80 "A Bill for an Act Relating
to Transportation."

Introduced by: Senators Mizuguchi,
Hara, Carpenter, Kawasaki, O'Connor,
Cobb, Toyofuku, Wong, Chong,
Young, Yamasaki, Campbell,
Kuroda, Abercrombie and Machida.

No. 1864-80 "A Bill for an Act Relating
to Highway Safety."

Introduced by: Senators Mizuguchi,
Kuroda, Abercrombie, Wong, Carpenter
and Chong.

No. 1865-80 "A Bill for an Act Relating
to Bikeways."

Introduced by: Senators Mizuguchi,
Hara, Chong, Young, Yamasaki,
Machida, Wong, Campbell, Kuroda,
Abercrombie, O'Connor and Carpenter.

No. 1866-80 "A Bill for an Act Relating
to Tax Incentives for the Purchase
of Electric Vehicles."

Introduced by: Senators Mizuguchi,
Hara, Kawasaki, Cobb, Yamasaki,
Machida, Campbell, Chong, Kuroda,
Abercrombie, Carpenter and Wong.

No. 1867-80 "A Bill for an Act Relating
to Electric Vehicles."

Introduced by: Senators Mizuguchi,
Hara, Kawasaki, Yamasaki, Abercrombie,
Wong, Campbell, Chong, Kuroda
and Carpenter.

No. 1868-80 "A Bill for an Act Relating

to Permit Applications."

Introduced by: Senators Kawasaki,
Chong, Hara, Young, Wong, Campbell,
Carpenter, Kuroda and Toyofuku.

No. 1869-80 "A Bill for an Act Making
an Appropriation for the Legislative
Reference Bureau."

Introduced by: Senators Kawasaki,
Hara, Campbell, Cobb, Carpenter,
Young, Yamasaki, Kuroda, Toyofuku,
Machida, O'Connor, Wong and Chong.

No. 1870-80 "A Bill for an Act Relating
to the Research Corporation of the
University of Hawaii."

Introduced by: Senators Abercrombie,
Carpenter, Yamasaki, Machida, Wong,
Chong, Campbell and Kuroda.

No. 1871-80 "A Bill for an Act Relating
to the Research Corporation of the
University of Hawaii."

Introduced by: Senators Abercrombie,
Carpenter, Kawasaki, Yamasaki,
Kuroda, Machida, O'Connor, Wong,
Campbell and Chong.

No. 1872-80 "A Bill for an Act Relating
to the University Board of Regents."

Introduced by: Senators Abercrombie,
Carpenter, Campbell, Chong, Kuroda
and Wong.

No. 1873-80 "A Bill for an Act Relating
to Additional Support to the University
of Hawaii from Extramural Funds."

Introduced by: Senators Abercrombie,
Chong, Carpenter, Campbell, Kawasaki,
Kuroda, Mizuguchi, Machida, O'Connor
and Wong.

No. 1874-80 "A Bill for an Act Making
an Appropriation to Study the Feasibility
of an Educational Service Center in the
Waianae-Nanakuli Area."

Introduced by: Senators Abercrombie,
Hara, Carpenter, Campbell, Chong,
Yamasaki, Toyofuku, Young, Kuroda,
Wong, Mizuguchi, Machida and O'Connor.

No. 1875-80 "A Bill for an Act Making
an Appropriation for the YMCA's Women
Center Sexual Assault Support System
for the County of Hawaii."

Introduced by: Senators Carpenter,
Campbell, Cayetano, Yim, Yamasaki,
Kuroda, O'Connor, Cobb, Machida,
Hara, Chong, Young, Abercrombie
and Wong.

No. 1876-80 "A Bill for an Act Making
an Appropriation for the Department

of English, University of Hawaii,
Manoa."

Introduced by: Senators Abercrombie,
Chong, Carpenter, Campbell,
Yamasaki, Toyofuku, Mizuguchi,
Machida, O'Connor and Wong.

No. 1881-80 "A Bill for an Act Relating
to the Hawaii Capital Loan Program."

Introduced by: Senators Yim,
Carpenter, Hara, Chong, Yamasaki,
Wong, Campbell, Kuroda, Mizuguchi
and O'Connor.

No. 1882-80 "A Bill for an Act Relating
to Small Business Procurement
Preference."

Introduced by: Senators Yim,
Carpenter, Chong, Hara, Kawasaki,
Yamasaki, Kuroda, Toyofuku, Mizuguchi,
O'Connor, Machida, Wong and
Campbell.

No. 1883-80 "A Bill for an Act Establishing
a Small Business Assistance Program."

Introduced by: Senators Yim,
Carpenter, Hara, Chong, Young,
Yamasaki, Kuroda, Toyofuku,
Mizuguchi, Campbell, O'Connor,
Machida and Wong.

No. 1884-80 "A Bill for an Act Relating
to Income Tax Credits for Employment
Costs."

Introduced by: Senators Yim,
Carpenter, Hara, Cobb, Chong,
Young, Yamasaki, Kuroda, Mizuguchi,
O'Connor, Machida, Wong and
Campbell.

No. 1885-80 "A Bill for an Act Relating
to Rules and Regulations."

Introduced by: Senators Yim,
Carpenter, Hara, Chong, Kawasaki,
Young, Kuroda, Toyofuku, Machida,
Mizuguchi, O'Connor and Wong.

No. 1886-80 "A Bill for an Act Relating
to Product Development."

Introduced by: Senators Yim,
Hara, Chong, Yamasaki, Kuroda,
Mizuguchi, Machida, Carpenter,
Wong and Campbell.

No. 1887-80 "A Bill for an Act Making
an Appropriation for an Integrated
Industrial Engineering and Power
Machine Operator Training Program
for the Garment Industry."

Introduced by: Senators Yim, Carpenter,
Chong, Cobb, Hara, Young, Yamasaki,
Kuroda, Machida and Wong.

No. 1888-80 "A Bill for an Act Relating
to Energy Conservation in Public Buildings
and Facilities."

Introduced by: Senators Yim, Chong,
Carpenter, Kawasaki, Cobb, Young,
Kuroda, Toyofuku, O'Connor, Machida,
Wong, Campbell and Abercrombie.

No. 1889-80 "A Bill for an Act Relating
to Geothermal Energy."

Introduced by: Senators Yim, Chong,
Hara, Cobb, Young, Yamasaki, Kuroda,
Toyofuku, Machida, Wong, Campbell
and Carpenter.

No. 1890-80 "A Bill for an Act Relating
to Tax Incentives for Wind Energy Systems."

Introduced by: Senators Yim, Hara,
Chong, Kuroda, Carpenter and Wong.

No. 1891-80 "A Bill for an Act Relating
to the Purchase of Wind Energy by
a Public Utility."

Introduced by: Senators Yim, Hara,
Chong, Kuroda, Carpenter and Wong.

No. 1892-80 "A Bill for an Act Relating
to Wind Energy."

Introduced by: Senators Yim, Hara,
Chong, Kawasaki, Cobb, Kuroda,
Carpenter and Wong.

No. 1893-80 "A Bill for an Act Relating
to Solar Energy Devices."

Introduced by: Senators Yim, Chong,
Kawasaki, Cobb, Young, Kuroda,
Carpenter, Abercrombie, O'Connor
and Wong.

No. 1894-80 "A Bill for an Act Relating
to Energy Conservation."

Introduced by: Senators Yim, Hara,
Carpenter, Kawasaki, Cobb, Abercrombie,
Campbell, Kuroda, O'Connor and
Wong.

No. 1895-80 "A Bill for an Act Relating
to Public Utilities."

Introduced by: Senators Yim, Chong,
Young, Kuroda, O'Connor, Wong and
Campbell.

No. 1896-80 "A Bill for an Act Relating
to the Public Utilities Commission."

Introduced by: Senators Yim, Hara,
Chong, Kuroda, Carpenter and Wong.

No. 1897-80 "A Bill for an Act Relating
to Public Utilities."

Introduced by: Senators Yim, Kuroda,

O'Connor, Carpenter and Wong.

No. 1898-80 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senators Yim, Chong, Kuroda, O'Connor, Carpenter and Wong.

No. 1899-80 "A Bill for an Act Relating to the Taxation of Non-Fossil Fuel Generated Electricity."

Introduced by: Senators Yim, Kuroda and Wong.

No. 1900-80 "A Bill for an Act Relating to Electricity Generated from Non-Fossil Fuels."

Introduced by: Senators Yim, Hara, Chong, Young, Kuroda, O'Connor, Carpenter, Wong and Campbell.

No. 1901-80 "A Bill for an Act Relating to the Public Utilities Commission."

Introduced by: Senators Yim, Hara, Chong, Kuroda, Carpenter and Wong.

No. 1904-80 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senators Yim, Chong, Kuroda, Kawasaki, O'Connor, Carpenter and Wong.

No. 1905-80 "A Bill for an Act Relating to an Excise Tax on Producers of Wind-Energy Generated Electricity."

Introduced by: Senators Yim, Hara, Chong, Kawasaki, Young, Kuroda, Toyofuku, Machida, Campbell, Abercrombie, Carpenter and Wong.

No. 1906-80 "A Bill for an Act Relating to Gasohol."

Introduced by: Senators Yim, Carpenter, Hara, Kuroda, Wong, Chong, Campbell and Abercrombie.

No. 1907-80 "A Bill for an Act Relating to Alcohol Plants."

Introduced by: Senators Yim, Chong, Abercrombie, Toyofuku, Machida, Campbell and Carpenter.

No. 1908-80 "A Bill for an Act Relating to Gasohol."

Introduced by: Senators Yim, Carpenter, Kawasaki, Cobb, Hara, Kuroda, O'Connor, Machida, Wong, Chong, Young, Campbell and Abercrombie.

No. 1909-80 "A Bill for an Act Relating to Investment Tax Credits."

Introduced by: Senators Yim, Hara, Chong, Yamasaki, Kuroda, Toyofuku, Machida, Campbell, Carpenter and Wong.

No. 1911-80 "A Bill for an Act Relating to Driver Education."

Introduced by: Senators Yim, Carpenter, Cobb, Young, Kuroda, Machida, Chong, Campbell, Abercrombie, O'Connor and Wong.

No. 1912-80 "A Bill for an Act Relating to Tax Incentives for Energy Conservation."

Introduced by: Senators Yim, Hara, Chong, Young, Yamasaki, Kuroda, O'Connor, Machida, Wong, Campbell and Carpenter.

No. 1913-80 "A Bill for an Act Relating to Energy Conservation Education."

Introduced by: Senators Yim, Carpenter, Cobb, Hara, Mizuguchi, Machida, Chong, Young, Campbell, Kuroda, Abercrombie, Wong and O'Connor.

No. 1914-80 "A Bill for an Act Relating to Energy Conservation in Public Buildings and Facilities."

Introduced by: Senators Yim, Chong, Kawasaki, Cobb, Young, Campbell, Kuroda, Abercrombie, O'Connor and Carpenter.

No. 1915-80 "A Bill for an Act Relating to Energy Efficient Procurement Practices."

Introduced by: Senators Yim, Chong, Hara, Kawasaki, Cobb, Campbell, Kuroda, Abercrombie and Wong.

No. 1917-80 "A Bill for an Act Making an Appropriation for Bicycles and Bicycle Racks."

Introduced by: Senators Yim, Carpenter, Hara, Kuroda, Machida, Wong, Chong, Young, Campbell, Abercrombie and O'Connor.

No. 1918-80 "A Bill for an Act Relating to Government Motor Vehicles."

Introduced by: Senators Yim, Chong, Kuroda, Kawasaki, Cobb, Wong, Campbell, Abercrombie, O'Connor and Carpenter.

No. 1919-80 "A Bill for an Act Relating to Establishing a State Car Pool Program."

Introduced by: Senators Yim, Chong, Kuroda, Kawasaki, Young, O'Connor, Carpenter, Wong and Abercrombie.

No. 1920-80 "A Bill for an Act Relating to Government Motor Vehicles."

Introduced by: Senators Yim, Chong, Cobb, Hara, Kuroda, Wong, Campbell, Abercrombie and Carpenter.

No. 1921-80 "A Bill for an Act Relating to the State Alternate Energy Development Fund."

Introduced by: Senators Yim, Hara, Chong, Young, Yamasaki, Kuroda, Carpenter, Wong and Campbell.

No. 1922-80 "A Bill for an Act Relating to the Establishment of an Energy Extension Service Program."

Introduced by: Senators Yim, Hara, Chong, Young, Yamasaki, Kuroda, Wong, Campbell and Carpenter.

No. 1923-80 "A Bill for an Act Making an Appropriation for Socio-Economic Research on Communities Impacted by Geothermal Energy Development."

Introduced by: Senators Yim, Chong, Hara, Kawasaki, Cobb, Young, Yamasaki, Kuroda, Machida, Campbell, Carpenter and Wong.

No. 1924-80 "A Bill for an Act Relating to Geothermal Energy."

Introduced by: Senators Yim, Hara, Yamasaki, Kuroda, Machida, Chong, Young and Campbell.

No. 1925-80 "A Bill for an Act Relating to an Appropriation for Research, Development, Demonstration, and Utilization of Renewable Alternate Energy Sources for Hawaii."

Introduced by: Senators Yim, Chong, Young, Yamasaki, Kuroda, Toyofuku, O'Connor, Machida, Carpenter, Campbell and Wong.

No. 1926-80 "A Bill for an Act Relating to Small Business Set-Asides."

Introduced by: Senators Yim, Kuroda, Carpenter and Wong.

No. 1927-80 "A Bill for an Act Relating to Mortgage Loans for Residential Real Property."

Introduced by: Senators Young, Yamasaki, Cobb, Campbell, Kuroda, Abercrombie, Mizuguchi, Toyofuku, Machida, Carpenter and Wong.

No. 1928-80 "A Bill for an Act Relating to Mortgage Loans for Residential Real Property."

Introduced by: Senators Young, Yamasaki, Cobb, Kuroda, Abercrombie and Campbell.

No. 1929-80 "A Bill for an Act Making an Appropriation for Computer Terminals in the Schools."

Introduced by: Senators Campbell, Kuroda, Cobb, Ushijima, Yamasaki, Toyofuku, Chong, Carpenter, Young, Hara, Yim, Abercrombie, Wong, Mizuguchi, O'Connor and Machida.

No. 1930-80 "A Bill for an Act Relating to the School Bus System."

Introduced by: Senators Campbell, Kuroda, Ushijima, Yamasaki, Hara, Chong, Carpenter, Young, Abercrombie, Yim, Kawasaki, O'Connor, Machida and Wong.

No. 1931-80 "A Bill for an Act Making an Appropriation for Student Activities Coordinators."

Introduced by: Senators Campbell, Kuroda, Ushijima, Yamasaki, Carpenter, Toyofuku, Chong, Young, Hara, Abercrombie, Wong, Yim, Mizuguchi, O'Connor and Machida.

No. 1932-80 "A Bill for an Act Making an Appropriation for Repair, Renovation or Replacement of Asbestos Ceilings and Walls in Public Schools."

Introduced by: Senators Campbell, Cobb, Chong, O'Connor, Young and Wong.

No. 1933-80 "A Bill for an Act Making an Appropriation for Troubled Students."

Introduced by: Senators Campbell, Young, Kuroda, Ushijima, Yim, Hara, Yamasaki, Chong, Carpenter, Abercrombie, Mizuguchi, O'Connor and Machida.

No. 1934-80 "A Bill for an Act Relating to a Statewide Qualifying Examination for Students Seeking High School Certificates of Graduation."

Introduced by: Senators Campbell, Kawasaki, Kuroda, Cobb, Chong, O'Connor and Wong.

No. 1935-80 "A Bill for an Act Relating to a Foundation for the Arts and the Humanities."

Introduced by: Senators Campbell, Kuroda and Wong.

No. 1940-80 "A Bill for an Act Relating to Medical Care."

Introduced by: Senators Carpenter, Chong, Abercrombie, Kuroda and Wong.

No. 1941-80 "A Bill for an Act Making an Appropriation for the Repair and Maintenance of Schools."

Introduced by: Senator Campbell.

No. 1942-80 "A Bill for an Act Relating to the Public Library System."

Introduced by: Senator Campbell.

No. 1944-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Cayetano.

No. 1945-80 "A Bill for an Act Relating to Alternate Energy Water Heating Systems."

Introduced by: Senators Yim, Cayetano and Young.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Wednesday, January 23, 1980:

Senate Bills

No. 1840-80 "A Bill for an Act Relating to the Penal Code."

Introduced by: Senator O'Connor.

No. 1841-80 "A Bill for an Act Relating to the Crime Commission."

Introduced by: Senators O'Connor, Chong, Hara, Cobb, Abercrombie and Campbell.

No. 1842-80 "A Bill for an Act Relating to Medical Torts."

Introduced by: Senators O'Connor and Campbell.

No. 1843-80 "A Bill for an Act Relating to Organized Crime."

Introduced by: Senators O'Connor and Campbell.

No. 1844-80 "A Bill for an Act Relating to the Grand Jury."

Introduced by: Senator O'Connor.

No. 1845-80 "A Bill for an Act Relating to Sex Biases."

Introduced by: Senators O'Connor and Campbell.

No. 1846-80 "A Bill for an Act Relating to Plea Bargaining."

Introduced by: Senators O'Connor

and Campbell.

No. 1847-80 "A Bill for an Act Relating to Witness Immunity."

Introduced by: Senators O'Connor and Campbell.

No. 1848-80 "A Bill for an Act Relating to Sentencing."

Introduced by: Senator O'Connor.

No. 1849-80 "A Bill for an Act Relating to Electronic Eavesdropping (Wiretapping)."

Introduced by: Senators O'Connor and Campbell.

No. 1850-80 "A Bill for an Act Relating to Family Courts."

Introduced by: Senators O'Connor, Campbell and Abercrombie.

No. 1851-80 "A Bill for an Act Relating to the Juvenile Justice System."

Introduced by: Senators O'Connor and Campbell.

No. 1852-80 "A Bill for an Act Relating to the State Corrections System."

Introduced by: Senators O'Connor and Campbell.

No. 1853-80 "A Bill for an Act Relating to the Hawaii Correctional Plan."

Introduced by: Senators O'Connor and Campbell.

No. 1854-80 "A Bill for an Act Relating to Theft."

Introduced by: Senators O'Connor and Campbell.

No. 1855-80 "A Bill for an Act Relating to Sex Offenses."

Introduced by: Senators O'Connor and Campbell.

No. 1856-80 "A Bill for an Act Relating to Public Interest Law."

Introduced by: Senator O'Connor.

No. 1857-80 "A Bill for an Act Relating to Debtor-Creditor Relationships."

Introduced by: Senators O'Connor and Campbell.

No. 1858-80 "A Bill for an Act Relating to Attachment and Execution."

Introduced by: Senator O'Connor.

No. 1859-80 "A Bill for an Act Relating to the Uniform Commercial Code."

Introduced by: Senator O'Connor.

No. 1860-80 "A Bill for an Act Relating to the Uniform Probate Code."

Introduced by: Senator O'Connor.

No. 1861-80 "A Bill for an Act Relating to Receiverships."

Introduced by: Senator O'Connor.

No. 1862-80 "A Bill for an Act Relating to Mandatory Retirement."

Introduced by: Senators O'Connor and Campbell.

No. 1877-80 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senators Abercrombie, Carpenter, Campbell, Chong and Wong.

No. 1878-80 "A Bill for an Act Relating to the State Higher Education Loan Fund."

Introduced by: Senators Abercrombie, Carpenter, Cobb, Mizuguchi, Chong, Campbell, Young, Kuroda, Machida and Wong.

No. 1879-80 "A Bill for an Act Relating to the Powers of the Board of Regents (Constitutional Amendment - Article X, Section 6)."

Introduced by: Senators Abercrombie, Carpenter, Campbell, Kawasaki, O'Connor, Wong and Chong.

No. 1880-80 "A Bill for an Act Relating to the Research Corporation of the University of Hawaii."

Introduced by: Senators Abercrombie, Carpenter, Cobb, Campbell, Kawasaki, Wong and Chong.

No. 1902-80 "A Bill for an Act Relating to Energy Resources."

Introduced by: Senators Yim, Hara, Chong, Kuroda and Wong.

No. 1903-80 "A Bill for an Act Relating to the Public Utilities Commission."

Introduced by: Senators Yim, Chong, Kuroda, Kawasaki, Wong, Campbell and Abercrombie.

No. 1910-80 "A Bill for an Act Relating

to Renewable Alternate Energy Resources."

Introduced by: Senators Yim, Hara, Chong, Yamasaki, Kuroda, Machida, Wong, Campbell and Carpenter.

No. 1916-80 "A Bill for an Act Relating to Bikeways."

Introduced by: Senators Yim, Carpenter, Hara, Abercrombie, Wong, Chong, Campbell and O'Connor.

No. 1936-80 "A Bill for an Act Relating to Health."

Introduced by: Senators Carpenter, Campbell, Hara, Yim, Kawasaki, Chong, Yamasaki, Mizuguchi, Machida, Young, Abercrombie, Cayetano and Wong.

No. 1937-80 "A Bill for an Act Relating to Health."

Introduced by: Senators Carpenter, Campbell, Yim, Yamasaki, O'Connor, Mizuguchi, Hara, Chong, Young, Abercrombie, Cayetano, Machida and Wong.

No. 1938-80 "A Bill for an Act Relating to Health Care for the Aging."

Introduced by: Senators Carpenter, Campbell, Yim, Kawasaki, Yamasaki, O'Connor, Mizuguchi, Machida, Hara, Chong, Young, Abercrombie, Cayetano and Wong.

No. 1939-80 "A Bill for an Act Relating to Establishment of Health Authority."

Introduced by: Senators Carpenter, Campbell, Machida, Yim, Kawasaki, Yamasaki, Hara, Chong, Abercrombie, Cayetano, Kuroda and Wong.

No. 1943-80 "A Bill for an Act Relating to the State Board for Vocational Education."

Introduced by: Senators Abercrombie, Hara, Carpenter, Campbell, Yamasaki, Toyofuku, Machida, Wong and Chong.

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

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

ADJOURNMENT

At 11:46 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 23, 1980.

SIXTH DAY

Wednesday, January 23, 1980

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

The Divine Blessing was invoked by Reverend Myoshin Ichinose of Soto Mission, after which the Roll was called showing all Senators present.

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

Senator Cayetano, on behalf of the Senators from the Fourth Senatorial District, then introduced to the members of the Senate a group of fourth grade students from Our Lady of Sorrows School, Wahiawa, accompanied by their teacher, Ms. Linda Inlay, and a few parents.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 4 to 22) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 4), transmitting several reports prepared by the Department of Transportation in response to the following resolutions:

1. Senate Resolution No. 188 (1979), which requested the Department of Transportation to conduct a study on the feasibility of using reversible lanes on the Likelike Highway and Pali Highway;
2. House Resolution No. 82 (1979), which requested a review of the State of Hawaii bridge replacement program;
3. House Resolution No. 434 (1979), which requested the State Department of Transportation to study the means of alleviating traffic problems along the Trans-Koolau Highways during peak traffic hours; and
4. House Resolution No. 503 (1979), which requested implementation of the Blue Star Memorial Highway program in Hawaii,

was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 5), transmitting several reports prepared by the University of Hawaii in response to the following resolutions:

1. Senate Resolution No. 26 (1979), which requested the provision of vocational and formal education at all levels to

meet the needs of Hawaii's aquaculture industry, was referred to the Committee on Higher Education;

2. House Resolution No. 488 (1979), which requested the Department of Planning and Economic Development, Department of Transportation, and the University of Hawaii to consider the relocation of the Waikiki Aquarium in the 1995 Master Plan for Honolulu Harbor, was referred to the Committee on Ecology, Environment and Recreation; and

3. House Resolution No. 726 (1979), which requested the formulation of a proposed plan for the organization of marine programs at the University of Hawaii, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 6), transmitting several reports prepared by the Department of Transportation in response to the following resolutions:

1. Senate Resolution No. 356 (1979), which requested the State Department of Transportation to submit appropriate information relating to the proposed improvements to Lunalilo Freeway and the implementation of the makai boulevard concept;
2. Senate Resolution No. 386 (1979), which requested a study of the adequacy of signs and other emblems indicating the location of emergency medical facilities and hospitals; and
3. House Resolution No. 92 (1979), which requested a review of the State Highway System to determine necessary improvements,

was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 7), transmitting several reports prepared by the Department of Education in response to the following resolutions:

1. Senate Resolution No. 245 (1979), which requested the development of a timetable for quality education;
2. House Resolution No. 305 (1979), which requested a review of the special needs of students in smaller rural schools; and
3. House Resolution No. 727 (1979), which relates to the needs of students with limited English speaking ability in the public schools of Hawaii,

was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 8), transmitting the Annual Report (July 1, 1978 - June 30, 1979) of the Commissioner of Motor Vehicle Insurance Division, Department of Regulatory Agencies, pursuant to Section 294-16, Hawaii Revised Statutes, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 9), transmitting a report prepared by the Department of Personnel Services, in response to Section 77-9, Hawaii Revised Statutes, as amended, which consists of data and classes for which recruitment was conducted above the minimum pay rate as well as those for which shortage category was declared during the period November 1, 1978 to October 31, 1979, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 10), transmitting the Twelfth (1979) Annual Report prepared by the Criminal Injuries Compensation Commission, pursuant to Chapter 351, Hawaii Revised Statutes, as amended, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 11), transmitting a report on the evaluation of the Pacific War Memorial System program (DEF 808), pursuant to Section 52 of Act 214, Session Laws of Hawaii 1979, prepared by the Department of Budget and Finance with input provided by the Pacific War Memorial Commission, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 12), transmitting a report, Review of the Second Year, July 1, 1978 to June 30, 1979, pursuant to Chapter 206E, Section 206E-19, Hawaii Revised Statutes, prepared by the Hawaii Community Development Authority, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 13), transmitting the Executive Supplementary Budget for the Fiscal Biennium 1979-81 (Volumes I and II) and the Variance Report for Fiscal Years 1978-79 and 1979-80 (Volumes I and II), was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 14), transmitting the Annual Financial Report of the State of Hawaii for Fiscal Year ended June 30, 1979, prepared by the Comptroller, pursuant to Section 40-5, Hawaii Revised Statutes, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 15), transmitting a report prepared

by the University of Hawaii in response to House Resolution No. 488 (1979), which requested a feasibility study on the separation of the School of Travel Industry Management from the College of Business Administration at the University of Hawaii at Manoa, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 16), transmitting the Annual Report, July 1, 1978 - June 30, 1979, of the Hawaii Public Broadcasting Authority, pursuant to Section 314-12, Hawaii Revised Statutes, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 17), transmitting a report on developing a Hawaii career information delivery system, prepared by the Hawaii State Occupational Information Coordinating Committee, in response to House Resolution No. 352 (1979), was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 18), transmitting a report in response to House Resolution No. 733 (1979) which requested identification of and communication with commercial airlines or services engaged in providing discount air passenger service between the Mainland and Hawaii, prepared by the Research and Economic Analysis Division of the Department of Planning and Economic Development, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 19), transmitting several reports prepared by the Department of Transportation in response to the following resolutions:

1. Senate Resolution No. 59 and House Resolution No. 88 (1979), which relate to potential impact of airline deregulation on demands for airline facilities;
2. House Resolution No. 459 (1979), which requested a study of the air cargo facilities on the neighbor islands; and
3. House Resolution No. 87 (1979), which requested the Department of Transportation to assess the adequacy of existing funding sources for general aviation operation,

was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 20), transmitting the State of Hawaii Capital Improvements Program Status Report - 1979 Financial Summary,

prepared by the Department of Planning and Economic Development with the cooperation of the Department of Accounting and General Services, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 21), transmitting the Annual Report, 1978-79, prepared by the Department of Personnel Services, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 22), transmitting the Administration Proposals F-8 (80) (Senate Bill No. 1946-80) and F-9 (80) (Senate Bill No. 1947-80), which provide fund authorizations for the implementation of collective bargaining cost agreements negotiated with collective bargaining units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 13 for fiscal biennium 1979-81, and for comparable adjustments for State officers and employees excluded from collective bargaining, was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 1), entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE HAWAII STATE LEGISLATURE FOR THE SPEEDY AND SAFE RELEASE OF AMERICAN HOSTAGES IN IRAN", was jointly offered by Senators Chong, Carpenter, Wong, Yim, Mizuguchi, Kuroda, Cayetano, Young, Yamasaki, Campbell, Cobb, George, Ajifu, Saiki, Hara, Machida, Soares, Toyofuku, Abercrombie and Carroll.

By unanimous consent, S.C.R. No. 1 was referred to the Committee on Intergovernmental Relations.

Senator Ushijima, Chairman of the Committee on Intergovernmental Relations, then rose to waive referral of S.C.R. No. 1, and the President granted the waiver.

Senator Chong moved that S.C.R. No. 1 be adopted, seconded by Senator Carpenter.

At this time, Senator Abercrombie rose to speak in favor of the concurrent resolution and stated as follows:

"A point continually raised as a result of the crisis in Iran is that the United States is perceived as being weak, especially in a military sense -- and further that this perception is a leading, if not central, causational factor in hostile actions and attitudes toward the United States by governments opposed to us.

"First, this presumes that the average

citizen, particularly in marginal or emergent industrial societies, has some kind of day-to-day concern with and participates, even passively, in an analysis of U.S. military policy and posture. This is absurd on examination. Such people do not see nor experience in any visceral way the U.S. military beyond the abstract. And then, if anything, the U.S. military is depicted as a vast, almost unbelievably powerful, punishing force of a magnitude, such that it can go anywhere and do anything it wishes to anyone, virtually anytime it wants even if a military response, as in Vietnam, is not the appropriate vehicle to address whatever problem exists as defined by the U.S.

"Thus it is not weakness in military policy but failure in foreign policy which is the prime factor in episodes such as embassy attacks, kidnappings, high-jackings, etc.

"Since World War II we have consistently sought to substitute military action or its threat for coherent and realistic political action in foreign relations.

"Senator Frank Church, Chairman of the Senate Foreign Relations Committee, recently stated without equivocation, and I quote:

"It's sufficient to say that a kind of hysteria is sweeping the Middle East and the highly emotional and hysterical character of this phenomena poses very serious hazards, particularly in view of the resentment felt by so many Iranians against the United States owing to our long support of the Shah.

"It is that past policy -- not any perception of weakness -- that accounts for the American embassies being selected as targets of attack."

"Instead of forthrightly addressing the profoundly social and economic elements in the dynamics of political reaction and development in these societies, we have used and abused the inherently global response nature of contemporary U.S. military forces and strategic emphasis.

"Vietnam was, and unfortunately still is, a brutal lesson in this contention. We sought to impose a quick-fix 'solution' in what was beyond question a deep-seated cultural and political struggle with roots in a bloody historical past centuries-old in standing.

"In the Iranian situation we are treated to a swirl of newspaper and television 'briefings' on potential

military activity vis-a-vis the hostages, most of which concludes that short of decimating Tehran, we really don't have much in the way of options militarily. 'We had to destroy the hostages in order to save them' -- shades of Vietnam all over again!

"Blockading Iran by sea is militarily possible -- but, again, the political repercussions, most especially in terms of oil importation by friendly nations, are enormous.

"The point is, and will continue to be, that leadership does not mean trotting out the U.S. military every time our policy of support for international gangsters inevitably collapses.

"The Ayatollah Khomeini himself has stated, 'The Shah was a criminal and giving him shelter was a big political error,' and I emphasize political.

"In our State we have just witnessed recently citizens from the Island of Maui so distressed by the seeming inability or unwillingness of the courts to impose on criminals what they consider sentences appropriate to the crimes that they flew to Oahu to meet with the Governor. They expressed a view that our society itself is being victimized.

"Is it any wonder, then, that Iranians find it inconceivable that the U.S. could expect anyone to believe for an instant that the Shah was here as a helpless cancer patient -- a man whom they contend is a mass murderer and looter of the national treasury.

"And as Americans, have we forgotten already who it was that pushed us into the oil price squeeze in 1973 -- none other than our old friend and ally the Shah of Iran with the help, I might add, of his friend and champion Henry Kissinger. The price of so-called stability was to pander to the greed of the Shah.

"It is now reliably reported that Kissinger, David Rockefeller and international banking interests, in particular, Chase Manhattan controlled by the Rockefellers, have ceaselessly pursued getting the Shah into this country, at the time he was admitted.

"We all know that Mr. Kissinger is a highly paid consultant to them. It is not quite clear that the State Department and even the much maligned CIA both predicted; it is now quite clear, rather, that the State Department and the much maligned CIA both predicted (and, what's more, stated without equivocation) that to bring the Shah into the United States was to invite, if not virtually mandate, an attack on the American Embassy or worse. Such a move would have given, and did give, the Ayatollah Khomeini the perfect opportunity he had

been searching for to 'prove' beyond doubt to the Iranian people that the United States was an indifferent giant plotting the return of the Shah -- the one thing absolutely insupportable throughout the present seething political spectrum in Iran. Have we also forgotten that it was the United States through the CIA which overthrew the legitimate government of Iran in 1953, by murdering its leader Mohammed Mossedegh and putting the Shah into power? Does anyone still doubt that chickens come home to roost?

"If resort to military action is to be the last, rather than the first, consideration, had we spent one-one millionth of the time, energy and concern we have shown for Israel on manifesting that principle in our foreign policy toward Iran after the Shah, we would not have been faced with this last resort of possible military action.

"And it is in that context, Mr. President, that I am rising to speak in favor of this resolution. And I would like also the opportunity to sign the resolution, subsequent to its passage, if it passes.

"We have moved almost instantaneously to that place which Kissinger has claimed is the ultimate proving-ground of 'the art of foreign policy,' which is to say and I quote: '... prevent situations from occurring in which we have to choose between intervention and surrender.'

"And it is again, Mr. President, why I rise to speak in favor of this resolution with the words that I am speaking. I would not like it conceived for a moment, I hope, by those who will receive this resolution that it is any kind of blank check for any kind of move in the foreign policy area an invitation by this Legislature or any other to do so.

"My reasons primarily are as follows: This is exactly what transpired in the Gulf of Tonkin case under Lyndon Johnson. It is what happened under Richard Nixon when the man who said 'Peace is at hand' before the 1972 election -- none other than Mr. Kissinger -- presided over preparation for the most intense bombing attack short of atomic warfare in the history of humankind.

"If we take the course outlined recently by Mayor Fasi -- an almost rabid call for revenge which bordered, in my judgment, on incitement to riot -- we shall become our own hostages -- held captive by a self-imposed vision of raging helplessness; whipsawed

emotionally in the international backlash which inevitably follows in the wake of the fall of dictators whom the Kissingers refer to as our friends.

"Calls for the abandonment of the Constitution where Iranians are concerned -- mass deportations, selective investigations, even counter-terrorism by holding Iranians hostages, as was suggested by the Mayor -- are wildly irresponsible and anathema to due process. Mr. President, it is precisely at those times of strain and high emotion that it is most imperative we defend the Constitution in every respect -- something I, as an elected official, and every member of the United States military is sworn to do -- to show the world our check on events is in contrast to the activities of the people who are holding our hostages.

"And I would like to say this, Mr. President, in respect of the Marines that were guarding the Embassy. Thank God, we had trained, disciplined Marines under the command of officers who understood that a military response would have led to the death of all of the Americans to no purpose, eliminating any chance of their survival of a siege. They had already experienced an occupation of the Embassy and had witnessed a success in extricating the Embassy from that crisis. Every one of those Marines deserves recognition for their forbearance and restraint in the face of overwhelming pressure. It is a sad commentary that their good sense, which has allowed for time to gain the freedom for more than a dozen of the hostages already and which gives a chance to those remaining, is seen by some self-styled patriots in our nation as evidence of a lack of military resolution or lack of courage in the expression our national will. Such rhetoric only serves to chart a course toward precipitous adventurism internationally.

"We must abandon the idea that our first and only answer to questions of terrorism, nationalism, peasant-based revolution, etc., is the United States military. And just as our military embodies the premise that one may die and lead others to their death for abstract principle, that in no way obviates the necessity for giving any man or woman in that military a good reason to die. Lust for domination based on the principle of greed and naked power is not a reason. It is evil and self-defeating.

"Our people have, on the whole, remained calm and, if anything, become more thoughtful. Just what is the truth about the Shah? It is useless for me to say we should not have supported the Shah. It is useless for me to say he should not have been allowed into the country. We did and he was here, and we did what was done.

"I don't believe there are wicked people

in our Embassy in Tehran. I believe there was a wicked man in New York City who could have saved them. The hostages in Tehran did not create the hatred there. The Shah did. They did not gun down unarmed people in the streets. The Shah did. They did not loot the country. The Shah did.

"It is said by some like Mr. Kissinger that we owe the Shah a 'debt of honor.' We owe him nothing. He neither deserves honor nor are we in his debt. He has been paid in full, beyond imagination, in power and material wealth.

"We owe our people in Tehran a debt of honor. To honor is to accept and pay when due. Our people have paid for our sins with their ordeal. Let the Shah pay for his by returning to the world he created.

"I do not hesitate a moment to say that the life of any one of those Americans in Tehran is fair exchange for that of the Shah. Let his own people judge him.

"I believe, Mr. President, there is still definite room for negotiations in this area. If passage of this resolution will help materially in any way to affect the course of the success of negotiations, I want to be for it.

"My principal point at this juncture then, is not to have us think, I would hope that we do not think, in the passage of this resolution or that others might think that we would be advocating a foreign policy activity for the President in the next few weeks or months that would be treated in the same fashion as the Gulf of Tonkin Resolution in the United States Congress.

"I was particularly impressed several evenings ago when watching the debate from Iowa with candidates for the Republican nomination to the Presidency of the United States with the commentary that was made by Representative John Anderson of Illinois. The various people who were running for President were asked if there was something that they regretted -- a mistake in their political life. Most of the other people on the podium indicated that they were sorry about things that they had done or said with their families, with their colleagues, times when they had done or been overly excited with one another or misunderstood one another; but Representative Anderson said that he had regretted voting for the Gulf of Tonkin Resolution because he had not realized what the implications were going to be if the President of

the United States took such a resolution to mean that he or she would be able to exercise exclusive domination in the foreign policy field when it came to creating an act of war.

"And so, Mr. President, I ask that as we pass this resolution that we be reminded of Representative Anderson's very timely remarks and that it be in the nature of the transmission of this resolution that we still retain our fundamental democratic procedures in this nation; that we reemphasize to ourselves the importance and the profundity of the Constitution of the United States which leaves the sovereignty with the people of the United States and requires all of us in elected office to make direct reference to the people of the United States before taking any action, especially action which may be viewed as precipitous and that which may lead to war. Thank you."

Senator Chong then rose to speak in favor of the resolution and stated as follows:

"Mr. President, as a former foreign service officer stationed at the American Embassy in the Sudan in 1967, I had the unpleasant experience of personally being surrounded and besieged by people who were trying to get our Embassy to close down. They succeeded in doing that; they cut diplomatic relations with us and I was one of the last six officers left to burn the files. Fortunately, I was able to leave the country in a couple of weeks for Nigeria. Thus, when the current events happened in Iran I had a very personal feeling of sympathy for the hostages.

"I know that this Honorable Body certainly is not in a position to make the foreign policy of this country. But, I thought that the least we could do, as an example of our Aloha spirit in Hawaii, is to begin a grassroots State legislatures' movement to express our strong sympathy to the families of those hostages, those innocent people who were serving our country overseas.

"I would like to read one of the 'Whereas' clauses which goes as follows: 'Hawaii's celebrated Aloha spirit is an example of the combined character of people of many different racial and religious backgrounds who exercise the day to day understanding and good sense that helps keep the spirit alive.' And in our initial 'Be It Resolved' clause, ladies and gentlemen of this Honorable Body, we state that we sympathize with the plight of the Americans held hostage in Iran and we earnestly pray for their speedy and safe return to their homes

and families, and we strongly urge that the legislatures of other states to do likewise.

"Mr. President, I appreciate your placing this concurrent resolution as the first measure before this Honorable Body this session because you recognize the urgency of the situation. I appreciate the kokua from Senator John Ushijima who has waived the referral of this resolution to his Committee.

"Mr. President, I urge everyone in this Honorable Body to vote for the adoption of this resolution."

Senator Cobb added his remarks as follows:

"Mr. President, I had not planned to address myself to this resolution, but some of the previous remarks, I think, calls for some sort of a response speaking in favor of it, and that is the question of the military response and the facts of life that exist in the Middle East today.

"I make the observation that while the man on the street in any of those countries or in the United States may not be concerned with the details of the military power or balance of power, the leadership of each country in the Middle East, and certainly this country, is very much concerned with that. And I note that after the Soviet invasion of Afghanistan there was no taking of the Soviet Embassy in Tehran. Not that that might have to do with the fact that there are over a dozen Soviet motorized rifle divisions stationed on the Iranian border and another dozen moving into Afghanistan and military response there is far more real than can be contemplated from the United States.

"I would also like to add that as a soldier myself it is the military person who is the last to want a war because those who have served in combat know full well the terrible implications and meaning of a war. Nor am I going to be voting for this resolution recommending any kind of capitulation to the terrorism that exists in Tehran today in order to free the hostages because I feel that that would constitute a element of international blackmail and would set a precedent for all time to come.

"I will be voting for the resolution simply to ask for the release of the hostages. I only wish the resolution itself were stronger."

The motion was put by the Chair and carried, and S.C.R. No. 1 was

adopted.

A concurrent resolution (S.C.R. No. 2), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A STUDY OF PRODUCT LIABILITY INSURANCE", was jointly offered by Senators Yim, Chong, Hara, Kawasaki, Cobb, Young, Yamasaki, Kuroda, Toyofuku, Machida, Campbell, Mizuguchi, O'Connor, Carpenter and Wong.

By unanimous consent, S.C.R. No. 2 was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 3 to 29) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 3), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE FUNCTIONS OF THE GRAND JURY", was jointly offered by Senators O'Connor, Chong, Young, Hara, Cobb, Campbell, Yamasaki, Kuroda, Machida, Abercrombie and Toyofuku.

By unanimous consent, S.R. No. 3 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 4), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON CRIME PREVENTION", was jointly offered by Senators O'Connor, Chong, Young, Hara, Cobb, Yamasaki, Kuroda, Toyofuku, Campbell, Abercrombie, Mizuguchi and Machida.

By unanimous consent, S.R. No. 4 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 5), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO PROMOTE A BETTER RELATIONSHIP AMONG STATE, COUNTY, AND PRIVATE AGENCIES WHICH DEAL WITH THE CORRECTIONS SYSTEM", was jointly offered by Senators O'Connor, Chong, Young, Hara, Cobb, Wong, Campbell, Yamasaki, Kuroda, Machida, Abercrombie and Toyofuku.

By unanimous consent, S.R. No. 5 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 6), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE USE OF VACANT HARBOR FACILITIES FOR THE PURPOSE OF BOAT STORAGE", was jointly offered by Senators Mizuguchi, Chong, Kuroda, Kawasaki, Cobb, Young, Yamasaki, Machida, Wong,

Campbell, Abercrombie, O'Connor and Carpenter.

By unanimous consent, S.R. No. 6 was referred to the Committee on Transportation.

A resolution (S.R. No. 7), entitled: "SENATE RESOLUTION REQUESTING THAT A SYSTEMATIC DETERMINATION BE MADE OF FUTURE MARITIME NEEDS AND FUTURE USE OF THE FACILITIES OF KEWALO BASIN AND HONOLULU HARBOR", was jointly offered by Senators Mizuguchi, Hara, Chong, Kawasaki, Cobb, Young, Yamasaki, Kuroda, Toyofuku, Machida, Wong, Campbell, Abercrombie, O'Connor and Carpenter.

By unanimous consent, S.R. No. 7 was referred to the Committee on Transportation.

A resolution (S.R. No. 8), entitled: "SENATE RESOLUTION RELATING TO THE CONSOLIDATION OF ROAD MAINTENANCE UNDER A SINGLE JURISDICTION", was jointly offered by Senators Mizuguchi, Hara, Chong, Kawasaki, Toyofuku, Abercrombie, Wong, Young, Yamasaki, Campbell, Kuroda and O'Connor.

By unanimous consent, S.R. No. 8 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 9), entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATE GASOHOL USE DEMONSTRATION PROGRAM", was jointly offered by Senators Mizuguchi, Hara, Chong, Kawasaki, Cobb, Young, Yamasaki, Kuroda, O'Connor, Machida, Wong, Campbell, Abercrombie and Carpenter.

By unanimous consent, S.R. No. 9 was referred jointly to the Committee on Economic Development and the Committee on Transportation.

A resolution (S.R. No. 10), entitled: "SENATE RESOLUTION REQUESTING THE PROFESSIONAL AIR TRAFFIC CONTROLLERS ORGANIZATION AND OTHERS TO REPORT ON THE MEASURES WHICH CAN BE TAKEN TO IMPROVE SAFETY AT HONOLULU INTERNATIONAL AIRPORT", was jointly offered by Senators Mizuguchi, Cobb, Kuroda, Abercrombie, Yamasaki, Campbell, Carpenter, Machida and Wong.

By unanimous consent, S.R. No. 10 was referred to the Committee on Transportation.

A resolution (S.R. No. 11), entitled:

"SENATE RESOLUTION REQUESTING A REVIEW OF THE PROSPECTS AND PROBLEMS OF RESUMPTION OF INTERISLAND HYDROFOIL SERVICE", was jointly offered by Senators Mizuguchi, Cobb, Carpenter, Abercrombie, Yamasaki, Campbell, Kuroda, Machida and Wong.

By unanimous consent, S.R. No. 11 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 12), entitled: "SENATE RESOLUTION REQUESTING THE COMMITTEE ON TRANSPORTATION TO REVIEW THE POTENTIAL OF TELECOMMUNICATIONS TO REDUCE TRANSPORTATION NEEDS AND FACILITIES", was jointly offered by Senators Mizuguchi, Chong, Kuroda, Kawasaki, Cobb, Young, Yamasaki, Abercrombie, Toyofuku, O'Connor, Machida, Wong, Campbell and Carpenter.

By unanimous consent, S.R. No. 12 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 13), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY CONCERNING THE PROVISION OF AMPLE BICYCLE PARKING SPACES AND RACKS IN PUBLIC AREAS", was jointly offered by Senators Mizuguchi, Hara, Chong, Young, Yamasaki, Kuroda, O'Connor, Machida, Carpenter, Wong, Campbell and Abercrombie.

By unanimous consent, S.R. No. 13 was referred to the Committee on Transportation.

A resolution (S.R. No. 14), entitled: "SENATE RESOLUTION ENCOURAGING THE USE OF ELECTRIC VEHICLES IN THE STATE OF HAWAII", was jointly offered by Senators Mizuguchi, Hara, Chong, Kawasaki, Cobb, Young, Yamasaki, Campbell, Kuroda, Abercrombie, O'Connor, Carpenter and Wong.

By unanimous consent, S.R. No. 14 was referred to the Committee on Transportation, then to the Committee on Economic Development.

A resolution (S.R. No. 15), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION TO REVIEW CONCESSION ACTIVITIES RELATING TO THE OPERATION OF THE STATE'S AIRPORTS SYSTEM", was jointly offered by Senators Mizuguchi, Hara, Chong, Kawasaki, Carpenter, Cobb, Young, Yamasaki, Toyofuku, Campbell, Kuroda, Abercrombie, Machida and Wong.

By unanimous consent, S.R. No. 15 was referred to the Committee on

Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 16), entitled: "SENATE RESOLUTION REQUESTING THE MONITORING OF HABILITAT'S OPERATIONS AND OF THE EXERCISE OF RESPONSIBILITIES BY THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AND THE DEPARTMENT OF HEALTH IN THE LIGHT OF THE RECENT LEGISLATIVE AUDITOR'S REPORT", was jointly offered by Senators Carpenter, Kawasaki, Campbell, Kuroda, Toyofuku and Wong.

By unanimous consent, S.R. No. 16 was referred jointly to the Committee on Government Operations and Efficiency and the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 17), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF ADMINISTRATIVE AGENCY COMPLIANCE WITH REQUIREMENTS CONCERNING THE ADOPTION OF RULES AND REGULATIONS", was jointly offered by Senators Kawasaki, Cobb, Carpenter, Kuroda, O'Connor, Wong, Chong and Campbell.

By unanimous consent, S.R. No. 17 was referred jointly to the Committee on Government Operations and Efficiency and the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 18), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE TRANSFER OF CERTAIN STATE PROGRAMS AND ORGANIZATIONAL SEGMENTS TO IMPROVE ACCOUNTABILITY, EFFICIENCY, AND DELIVERY OF SERVICES", was jointly offered by Senators Kawasaki, Hara, Cobb, Carpenter, Young, Kuroda, O'Connor, Wong, Campbell and Chong.

By unanimous consent, S.R. No. 18 was referred jointly to the Committee on Government Operations and Efficiency and the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 19), entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH A GOVERNOR'S SURVEY OF EFFICIENCY AND COST CONTROL IN STATE GOVERNMENT", was jointly offered by Senators Kawasaki, Kuroda, Campbell, Cobb, Carpenter, Young, Toyofuku, Machida, O'Connor, Wong and Chong.

By unanimous consent, S.R. No. 19 was referred to the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 20), entitled: "SENATE RESOLUTION REQUESTING

A REVIEW OF SOLAR ENERGY SYSTEM STANDARDS AND OTHER RELATED CONSUMER PROTECTION CONCERNS", was jointly offered by Senators Yim, Hara, Chong, Kawasaki, Cobb, Kuroda, Carpenter, Campbell, O'Connor and Wong.

By unanimous consent, S.R. No. 20 was referred jointly to the Committee on Economic Development and the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 21), entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY AND RECOMMEND IMPROVEMENTS TO HAWAII'S PERMIT PROCEDURES", was jointly offered by Senators Yim, Chong, Young, Kuroda, Carpenter, Wong and Campbell.

By unanimous consent, S.R. No. 21 was referred to the Committee on Economic Development, then to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 22), entitled: "SENATE RESOLUTION REQUESTING A PROGRESS REPORT ON THE IMPLEMENTATION OF THE RESIDENTIAL ENERGY CONSERVATION UTILITY PROGRAM MANDATED BY THE NATIONAL ENERGY CONSERVATION POLICY ACT OF 1978", was jointly offered by Senators Yim, Hara, Chong, Kawasaki, Young, Kuroda, Mizuguchi, Machida, Campbell, Abercrombie, O'Connor, Carpenter and Wong.

By unanimous consent, S.R. No. 22 was referred jointly to the Committee on Economic Development and the Committee on Public Utilities.

A resolution (S.R. No. 23), entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF AN ENERGY CONSERVATION PLAN FOR ALL STATE FACILITIES", was jointly offered by Senators Yim, Chong, Kuroda, Kawasaki, Young, O'Connor, Machida, Wong, Campbell, Abercrombie and Carpenter.

By unanimous consent, S.R. No. 23 was referred jointly to the Committee on Economic Development and the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 24), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO FORGIVE THE STATE ROYALTY PAYMENTS FOR THE FIRST TEN YEARS' PRODUCTION OF GEOTHERMAL WELLS", was jointly offered by Senators Yim, Hara, Cobb, Young, Yamasaki, Kuroda, Toyofuku, Machida, Wong, Chong, Campbell and Carpenter.

By unanimous consent, S.R. No. 24 was referred to the Committee on Economic

Development.

A resolution (S.R. No. 25), entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE PROGRESS OF THE ENERGY SAVINGS PROGRAM IN STATE BUILDINGS", was jointly offered by Senators Yim, Chong, Young, Kuroda, Abercrombie, O'Connor, Machida, Carpenter, Wong and Campbell.

By unanimous consent, S.R. No. 25 was referred jointly to the Committee on Economic Development and the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 26), entitled: "SENATE RESOLUTION REQUESTING THAT THE PUBLIC UTILITIES BE ALLOWED TO MAKE A HIGHER RATE OF RETURN ON INVESTMENTS IN ALTERNATE ENERGY POWERED ELECTRICITY GENERATING FACILITIES", was jointly offered by Senators Yim, Hara, Cobb, Young, Kuroda, O'Connor, Carpenter, Wong and Chong.

By unanimous consent, S.R. No. 26 was referred jointly to the Committee on Economic Development and the Committee on Public Utilities.

A resolution (S.R. No. 27), entitled: "SENATE RESOLUTION REQUESTING A STUDY AND THE FORMULATION OF PROPOSALS TO DISCOURAGE THE USE OF ENERGY INEFFICIENT AUTOMOBILES", was jointly offered by Senators Yim, Chong, Cobb, Kuroda, Wong, Abercrombie and O'Connor.

By unanimous consent, S.R. No. 27 was referred jointly to the Committee on Economic Development and the Committee on Transportation.

A resolution (S.R. No. 28), entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO REPORT ON ITS REVIEW OF ALTERNATE UTILITY RATE STRUCTURES AND TO RECOMMEND A RATE DESIGN THAT WILL ENCOURAGE ENERGY CONSERVATION", was jointly offered by Senators Yim, Chong, Hara, Kawasaki, Cobb, Young, Kuroda, O'Connor, Machida, Wong, Campbell, Abercrombie and Carpenter.

By unanimous consent, S.R. No. 28 was referred jointly to the Committee on Economic Development and the Committee on Public Utilities.

A resolution (S.R. No. 29), entitled: "SENATE RESOLUTION REQUESTING FUNDING FOR PROGRAMS FOR THE HANDICAPPED", was jointly offered by Senators Campbell, Hara, Carpenter, Cobb, Young, Kuroda, O'Connor,

Machida, Wong and Chong.

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

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print, and were placed on the calendar for further consideration on Thursday, January 24, 1980:

Senate Bills

No. 1946-80 "A Bill for an Act Making Appropriations for Collective Bargaining Cost Items."

Introduced by: Senator Wong, by request.

No. 1947-80 "A Bill for an Act Making Appropriations for Adjustments Authorized by Chapter 89C, Hawaii Revised Statutes."

Introduced by: Senator Wong, by request.

No. 1948-80 "A Bill for an Act Making an Appropriation for the Expansion of Facilities at the Manoa Public Library."

Introduced by: Senator Abercrombie.

No. 1949-80 "A Bill for an Act Making an Appropriation for the Jones-Ludin Dances We Dance Company."

Introduced by: Senator Abercrombie.

No. 1950-80 "A Bill for an Act Making an Appropriation for the Hawaii Performing Arts Company."

Introduced by: Senator Abercrombie.

No. 1951-80 "A Bill for an Act Relating to Intoxicating Liquor."

Introduced by: Senator Abercrombie.

No. 1952-80 "A Bill for an Act Making an Appropriation to Maintain a Current Index of Studies Conducted by the State and Its Political Subdivisions."

Introduced by: Senators Campbell, Yee, Ajifu, Saiki, Yamasaki, Toyofuku, Ushijima, Carroll, Chong, Carpenter, Kuroda, Young, Abercrombie, Hara and Yim.

No. 1953-80 "A Bill for an Act Relating to Social Services."

Introduced by: Senator Carroll.

No. 1954-80 "A Bill for an Act Relating to Prepaid Health Care Plan."

Introduced by: Senator Carroll.

No. 1955-80 "A Bill for an Act Relating to Prepaid Health Care."

Introduced by: Senator Carroll.

No. 1956-80 "A Bill for an Act Relating to Chiropractic."

Introduced by: Senator Carroll.

No. 1957-80 "A Bill for an Act Relating to Chiropractic."

Introduced by: Senator Carroll.

No. 1958-80 "A Bill for an Act Relating to Lobbyists."

Introduced by: Senators George, Saiki, Carroll, Hara, O'Connor and Kuroda.

No. 1959-80 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senators Chong, Yim and Campbell.

No. 1960-80 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senators Chong, Abercrombie and Yim.

No. 1961-80 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senators Chong, Cobb, Abercrombie, Yim, Toyofuku, Carpenter, Yamasaki and Machida.

No. 1962-80 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senators Chong, Cobb, Abercrombie, Yim, Carpenter and Machida.

No. 1963-80 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senators Chong, Cobb, Abercrombie, Yim and Carpenter.

No. 1964-80 "A Bill for an Act Relating to Motor Vehicles."

Introduced by: Senators Chong, Abercrombie, Yim and Carpenter.

No. 1967-80 "A Bill for an Act Relating to Act 214, Session Laws of Hawaii, 1979."

Introduced by: Senator Abercrombie.

No. 1968-80 "A Bill for an Act Making an Appropriation for the Ke'ehi Lagoon Recreation Park."

Introduced by: Senator Abercrombie.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Thursday, January 24, 1980:

Senate Bills

No. 1965-80 "A Bill for an Act Relating to the Western Regional Education Compact."

Introduced by: Senator Abercrombie.

No. 1966-80 "A Bill for an Act Relating to the Western Regional Education Compact."

Introduced by: Senator Abercrombie.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 2-80) informing the Senate that Senate Bill Nos. 1826-80 to 1945-80 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.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, January 22, 1980:

Senate Bills Referred to:

No. 1826-80 Committee on Ways and Means

No. 1827-80 Committee on Judiciary

No. 1828-80 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 1829-80 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 1830-80 Committee on Judiciary, then to the Committee on Ways and Means

No. 1831-80 Committee on Judiciary

No. 1832-80 Committee on Judiciary

No. 1833-80 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 1834-80 Committee on Judiciary

No. 1835-80 Committee on Judiciary

No. 1836-80 Committee on Judiciary

No. 1837-80 Committee on Judiciary

No. 1838-80 Committee on Judiciary, then to the Committee on Ways and Means

No. 1839-80 Committee on Judiciary, then to the Committee on Ways and Means

No. 1840-80 Committee on Judiciary

No. 1841-80 Committee on Judiciary

No. 1842-80 Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce

No. 1843-80 Committee on Judiciary

No. 1844-80 Committee on Judiciary

No. 1845-80 Committee on Judiciary

No. 1846-80 Committee on Judiciary

No. 1847-80 Committee on Judiciary

No. 1848-80 Committee on Judiciary

No. 1849-80 Committee on Judiciary

No. 1850-80 Committee on Judiciary

No. 1851-80 Committee on Judiciary

No. 1852-80 Committee on Judiciary

No. 1853-80 Committee on Judiciary

No. 1854-80 Committee on Judiciary

No. 1855-80 Committee on Judiciary

No. 1856-80 Committee on Judiciary

No. 1857-80 Committee on Judiciary

No. 1858-80 Committee on Judiciary

No. 1859-80 Committee on Judiciary

No. 1860-80 Committee on Judiciary

No. 1861-80 Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce

No. 1862-80 Jointly to the Committee on Judiciary and the Committee on Human Resources

No. 1863-80 Committee on Transportation

No. 1864-80 Jointly to the Committee on Transportation and the Committee on Education

No. 1865-80 Committee on Transportation, then to the Committee on Ways and Means

- No. 1866-80 Jointly to the Committee on Transportation and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1867-80 Jointly to the Committee on Transportation and the Committee on Economic Development
- No. 1868-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1869-80 Committee on Ways and Means
- No. 1870-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1871-80 Committee on Higher Education
- No. 1872-80 Committee on Higher Education
- No. 1873-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1874-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1875-80 Committee on Health, then to the Committee on Ways and Means
- No. 1876-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1877-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1878-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1879-80 Committee on Higher Education, then to the Committee on Judiciary
- No. 1880-80 Committee on Higher Education
- No. 1881-80 Committee on Economic Development
- No. 1882-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1883-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1884-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1885-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development
- No. 1886-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1887-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1888-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development
- No. 1889-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1890-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1891-80 Committee on Economic Development, then to the Committee on Public Utilities
- No. 1892-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1893-80 Jointly to the Committee on Economic Development and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 1894-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development
- No. 1895-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means
- No. 1896-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities
- No. 1897-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities
- No. 1898-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities
- No. 1899-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means
- No. 1900-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities
- No. 1901-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities
- No. 1902-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities
- No. 1903-80 Jointly to the Committee

- on Economic Development and the Committee on Public Utilities
- No. 1904-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities
- No. 1905-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means
- No. 1906-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1907-80 Jointly to the Committee on Economic Development and the Committee on Ways and Means
- No. 1908-80 Jointly to the Committee on Transportation and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1909-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1910-80 Committee on Economic Development
- No. 1911-80 Committee on Education
- No. 1912-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1913-80 Committee on Education
- No. 1914-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development
- No. 1915-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1916-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 1917-80 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means
- No. 1918-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development
- No. 1919-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development
- No. 1920-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development
- No. 1921-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1922-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1923-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1924-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1925-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1926-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1927-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 1928-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 1929-80 Committee on Education, then to the Committee on Ways and Means
- No. 1930-80 Jointly to the Committee on Transportation and the Committee on Education
- No. 1931-80 Committee on Education, then to the Committee on Ways and Means
- No. 1932-80 Committee on Education, then to the Committee on Ways and Means
- No. 1933-80 Committee on Education, then to the Committee on Ways and Means
- No. 1934-80 Committee on Education
- No. 1935-80 Committee on Education, then to the Committee on Ways and Means
- No. 1936-80 Committee on Health
- No. 1937-80 Committee on Health
- No. 1938-80 Committee on Health, then to the Committee on Human Resources
- No. 1939-80 Committee on Health, then to the Committee on Ways and Means
- No. 1940-80 Committee on Health,

then to the Committee on Judiciary

No. 1941-80 Committee on Education,
then to the Committee on Ways and Means

No. 1942-80 Committee on Education,
then to the Committee on Ways and Means

No. 1943-80 Committee on Higher Education

No. 1944-80 Committee on Judiciary,
then to the Committee on Ways and Means

No. 1945-80 Jointly to the Committee
on Government Operations and Efficiency
and the Committee on Economic Development

ADJOURNMENT

At 12:05 o'clock p.m., on motion
by Senator Mizuguchi, seconded by
Senator Anderson and carried, the
Senate adjourned until 11:30 o'clock
a.m., Thursday, January 24, 1980.

SEVENTH DAY

Thursday, January 24, 1980

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

The Divine Blessing was invoked by the Reverend Edith Wolfe of the Hawaii Conference United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie and Campbell who were excused.

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

Senator Carroll introduced to the members of the Senate Mr. Robbie Jessel, Marketing Representative at IBM Corp. here in Hawaii.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 23 to 27) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 23), transmitting the 1979 research report entitled, "Pay Rates in Hawaii", which was prepared by the Hawaii Employers Council, pursuant to paragraph 3, Section 77-2, Hawaii Revised Statutes, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 24), transmitting the Final Compensation Plan for blue collar and all other classes and the cost thereof, in compliance with the provisions of Sections 77-4 and 77-5, Hawaii Revised Statutes, as amended, was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 25), transmitting the Annual Report of the Office of Collective Bargaining, pursuant to Chapter 89, Hawaii Revised Statutes, as amended, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 26), transmitting the Report of Findings on Adjustments to the Compensation Plan, prepared by the Public Employees Compensation Appeals Board, pursuant to the provisions of Act 121, Session Laws of Hawaii, 1963, was referred to the

Committee on Human Resources, then to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 27), transmitting the State Tourism Plan, which was prepared in compliance with the requirements of Chapter 226, Hawaii Revised Statutes, the Hawaii State Planning Act, and enclosing the Report of the Tourism Plan Advisory Committee, said committee being constituted in accordance with Chapter 226, to advise the Department of Planning and Economic Development on the State Tourism Plan, was referred to the Committee on Tourism.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

A communication from the Supreme Court of Hawaii (Dept. Com. No. 1), transmitting the Judiciary's Multi-Year Program and Financial Plan, Budget, and Variance Report, in accordance with Section 601-2, Hawaii Revised Statutes, was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the Office of the Ombudsman (Dept. Com. No. 2), transmitting their Annual Report for period July 1, 1978 - June 30, 1979, pursuant to Section 96-16 of the Hawaii Revised Statutes, was referred to the Committee on Government Operations and Efficiency.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 3 and 4) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 3), transmitting House Concurrent Resolution No. 3, which was adopted by the House of Representatives on January 23, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING THE UNIVERSITY OF HAWAII RAINBOW WAHINES VOLLEYBALL TEAM", was adopted.

A communication from the House (Hse. Com. No. 4), transmitting House Concurrent Resolution No. 4, which was adopted by the House of Representatives

on January 23, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING THE UNIVERSITY OF HAWAII-HILO VULCAN WAHINES VOLLEYBALL TEAM", was adopted.

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

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

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 3 to 8) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 3), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE STATE'S ENERGY PROGRAM", was jointly offered by Senators Yim, Chong, Kuroda, Carpenter, Wong and Campbell.

By unanimous consent, S.C.R. No. 3 was referred to the Committee on Economic Development, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 4), entitled: "SENATE CONCURRENT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR REPRESENTATION OF THE DISTRICT OF COLUMBIA IN CONGRESS", was jointly offered by Senators Campbell, Wong, O'Connor, Toyofuku, Young, Kuroda, Carpenter and Saiki.

By unanimous consent, S.C.R. No. 4 was referred to the Committee on Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 5), entitled: "SENATE CONCURRENT RESOLUTION COMMENDING MARY BITTERMAN", was jointly offered by Senator Kawasaki, Cayetano, Young, Saiki, Campbell, Toyofuku, Kuroda, Ushijima, Yamasaki, Machida, Wong, Mizuguchi, Soares, Chong, Carpenter, Cobb, Yim, Carroll, George, Hara, Yee, Anderson, O'Connor and Ajifu.

Senator Kawasaki moved that S.C.R. No. 5 be adopted, seconded by Senator Mizuguchi.

Senator Kawasaki then spoke for the adoption of the resolution

as follows:

"Mr. President, the person being honored today is an outstanding person appointed to a very important national position. I just want to say that for those of us who sit on the Ways and Means Committee, it has been a pleasure for us to hold hearings in which this outstanding person has testified.

"She has been candid with the committee at all times, never padded the budget, as is the general practice, never tried to build empires, never preoccupied with salary increases for herself. This kind of posture and conduct is generally a refreshing change from the general routine exercise that we experience day in and day out.

"Mary Bitterman has done much to guide Station KHET in the direction that we foresee for this station. I think the support the Senate has given in the past to KHET from its very inception, is important in that most of us here recognized that KHET could be the medium in the State of Hawaii, to, first of all, inform objectively and correctly; secondly, to educate the population; and thirdly, to entertain--but most important, to inspire the people.

"I think it was David Thoreau who said that 'the mass of men live lives of quiet desperation.' This unfortunately is true.

"We have thousands of senior citizens, we have thousands of citizens whose daily existence is rather prosaic, a very prosaic existence, but with a very vigorous, imaginative, entertaining and educating television station like KHET, I think we could make the lives of most of our people here less 'lives of quiet desperation.'

"We see this role for this station, and Mary Bitterman, in the five years of her tenure as Manager of KHET, has directed the station into the path that we foresee for it. For this reason, I think she has done an outstanding job. We want to congratulate her!

"Thank you."

The motion was put by the Chair and carried, and S.C.R. No. 5 was adopted.

Senator Kawasaki then introduced to the members of the Senate Mary Bitterman, the honoree of the resolution, and Senator Mizuguchi presented her with a lei.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock

a.m.

A concurrent resolution (S.C.R. No. 6), entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A SISTER-STATE RELATIONSHIP BETWEEN HAWAII AND THE AZORES", was jointly offered by Senators Soares, Anderson, Hara, Chong, Yee, George, Yamasaki, Young, Saiki, Carroll, Yim, O'Connor, Campbell, Mizuguchi, Ushijima, Toyofuku, Machida, Kuroda, Cobb, Cayetano, Abercrombie and Ajifu.

Senator Soares moved that S.C.R. No. 6 be adopted, seconded by Senator Anderson.

Senator Soares then spoke for the adoption of the resolution as follows:

"Mr. President, it is with a deep sense of pride that I rise and speak in favor of this resolution, particularly in view of the fact that I just had the opportunity of a lifetime when I was invited as one of the government officials from Hawaii to visit the Azores, the Island of Madeira and also to Lisbon.

"I might share with you the tremendous feeling--whether you were born in the Azores, whether your great-grandfather came from the Azores, as mine did, or whether your ancestors were born in Ireland, Korea, Japan, China...wherever.

"The fourteen of us from Hawaii together with eight Californians arrived in the land of our ancestors and saw the lifestyle of the many people--hard-working people. We were suddenly aware of the fact that our great-grandfather and grandmother and their family had tremendous courage when they left their land one hundred years ago and boarded a ship to sail off to some islands 5,000 miles away to seek a better life, a new life, a new beginning.

"We were treated by our ancestors' families like I have never been treated before in my life. It's a tremendous experience. If you haven't had one of those experiences to visit your ancestors' land, I suggest that you do so, because it certainly brings you to the reality of how fortunate you are that your ancestors had the courage and the foresight to leave their land to settle in Hawaii.

"I might add that today is the 100th anniversary of the arrival of the first group of Portuguese men and women from the Azores, numbering

337, and we will be incorporating that celebration in the Capitol Rotunda at 12:00 noon today.

"Mr. President, I take pride in offering this resolution on behalf of the Azoreans who came here and who mixed with all of the other cultures that we have blended in Hawaii.

"I do think that my colleagues here will share as I do the great emotional awareness of what it means to visit the land of your ancestors.

"Therefore, Mr. President, I'd like to ask that all members of this Honorable Body support this resolution.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and S.C.R. No. 6 was adopted.

A concurrent resolution (S.C.R. No. 7), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF MOTORCYCLE INSURANCE RATES", was jointly offered by Senators Chong, Abercrombie, Yim, Cobb, Saiki, Carpenter, Yamasaki, Machida, Ushijima and Yee.

By unanimous consent, S.C.R. No. 7 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 8), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW ON RECOVERY OF STOLEN MOTORCYCLES", was jointly offered by Senators Chong, Abercrombie, Yim, Toyofuku, Cobb, Saiki, Carpenter, Yamasaki, Machida, Ushijima and Yee.

By unanimous consent, S.C.R. No. 8 was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 30 to 41) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 30), entitled: "SENATE RESOLUTION CONGRATULATING MR. KRIS KRISTOFFERSON ON HIS CONTINUED IMPORTANT CONTRIBUTION TO AMERICAN CULTURE", was jointly offered by Senators Abercrombie and Carroll.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 30 was adopted.

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

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

A resolution (S.R. No. 31), entitled: "SENATE RESOLUTION CONGRATULATING MR. WILLIE NELSON ON HIS CONSUMMATE ARTISTRY", was jointly offered by Senators Abercrombie and Carroll.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 31 was adopted.

A resolution (S.R. No. 32), entitled: "SENATE RESOLUTION IN HONOR OF THE LATE AL KEALOHA PERRY", was jointly offered by Senators Anderson, George, Yee, Carpenter, Abercrombie, Yamasaki, Kuroda, Campbell, Carroll, Mizuguchi, Ushijima, Machida, O'Connor, Hara, Cayetano, Cobb, Toyofuku, Young, Chong, Ajifu, Soares, Saiki, Kawasaki, Yim and Wong.

On motion by Senator Anderson, seconded by Senator George and carried, S.R. No. 32 was adopted.

A resolution (S.R. No. 33), entitled: "SENATE RESOLUTION CONGRATULATING THE KAISER HIGH SCHOOL COUGARS ON WINNING THE 1979 OAHU INTERSCHOLASTIC ASSOCIATION (OIA) VARSITY FOOTBALL EASTERN DIVISION TITLE, THE OIA CHAMPIONSHIP, AND THE OAHU PREP BOWL FOOTBALL CHAMPIONSHIP", was jointly offered by Senators Soares, Saiki, O'Connor, Cobb, Kawasaki, Yee, Kuroda, Ushijima, Wong, Ajifu, Abercrombie, Young, George, Carroll, Toyofuku, Hara, Campbell, Chong, Carpenter, Mizuguchi, Cayetano and Yim.

On motion by Senator Soares, seconded by Senator Saiki and carried, S.R. No. 33 was adopted.

A resolution (S.R. No. 34), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF AWARDING SECURITY CONCESSIONS ON THE PUBLIC BEACHES", was offered by Senator Carroll.

By unanimous consent, S.R. No. 34 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary.

A resolution (S.R. No. 35), entitled: "SENATE RESOLUTION CONGRATULATING THE KING'S ALLEY HONOR GUARD", was offered by Senator Carroll.

On motion by Senator Carroll, seconded by Senator Soares and carried, S.R. No. 35 was adopted.

A resolution (S.R. No. 36), entitled: "SENATE RESOLUTION COMMENDING MARY BITTERMAN", was jointly

offered by Senators Kawasaki, Cayetano, Young, Saiki, Campbell, Toyofuku, Kuroda, Ushijima, Yamasaki, Machida, Wong, Mizuguchi, Soares, Chong, Carpenter, Cobb, Yim, Carroll, George, Hara, Yee, Anderson, O'Connor and Ajifu.

On motion by Senator Kawasaki, seconded by Senator Cayetano and carried, S.R. No. 36 was adopted.

A resolution (S.R. No. 37), entitled: "SENATE RESOLUTION ESTABLISHING A SISTER-STATE RELATIONSHIP BETWEEN HAWAII AND THE AZORES", was jointly offered by Senators Soares, Chong, Anderson, Hara, Ajifu, Yee, George, Young, Yamasaki, Saiki, Carroll, Yim, O'Connor, Campbell, Mizuguchi, Ushijima, Toyofuku, Machida, Kuroda, Wong, Cobb, Cayetano and Abercrombie.

On motion by Senator Soares, seconded by Senator Anderson and carried, S.R. No. 37 was adopted.

A resolution (S.R. No. 38), entitled: "SENATE RESOLUTION CONGRATULATING HAWAII'S PEOPLE OF AZOREAN ANCESTRY ON THE 100TH ANNIVERSARY OF THEIR ARRIVAL IN HAWAII", was jointly offered by Senators Soares, Young, George, Toyofuku, Machida, Kuroda, Wong, O'Connor, Cobb, Carroll, Anderson, Cayetano, Hara and Abercrombie.

On motion by Senator Soares, seconded by Senator Anderson and carried, S.R. No. 38 was adopted.

A resolution (S.R. No. 39), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF MOTORCYCLE INSURANCE RATES", was jointly offered by Senators Chong, Cobb, Abercrombie, Yim, Saiki, Carpenter, Yamasaki, Machida, Yee and Ushijima.

By unanimous consent, S.R. No. 39 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 40), entitled: "SENATE RESOLUTION REQUESTING A REVIEW ON RECOVERY OF STOLEN MOTORCYCLES", was jointly offered by Senators Chong, Cobb, Abercrombie, Yim, Toyofuku, Saiki, Carpenter, Yamasaki, Machida, Ushijima and Yee.

By unanimous consent, S.R. No. 40 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 41), entitled: "SENATE RESOLUTION CONGRATULATING AND EXPRESSING APPRECIATION TO MR. DENNIS DISANTO, AN OUTSTANDING BUSINESS LEADER", was jointly offered by Senators Kuroda, O'Connor, Cobb, Yee, Toyofuku, Yim, Carpenter, Cayetano,

Ajifu, Young, Kawasaki, Yamasaki, Campbell, Chong, Machida, Abercrombie and Soares.

On motion by Senator Kuroda, seconded by Senator O'Connor and carried, S.R. No. 41 was adopted.

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, January 25, 1980:

Senate Bills

No. 1969-80 "A Bill for an Act Making an Appropriation for the Operation of a Statewide Poison Information Service."

Introduced by: Senator Saiki.

No. 1970-80 "A Bill for an Act Proposing an Amendment to Article VI, Section 3, of the Hawaii Constitution, to Provide for Review and Appeal of Decisions of the Judicial Selection Commission."

Introduced by: Senators Saiki, George, Anderson, Soares and Yee.

No. 1971-80 "A Bill for an Act Relating to Health."

Introduced by: Senators Saiki, George, Anderson, Soares, Yee, Carroll, Cobb, Campbell and Kuroda.

No. 1972-80 "A Bill for an Act Relating to Public Employee Collective Bargaining."

Introduced by: Senators Saiki, George and Soares.

No. 1973-80 "A Bill for an Act Proposing an Amendment to Article III, Section 10, of the Hawaii Constitution, to Permit the Senate to Convene Itself into a Special Session."

Introduced by: Senators Saiki, George, Soares, Anderson, Yee, Carroll, Cobb, Hara, Campbell and Kuroda.

No. 1974-80 "A Bill for an Act Relating to the Judiciary Budget."

Introduced by: Senator Wong, by request.

No. 1975-80 "A Bill for an Act Making Appropriations for the Fiscal Biennium July 1, 1979 to June 30, 1981."

Introduced by: Senator Wong, by request.

No. 1976-80 "A Bill for an Act Making an Appropriation for Hulihee Palace, Kailua-Kona, Hawaii."

Introduced by: Senators Hara, Ushijima, Carpenter, Yamasaki, Kuroda, Chong, Young, Anderson, Campbell, Abercrombie, Toyofuku, Yim, Mizuguchi, O'Connor, Ajifu, Yee, Carroll, Machida, George, Saiki and Soares.

No. 1978-80 "A Bill for an Act Relating to Hawaiian Home Lands."

Introduced by: Senators Hara, Carpenter, Chong, Yamasaki, Kuroda, Campbell, Abercrombie, Yim, Young, Mizuguchi, O'Connor, Ajifu, Yee, Machida, Saiki, Soares and Cayetano.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bill was referred to print and was placed on the calendar for further consideration on Friday, January 25, 1980:

Senate Bill

No. 1977-80 "A Bill for an Act Relating to Environmental Rights."

Introduced by: Senators Hara, Abercrombie, Carpenter, Ushijima, Yamasaki, Kuroda, Campbell, Toyofuku, Young, Mizuguchi, Carroll, Cayetano, Kawasaki, O'Connor, Ajifu, Yee, Yim, Chong, Machida, George, Saiki and Soares.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 3-80) informing the Senate that Senate Concurrent Resolution Nos. 1 and 2, Senate Resolution Nos. 3 to 29 and Senate Bill Nos. 1946-80 to 1968-80 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 O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 4-80) recommending that the Senate consent to the nomination of Herman T. F. Lum as Associate Justice of the State Supreme Court,

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. 2.

Senator O'Connor then requested that Rule No. 34 of the Rules of the Senate be waived in order to consider the nomination of the candidates as presented in Standing Committee Report Nos. 4-80 and 5-80, and, by unanimous consent, the waiver was granted.

Senator O'Connor moved that Stand. Com. Rep. No. 4-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of Herman T. F. Lum as Associate Justice of the State Supreme Court, for a ten (10) year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

Senator Kawasaki then rose to speak in favor of the nomination as follows:

"Mr. President, I'm happy to vote for the confirmation of these two outstanding individuals, Mr. Herman T. F. Lum and Mr. Edward H. Nakamura which follows, as Judges; however, I think it is relevant and pertinent that we enter into the Journal of the Senate our disagreement, at least my disagreement, with the decision that the names of nominees to these positions not be made available to the members of the Senate here.

"Contrary to the thinking of the Chairman of the Judicial Selection Commission, Mr. James Koshiba and contrary to the opinion of the Governor, it just seems to me imperative that the Members of this Senate have available to them the total list of people nominated to judgeships. How else are we going to judge whether the name submitted to us is the best man? How else are we going to judge the inadequacy of an individual so appointed?

"I think that the very fact that the Constitutional Convention gave us, if nothing else, 'rejection' powers, appears to me that it was intended that we have some means of ascertaining the qualities of people submitted to us as judges.

"I would like the Senate leadership to enter into discussions again with the Governor and with the Judicial

Selection Commission, to reappraise their posture that the names should not be available--at least to the confirming body, the Senate of the State of Hawaii.

"It is said that to do so might embarrass those people, those candidates who were not selected to the judgeships. My argument and my response to this assertion is that when a person consents to his name being considered as a candidate for judgeship, he takes a chance. If he is not selected, so be it, but I think this is the necessary risk all judge candidates will have to assume, and embarrassment in this particular incident is not a consideration that should prohibit names being available at least to the Body that has to confirm it in the public interest.

"Thank you."

Senator Cobb then spoke in favor of the nomination as follows:

"Mr. President, during the course of our meeting with the Judicial Selection Commission, it became apparent that a provision in the Constitution provided that the deliberations of that Commission shall be confidential. It was silent on the question of whether or not the names would remain confidential, once the process had been completed and the name submitted to the Governor.

"For several weeks since the matter became an issue, I have taken the position that the names and theory should be made public, based on the premise that if an individual is seeking a position of public trust of such magnitude as a judge, then the public and the Senate have a right to know it.

"Strangely enough, the way the process works now, we have a dichotomy that if an individual is a sitting judge and applies for reappointment, that fact is made known, but if the individual who is in private practice applies, that fact is not made known. I think it would lend more credibility to the entire process if it were more public.

"I recognize the constraints that exist in the present Constitutional amendment and this is the first time we're working under it. I do agree with a number of other Senators that some changes are in order via the route of an amendment to the Constitution on a so-called merit selection system of judges.

"Thank you."

Senator Anderson then spoke as follows:

"Mr. President, I'm not sure I disagree

with the two former speakers, but I wouldn't want the Journal to reflect unanimous agreement that the process for judge selection be changed exactly as stated. I wouldn't want to think that Mr. (Herman T.F.) Lum or Mr. (Edward H.) Nakamura might be rejected by this Body because somebody is sitting in the wings, and if we reject this one, the other names will come forward.

"I think we're here to judge the qualifications of these two gentlemen on the basis of the merit selection. I think the point brought up is well taken and I really don't know if it fits in with the confirmation of the two names before us, but rather as a part of the mechanism that you are opposed to or are questioning.

"Mr. President, I just didn't want Mr. Lum or Mr. Nakamura to think that they might not be confirmed today, if there happens to be another name pending or on the waiting list.

"Thank you."

Senator Saiki then stated as follows:

"Mr. President, in the same vein, I respectfully disagree with the two previous speakers on the procedure involving the secrecy of the names first presented to the Governor for consideration.

"I did not want to get into a thorough discussion of the issue at this point, but I would not want the Journal to reflect that their positions are the only ones of standing here in this Hall. Therefore, I would like to restrict my endorsement today for the two candidates named for the Supreme Court judgeship."

Senator O'Connor then spoke in favor of the confirmation as follows:

"Mr. President, I think that the discussion up to this point in this Chamber has strayed far afield from the matter before the Body, and I would like to report that the Judiciary Committee examined very carefully Judge Lum's background, qualifications, education and abilities and unanimously brought his name to this floor for consent due to the highly qualified and able abilities he has demonstrated in all of the jobs that he has had in this State.

"Therefore, Mr. President, I urge all to vote in favor of the confirmation of Judge Lum to the Supreme Court.

"Thank you."

At this time, the Chair made the following observation:

"This is our first attempt at trying to work with a process that someone or some people may disagree with and I am in concert with Senator Saiki's statement.

"From here on out, I would like for us to address our discussions on the qualification of the nominees who are being considered by the Senate. The mechanism and the procedure which the Senate will use in the future for judges, whether or not we disagree with the administration or the Judicial Selection Commission, is a totally separate issue."

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

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Campbell).

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 5-80) recommending that the Senate consent to the nomination of Edward H. Nakamura as Associate Justice of the State Supreme Court, 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. 3.

Senator O'Connor moved that Stand. Com. Rep. No. 5-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of Edward H. Nakamura as Associate Justice of the State Supreme Court, for a ten (10) year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

Senator Carroll then rose to speak in favor of the nomination as follows:

"Mr. President, I rise to speak in favor of this confirmation. I have had the pleasure and honor of knowing Mr. Nakamura for approximately fourteen years, and we have been on opposite sides of some rather hot issues during that period of time; however, it has been my experience that he is, as one person described, a contemplative and a very scholarly man.

"I might add that when you have people such as Mr. (Harold) Eichelberger

and Mr. (William) Fleming, who really philosophically are somewhat on the opposite side from some of the positions which Mr. Nakamura has adopted over the years, come in to testify in his behalf, I think that we're not only getting a person with whom we can consent, but really a member of our Supreme Court bench in whom we can rejoice.

"Thank you."

Senator O'Connor, in speaking for the nomination, stated as follows:

"Mr. President, again with Mr. Nakamura, I would report that the members of the Judiciary Committee carefully reviewed his background, education, and ability and found all of them to be superlative. Mr. Nakamura has served this community as a member and Chairman of the Board of Regents of the University of Hawaii, and in many other capacities, and he is capably and tremendously qualified to be an Associate Justice of the Supreme Court."

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

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Campbell).

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, January 23, 1980:

Senate Bills	Referred to:
No. 1946-80	Committee on Ways and Means
No. 1947-80	Committee on Ways and Means
No. 1948-80	Committee on Education, then to the Committee on Ways and Means
No. 1949-80	Committee on Education, then to the Committee on Ways and Means
No. 1950-80	Committee on Education, then to the Committee on Ways and Means
No. 1951-80	Committee on Consumer Protection and Commerce
No. 1952-80	Committee on Government

Operations and Efficiency, then to the Committee on Ways and Means

No. 1953-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 1954-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 1955-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 1956-80 Committee on Health, then to the Committee on Consumer Protection and Commerce

No. 1957-80 Committee on Health, then to the Committee on Consumer Protection and Commerce

No. 1958-80 Committee on Judiciary

No. 1959-80 Committee on Consumer Protection and Commerce

No. 1960-80 Committee on Consumer Protection and Commerce

No. 1961-80 Committee on Consumer Protection and Commerce

No. 1962-80 Committee on Consumer Protection and Commerce

No. 1963-80 Committee on Consumer Protection and Commerce

No. 1964-80 Committee on Transportation, then to the Committee on Judiciary

No. 1965-80 Committee on Higher Education, then to the Committee on Ways and Means

No. 1966-80 Committee on Higher Education, then to the Committee on Ways and Means

No. 1967-80 Committee on Higher Education, then to the Committee on Ways and Means

No. 1968-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

A communication from the Honorable Herbert T. Matayoshi, Mayor, County of Hawaii, (Misc. Com. No. 1); transmitting the budget of the County of Hawaii showing resources and requirements for the fiscal years 1979, 1980 and 1981 and

including a ten-year statement on real property and State grants-in-aid from the general fund and a statement computing our legal debt margin, in compliance to Section 248-4, Hawaii Revised Statutes, was referred to the Committee on Ways and Means.

A communication from the Honorable Eduardo E. Malapit, Mayor, County of Kauai, (Misc. Com. No. 2), transmitting

the Capital Improvements Program for the County of Kauai for fiscal years 1980-81 through 1985-86, was referred to the Committee on Ways and Means.

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 25, 1980.

EIGHTH DAY

Friday, January 25, 1980

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

The Divine Blessing was invoked by Father Frederick Nies of the Cathedral of Our Lady of Peace, after which the Roll was called showing all Senators present, with the exception of Senator Campbell who was excused.

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

At this time, Senator Chong rose to make an introduction and stated as follows:

"Mr. President, it is my very great pleasure to introduce to this Honorable Body a visitor who is a 25-year veteran of the United States foreign service.

"I'd like to tell you about his background because it is rare that we have the honor of having an individual of his quality with us.

"He arrived in Honolulu very early this morning. He will be flying directly to Southeast Asia after leaving this chamber.

"I will be introducing to this Honorable Body Dr. James Faulhaber who is a retired foreign service officer of the United States of America. This Honorable Body, in its first concurrent resolution expressing support for the American hostages in Iran, indicated we do have an interest in foreign matters.

"Dr. Faulhaber met his lovely wife, Francine, in Honolulu at Nanakuli in 1941 as a young ensign in the United States Navy. She was working at the Honolulu Advertiser at the time. They were married on March 7, 1942 at Our Lady of Peace Cathedral on Fort Street, where our late Governor Burns, as you know, regularly attended.

"James Faulhaber served with distinction in the United States Navy in the Pacific on the aircraft carrier U.S.S. Enterprise under Admiral Halsey; he was a fire controller and beachmaster with assault forces from 1942 to 1945.

"Ladies and gentlemen, I think it's important for us to know that it wasn't only the Marines hitting the beaches. James Faulhaber hit the beaches with the Marines seven times: at Tarawa, Kwajalein, Saipan, Iwo Jima, Guam, Leyte, and Lingayen in the Philippines. He survived it all.

"He received his BA from Carthage College in Illinois and his MA from the University of Wisconsin. After the war he went back to college and earned his PhD from Florida State University. He served in the foreign service of our country from 1956 to 1973 in Cambodia, Laos, Singapore, and Nigeria. He was chief of the Far East education program from 1961 to 1963.

"I had the honor and very great privilege of serving with this distinguished gentleman as a young foreign service officer at American missions in Nigeria during the Nigerian-Biafran War between '67 and '69, and then again in Bangkok, Thailand in 1969.

"It is a very interesting story as to why he is here today. It'll take less than a minute to relate because at a time when our country is being maligned by people across the world here is one incident which I think you would find very interesting.

"While serving his country in difficult areas, Dr. James Faulhaber always made it a point to get to know the people in the countries he served in. He never did stay in his ivory tower even though his high position within the official diplomatic community could have easily isolated him from the people where he was living in the countries he was serving.

"Back in 1952, he met a young refugee from mainland China. His name was Kevin Siu; he was broke, had less than 15¢ in his pocket -- the proverbial 15¢ -- no family, but he was willing to work. James Faulhaber was at that time chief of education in Cambodia and he and his wife Francine, on their own time, helped this young man set up a very small jewelry business, first in Cambodia and then later in other areas. Today, over 25 years later, Faulhaber is retired and the young man has prospered and has become a multi-millionaire with shops all over the world including Hawaii. A few weeks ago, just on the spur of the moment, he sent sufficient funds to the Faulhabers to fly first-class throughout Southeast Asia to visit all of his shops. Mrs. Faulhaber left earlier this week for Australia and New Zealand and will be meeting James in Hong Kong tomorrow.

"Today, James Faulhaber will be flying out to Hong Kong and from there he and Mrs. Faulhaber are going to have a grand tour, all because of a man

named Kevin Siu.

"I think this is one of those stories you never read about in the papers. Here was a foreign national with nothing, who was befriended by an American 25 years ago, who remembered his American friends, and is now returning the favor.

"Mr. President, it is my distinct honor to introduce to this Honorable Body, Dr. James Faulhaber. He is accompanied by another friend of mine Ms. Andrea Allen, flight attendant of Braniff International Airlines who is a former Honolulu resident. She is in town this week on vacation. A native of England, Ms. Allen is currently based in Texas."

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 28 to 30) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 28) transmitting a report prepared by the Department of Health in response to Senate Resolution 365 (1979), which requested the State Department of Health to establish a program of environmental monitoring for possible radioactive contamination of marine life in and around Pearl Harbor, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 29) transmitting a report prepared by the Public Utilities Commission in response to Senate Resolution No. 81 (1979), which relates to the management audit by the Legislative Auditor's Office, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 30) transmitting a report prepared by the Department of Labor and Industrial Relations in response to House Resolution No. 46 (1979), which requested a review of the problems caused by asbestos, was referred to the Committee on Human Resources.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 5), returning Senate Concurrent Resolution No. 1, which was adopted by the House of Representatives on January 24, 1980, was read by the Clerk and was placed on file.

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

The Senate reconvened at 11:47 o'clock a.m.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 9), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A TOURISM FUNCTIONAL PLAN", was offered by Senator Wong, by request, and was read by the Clerk.

By unanimous consent, S.C.R. No. 9 was referred to the Committee on Tourism, the Committee on Economic Development and the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 42 to 44) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 42), entitled: "SENATE RESOLUTION PAYING CONDOLENCES TO THE FAMILY OF THE LATE STEPHEN ORILLO, SR.", was jointly offered by Senators Kuroda, Young, Mizuguchi, Cayetano, Soares, Toyofuku, Machida, Chong, George, Ajifu, Saiki, Carroll, Yim, Yee, Yamasaki, Ushijima, Kawasaki, Carpenter and Hara.

On motion by Senator Kuroda, seconded by Senator Young and carried, S.R. No. 42 was adopted.

A resolution (S.R. No. 43), entitled: "SENATE RESOLUTION OFFERING SYMPATHY TO THE FAMILY AND FRIENDS OF BILLY ARAKAWA", was jointly offered by Senators Hara, Ushijima, Carpenter, Yamasaki, Kuroda, George, Anderson, Chong, Cobb, Young, Ajifu, Yee, Kawasaki, Campbell, Abercrombie, Toyofuku, Yim, Mizuguchi, O'Connor, Carroll, Machida, Saiki, Soares, Cayetano and Wong.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 43 was adopted.

A resolution (S.R. No. 44), entitled: "SENATE RESOLUTION HONORING THE UNIVERSITY OF HAWAII'S WOMEN'S INTERCOLLEGIATE ATHLETIC PROGRAM", was jointly offered by Senators Abercrombie, Ushijima, Saiki, Ajifu, Chong, Carpenter, Hara, Yamasaki, George, Soares, Toyofuku, Machida, Yee, Mizuguchi and Young.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, S.R. No. 44 was adopted.

INTRODUCTION OF BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print, and were placed on the calendar for further consideration on Monday, January 28, 1980:

Senate Bills:

No. 1979-80 "A Bill for an Act Relating to the Hawaii Meat Inspection Act."

Introduced by: Senator Wong, by request.

No. 1980-80 "A Bill for an Act Relating to the Hawaii Administrative Procedure Act."

Introduced by: Senator Wong, by request.

No. 1981-80 "A Bill for an Act Relating to Environmental Quality."

Introduced by: Senator Wong, by request.

No. 1982-80 "A Bill for an Act Relating to Mental Health Services for Children and Youth."

Introduced by: Senator Wong, by request.

No. 1983-80 "A Bill for an Act Relating to School Entry Examination."

Introduced by: Senator Wong, by request.

No. 1984-80 "A Bill for an Act Relating to Dentistry."

Introduced by: Senator Wong, by request.

No. 1985-80 "A Bill for an Act Relating to Recording Fees in the State Bureau of Conveyances."

Introduced by: Senator Wong, by request.

No. 1986-80 "A Bill for an Act Relating to Disposition of Public Lands."

Introduced by: Senator Wong, by request.

No. 1987-80 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Wong, by request.

No. 1988-80 "A Bill for an Act Relating to the Use of Sick Leave Credits with Workers' Compensation Benefits."

Introduced by: Senator Wong, by request.

No. 1989-80 "A Bill for an Act Relating to Corporations."

Introduced by: Senator Wong, by request.

No. 1990-80 "A Bill for an Act Relating to the Hawaii Motor Vehicle Accident

Reparations Act."

Introduced by: Senator Wong, by request.

No. 1991-80 "A Bill for an Act Relating to Uniform Securities Act (Modified)."

Introduced by: Senator Wong, by request.

No. 1992-80 "A Bill for an Act Relating to Trademarks, Prints, Labels, and Trade Names."

Introduced by: Senator Wong, by request.

No. 1993-80 "A Bill for an Act Relating to Practicing Psychologists."

Introduced by: Senator Wong, by request.

No. 1994-80 "A Bill for an Act Relating to Requirements for Renewal of Pharmacist License."

Introduced by: Senator Wong, by request.

No. 1995-80 "A Bill for an Act Relating to Massage."

Introduced by: Senator Wong, by request.

No. 1996-80 "A Bill for an Act Relating to Department of Regulatory Agencies."

Introduced by: Senator Wong, by request.

No. 1997-80 "A Bill for an Act Relating to the Collection Agency Law."

Introduced by: Senator Wong, by request.

No. 1998-80 "A Bill for an Act Relating to the Department of Regulatory Agencies."

Introduced by: Senator Wong, by request.

No. 1999-80 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 2000-80 "A Bill for an Act Relating to Corrections."

Introduced by: Senator Wong, by request.

No. 2001-80 "A Bill for an Act Relating to the Board of Social Services."

- Introduced by: Senator Wong, by request.
- No. 2002-80 "A Bill for an Act Relating to Lost and Found Money or Property at Airports."
- Introduced by: Senator Wong, by request.
- No. 2003-80 "A Bill for an Act Relating to Motor Carrier Safety Law."
- Introduced by: Senator Wong, by request.
- No. 2004-80 "A Bill for an Act Relating to Highway Safety."
- Introduced by: Senator Wong, by request.
- No. 2005-80 "A Bill for an Act Relating to the Junkyard Control Act."
- Introduced by: Senator Wong, by request.
- No. 2006-80 "A Bill for an Act Relating to State Highways."
- Introduced by: Senator Wong, by request.
- No. 2007-80 "A Bill for an Act Relating to Vending from State Highways."
- Introduced by: Senator Wong, by request.
- No. 2008-80 "A Bill for an Act Relating to the Public Employee Compensation Law."
- Introduced by: Senator Wong, by request.
- No. 2009-80 "A Bill for an Act Relating to Appealing Decisions of the Civil Service Commission."
- Introduced by: Senator Wong, by request.
- No. 2010-80 "A Bill for an Act Relating to the Civil Service Law on Suspensions, Dismissals, Demotions, and Employee Status Pending an Investigation of Charges."
- Introduced by: Senator Wong, by request.
- No. 2011-80 "A Bill for an Act Relating to Appealing Decisions of the Civil Service Commission."
- Introduced by: Senator Wong, by request.
- No. 2012-80 "A Bill for an Act Relating to Collective Bargaining."
- Introduced by: Senator Wong, by request.
- No. 2013-80 "A Bill for an Act Relating to Vacation of Public Officers and Employees."
- Introduced by: Senator Wong, by request.
- No. 2014-80 "A Bill for an Act Relating to the Civil Service Law on Filing Notices of Certain Personnel Actions with the Director of Personnel Services."
- Introduced by: Senator Wong, by request.
- No. 2015-80 "A Bill for an Act Relating to the Certification of Civil Service Eligibles."
- Introduced by: Senator Wong, by request.
- No. 2016-80 "A Bill for an Act Relating to the Use of Sick Leave Credits with Workers' Compensation Benefits."
- Introduced by: Senator Wong, by request.
- No. 2017-80 "A Bill for an Act Relating to Leaves of Absence."
- Introduced by: Senators Kuroda, Chong, Yamasaki, Campbell, Abercrombie, Young, Mizuguchi, Cobb, Yee, Ushijima and Carpenter.
- No. 2018-80 "A Bill for an Act Relating to Hotels."
- Introduced by: Senators Kuroda, Yee, Hara, Chong, Yamasaki, Campbell, Abercrombie, Mizuguchi, Cayetano, Carpenter and Ushijima.
- No. 2019-80 "A Bill for an Act Making an Appropriation for the Improvement and Renovation of the Occupational Therapy and Physical Therapy Facilities at Kau Hospital, County of Hawaii."
- Introduced by: Senators Carpenter, Hara, Ushijima, Campbell, Chong, Mizuguchi, Toyofuku, Yamasaki, Abercrombie, Machida and O'Connor.
- No. 2020-80 "A Bill for an Act Making an Appropriation for the Language Arts Multi-Cultural Program of the County of Hawaii."
- Introduced by: Senators Carpenter, Hara, Ushijima, Campbell, Chong, Mizuguchi, Toyofuku, Yamasaki, Abercrombie, Machida and O'Connor.
- No. 2021-80 "A Bill for an Act Relating to Support of Mental Health-Related Programs."
- Introduced by: Senators Carpenter, Campbell, Chong, Mizuguchi, Yamasaki, Machida, O'Connor, Hara, Ushijima, Toyofuku and Abercrombie.
- No. 2022-80 "A Bill for an Act Relating to Public Purchases and Contracts."
- Introduced by: Senators Carpenter, Campbell, Chong, Yamasaki, Hara, Ushijima, Toyofuku, Mizuguchi,

Machida, Abercrombie and O'Connor.

- No. 2023-80 "A Bill for an Act Making an Appropriation for the YMCA's Women Center Sexual Assault Support System for the County of Hawaii."

Introduced by: Senators Carpenter, Campbell, Chong, Mizuguchi, Toyofuku, Yamasaki, Abercrombie, Hara, Machida, Ushijima and O'Connor.

- No. 2024-80 "A Bill for an Act Relating to Harbors."

Introduced by: Senators Carpenter, Hara, Mizuguchi, Ushijima, Toyofuku, Abercrombie, Yamasaki, Machida, Campbell, Chong and O'Connor.

- No. 2025-80 "A Bill for an Act Making an Appropriation for the Developmentally Disabled."

Introduced by: Senators Carpenter, Campbell, Chong, Mizuguchi, Toyofuku, Yamasaki, Abercrombie, Hara, Machida, Ushijima and O'Connor.

- No. 2026-80 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to St. Francis Hospital."

Introduced by: Senators Carpenter, Campbell, Chong, Mizuguchi, Abercrombie, Machida, Hara, Ushijima, Yamasaki, Toyofuku and O'Connor.

- No. 2027-80 "A Bill for an Act Relating to County Liquor Commissions; Compensation."

Introduced by: Senator Ushijima.

- No. 2028-80 "A Bill for an Act Making an Appropriation for the Task Force for the Study of Laws Relating to Guardianship, Civil Commitment and Protective Services."

Introduced by: Senators O'Connor, Chong, Cobb, Young, Machida, Mizuguchi and Ushijima.

- No. 2029-80 "A Bill for an Act Relating to Elections."

Introduced by: Senators O'Connor, Ushijima, Chong and Machida.

- No. 2030-80 "A Bill for an Act Relating to Holidays."

Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.

- No. 2031-80 "A Bill for an Act Relating to Elections."

Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.

- No. 2032-80 "A Bill for an Act Relating to Elections."

Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.

- No. 2033-80 "A Bill for an Act Relating to Elections."

Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.

- No. 2034-80 "A Bill for an Act Relating to Elections."

Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.

- No. 2035-80 "A Bill for an Act Relating to Absentee Voting."

Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.

- No. 2036-80 "A Bill for an Act Relating to Discrimination."

Introduced by: Senators Chong, Abercrombie, Carpenter, Cayetano and Carroll.

- No. 2037-80 "A Bill for an Act Making an Appropriation for New Home Loans for Hawaiian Home Lands."

Introduced by: Senators Young, Hara, Soares, Ajifu, Cayetano, Carpenter, Chong and Yim.

- No. 2038-80 "A Bill for an Act Making an Appropriation for Friends of Waipahu Cultural Garden Park's Educational Exhibits Program."

Introduced by: Senators Young, Kuroda, Mizuguchi and Cayetano.

- No. 2039-80 "A Bill for an Act Making an Appropriation for a Grant-in-Aid for Capital Improvements for the Waianae Coast Comprehensive Health Center, Oahu."

Introduced by: Senators Young, Mizuguchi, Cayetano and Kuroda.

- No. 2040-80 "A Bill for an Act Making an Appropriation for a Grant-in-Aid for the Waianae Coast Comprehensive Health Center."

Introduced by: Senators Young, Mizuguchi, Cayetano and Kuroda.

- No. 2041-80 "A Bill for an Act Making an Appropriation for Site Development

for Residences on Hawaiian Home Lands."

Introduced by: Senators Young, Hara, Soares, Ajifu, Cayetano, Carpenter, Chong and Yim.

No. 2042-80 "A Bill for an Act Making an Appropriation for Plans and Construction for a General Aviation Airport at Waipio Peninsula, Oahu."

Introduced by: Senators Yee, Anderson, George, Soares, Saiki, Carroll and Ajifu.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 6-80) informing the Senate that Senate Concurrent Resolution Nos. 3 to 8, Senate Resolution Nos. 30 to 41, Standing Committee Report Nos. 4-80 and 5-80, and Senate Bill Nos. 1969-80 to 1978-80 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.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, January 24, 1980:

Senate Bills Referred to:

No. 1969-80 Committee on Health, then to the Committee on Ways and Means

No. 1970-80 Committee on Judiciary

No. 1971-80 Committee on Health, then to the Committee on Ways and Means

No. 1972-80 Committee on Human Resources

No. 1973-80 Committee on Judiciary

No. 1974-80 Committee on Judiciary, then to the Committee on Ways and Means

No. 1975-80 Committee on Ways and Means

No. 1976-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 1977-80 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary

No. 1978-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

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

The Senate reconvened at 11:52 o'clock a.m.

ADJOURNMENT

At 11:54 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, January 28, 1980.

NINTH DAY

Monday, January 28, 1980

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

The Divine Blessing was invoked by the Reverend Jerry Appleby of the Church of the Nazarene, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Ushijima and Yee who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 31 to 33) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 31), transmitting the Fifth Annual Report prepared by the Office of the Marine Affairs Coordinator for the fiscal year July 1978 to June 1979, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 32), transmitting the Annual Report of the Agriculture Coordinating Committee in accordance with the provisions of Section 164-3, Hawaii Revised Statutes, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 33), transmitting the Annual Report of the Hawaii State Commission on the Status of Women for the fiscal year 1978-79, was referred to the Committee on Judiciary.

DEPARTMENTAL COMMUNICATION

A communication from the Department of Planning and Economic Development (Dept. Com. No. 3), transmitting comments of the members of the State Plan Policy Council regarding the State Tourism Plan, in accordance with Section 226-54, Hawaii Revised Statutes, was read by the Clerk and was referred to the Committee on Tourism, then to the Committee on Economic Development, then to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 6 and 7) were read by the Clerk and

and were disposed of as follows:

A communication from the House (Hse. Com. No. 6), returning Senate Concurrent Resolution No. 5 which was adopted by the House of Representatives on January 25, 1980, was placed on file.

A communication from the House (Hse. Com. No. 7), transmitting House Concurrent Resolution No. 26, which was adopted by the House of Representatives on January 25, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE UNIVERSITY OF HAWAII WOMEN'S ATHLETIC PROGRAM", was adopted.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 10), entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR PRESIDENT CARTER'S POLICY ON THE BOYCOTT OF THE 1980 SUMMER OLYMPIC GAMES AND URGING THE UNITED STATES OLYMPIC COMMITTEE NOT TO PARTICIPATE IN THE GAMES IF HELD IN MOSCOW", was jointly offered by Senators George, Carroll, Kuroda, Cobb, Soares, Saiki, Ajifu, Ushijima, Carpenter, Hara and Yee, and was read by the Clerk.

By unanimous consent, consideration of S.C.R. No. 10 was deferred until Tuesday, January 29, 1980.

SENATE RESOLUTION

A resolution (S.R. No. 45), entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR PRESIDENT CARTER'S POLICY ON THE BOYCOTT OF THE 1980 SUMMER OLYMPIC GAMES AND URGING THE UNITED STATES OLYMPIC COMMITTEE NOT TO PARTICIPATE IN THE GAMES IF HELD IN MOSCOW", was jointly offered by Senators George, Carroll, Kuroda, Cobb, Soares, Saiki, Ajifu, Ushijima, Carpenter, Hara and Yee, and was read by the Clerk.

By unanimous consent, consideration of S.R. No. 45 was deferred until Tuesday, January 29, 1980.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator George and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further

consideration on Tuesday, January 29, 1980:

Senate Bills

No. 2043-80 "A Bill for an Act Relating to Employment Practices."

Introduced by: Senators Toyofuku, Chong, Carpenter, Abercrombie, Ushijima, Machida, Young, Mizuguchi, George and Cobb.

No. 2044-80 "A Bill for an Act Relating to Labor Organizations."

Introduced by: Senators Toyofuku, Chong, Abercrombie, Hara, Carpenter, Ushijima, Young, Cobb, Mizuguchi, Carroll and George.

No. 2045-80 "A Bill for an Act Relating to the Exemption of Sales and Gross Proceeds of Sales to the State and Its Political Subdivisions."

Introduced by: Senators Toyofuku, Hara, Machida, Ushijima, Mizuguchi, George, Carroll, Chong, Carpenter, Abercrombie, Yamasaki, Kuroda and Young.

No. 2046-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Program Support for the Elderly at a Hawaii Gerontology Center."

Introduced by: Senators Toyofuku, Carpenter, Abercrombie, Yamasaki, Hara, George, Carroll, Chong, Ushijima, Kuroda, Young, Machida and Mizuguchi.

No. 2047-80 "A Bill for an Act Relating to Campaign Spending."

Introduced by: Senator O'Connor.

No. 2048-80 "A Bill for an Act Relating to Penalties for False Statements and Representations in Regard to Unemployment Compensation."

Introduced by: Senator O'Connor.

No. 2049-80 "A Bill for an Act Relating to Energy Conservation."

Introduced by: Senators Cayetano and Yim.

No. 2050-80 "A Bill for an Act Making an Appropriation for the Continuation of Lanakila Rehabilitation Center's Wahiawa Day Activity Program for Severely Disabled Adults."

Introduced by: Senators Mizuguchi, Young, Kuroda, Cayetano, Machida, Yamasaki, Carroll, Cobb and George.

No. 2051-80 "A Bill for an Act Relating to Tax Incentives for Generation of Electricity from Non-Fossil Fuel Sources."

Introduced by: Senators Chong and Yim.

No. 2052-80 "A Bill for an Act Making an Appropriation for Infant Stimulation and Child Development Programs, Maui Easter Seal Society."

Introduced by: Senators Yamasaki and Machida.

No. 2053-80 "A Bill for an Act Making an Appropriation for Plans and Construction of Molokai Rehabilitation Facility at Kaunakakai, Molokai."

Introduced by: Senators Yamasaki and Machida.

No. 2054-80 "A Bill for an Act Making an Appropriation to Continue the Operation of Maunaloa Youth Residential Shelter Program, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2055-80 "A Bill for an Act Making an Appropriation for Chore Services for the Elderly and Handicapped at Maui Rehabilitation Center."

Introduced by: Senators Yamasaki and Machida.

No. 2056-80 "A Bill for an Act Making an Appropriation to Provide for Grants-In-Aid to the Welfare Recipient Advisory Council for Their Neighbor Island Programs."

Introduced by: Senators Yamasaki, Machida, Ushijima, Young, Campbell, Toyofuku, Hara and Carpenter.

No. 2057-80 "A Bill for an Act Making an Appropriation to Provide Funds to the Hawaii Family Stress Center for Their Neighbor Island Operations."

Introduced by: Senators Yamasaki, Machida, Ushijima, Young, Campbell, Toyofuku, Hara and Carpenter.

No. 2058-80 "A Bill for an Act Making an Appropriation for the Honolulu Theatre for Youth."

Introduced by: Senators Yamasaki, Machida, Ushijima, Young, Toyofuku, Carpenter and Hara.

No. 2059-80 "A Bill for an Act Relating to the Pacific and Asian Affairs Council for the State of Hawaii."

Introduced by: Senators Yamasaki,
Machida, Ushijima, Young, Toyofuku,
Carpenter and Hara.

No. 2060-80 "A Bill for an Act Relating
to Appropriations for Veterans Cemeteries."

Introduced by: Senator Yamasaki,
by request.

No. 2061-80 "A Bill for an Act Relating
to Mortgages."

Introduced by: Senator Cobb, by
request.

No. 2062-80 "A Bill for an Act Relating
to Insurance."

Introduced by: Senator Cobb, by
request.

No. 2063-80 "A Bill for an Act Relating
to Horizontal Property Regimes."

Introduced by: Senators Cobb,
Kuroda, Saiki, Carroll, George,
Soares, Campbell, Toyofuku, Abercrombie,
Yee, Young, Yamasaki and Cayetano.

No. 2064-80 "A Bill for an Act Relating
to Workers' Benefits."

Introduced by: Senator Cobb, by
request.

No. 2065-80 "A Bill for an Act Relating
to Workers' Benefits."

Introduced by: Senator Cobb, by
request.

No. 2066-80 "A Bill for an Act Relating
to Liquor."

Introduced by: Senators Cobb and
Yee.

No. 2067-80 "A Bill for an Act Relating
to Criminal Damage to Property."

Introduced by: Senators Cobb,
Soares, Saiki, George, Abercrombie,
Young, Kuroda, Campbell and
Yee.

No. 2068-80 "A Bill for an Act Relating
to Contractors."

Introduced by: Senators Cobb and
Chong.

No. 2069-80 "A Bill for an Act Relating
to Contractors."

Introduced by: Senator Cobb, by
request.

No. 2070-80 "A Bill for an Act Relating
to No-Fault Insurance."

Introduced by: Senators Cobb,

Abercrombie, Kuroda and Yee.

No. 2071-80 "A Bill for an Act Relating
to the Small Claims Court."

Introduced by: Senators Cobb, Soares,
Saiki, Carroll, George, Abercrombie,
Kuroda, Young, Toyofuku, Campbell,
Yee, Hara, Yamasaki and Cayetano.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee
on Legislative Management, presented
a report (Stand. Com. Rep. No. 7-
80), informing the Senate that Senate
Concurrent Resolution No. 9, Senate
Resolution Nos. 42 to 44 and Senate
Bill Nos. 1979-80 to 2042-80 have
been printed and are ready for distribution.

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

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following
committee assignments of bills that were
introduced on Friday, January 25, 1980:

Senate Bills Referred to:

No. 1979-80 Committee on Agriculture

No. 1980-80 Committee on Judiciary

No. 1981-80 Committee on Ecology,
Environment and Recreation

No. 1982-80 Committee on Health

No. 1983-80 Jointly to the Committee
on Health and the Committee on Education

No. 1984-80 Committee on Health

No. 1985-80 Committee on Consumer
Protection and Commerce, then to
the Committee on Ways and Means

No. 1986-80 Committee on Economic
Development

No. 1987-80 Committee on Economic
Development

No. 1988-80 Committee on Human Resources,
then to the Committee on Ways and
Means

No. 1989-80 Committee on Consumer
Protection and Commerce

No. 1990-80 Committee on Consumer
Protection and Commerce

No. 1991-80 Committee on Consumer
Protection and Commerce

- | | |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| No. 1992-80 Committee on Consumer Protection and Commerce | No. 2016-80 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1993-80 Committee on Consumer Protection and Commerce | No. 2017-80 Committee on Human Resources |
| No. 1994-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 2018-80 Committee on Tourism |
| No. 1995-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 2019-80 Committee on Health, then to the Committee on Ways and Means |
| No. 1996-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 2020-80 Committee on Education, then to the Committee on Ways and Means |
| No. 1997-80 Committee on Consumer Protection and Commerce | No. 2021-80 Committee on Health, then to the Committee on Ways and Means |
| No. 1998-80 Committee on Consumer Protection and Commerce | No. 2022-80 Committee on Human Resources |
| No. 1999-80 Committee on Human Resources | No. 2023-80 Committee on Health, then to the Committee on Ways and Means |
| No. 2000-80 Committee on Judiciary | No. 2024-80 Committee on Transportation |
| No. 2001-80 Committee on Human Resources | No. 2025-80 Committee on Health, then to the Committee on Ways and Means |
| No. 2002-80 Committee on Transportation | No. 2026-80 Committee on Health, then to the Committee on Ways and Means |
| No. 2003-80 Committee on Transportation | No. 2027-80 Committee on Intergovernmental Relations |
| No. 2004-80 Committee on Transportation | No. 2028-80 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2005-80 Committee on Ecology, Environment and Recreation | No. 2029-80 Committee on Judiciary |
| No. 2006-80 Committee on Transportation | No. 2030-80 Committee on Judiciary |
| No. 2007-80 Committee on Transportation | No. 2031-80 Committee on Judiciary |
| No. 2008-80 Committee on Human Resources | No. 2032-80 Committee on Judiciary |
| No. 2009-80 Committee on Human Resources | No. 2033-80 Committee on Judiciary |
| No. 2010-80 Committee on Human Resources | No. 2034-80 Committee on Judiciary |
| No. 2011-80 Committee on Human Resources | No. 2035-80 Committee on Judiciary |
| No. 2012-80 Committee on Human Resources | No. 2036-80 Committee on Human Resources, then to the Committee on Judiciary |
| No. 2013-80 Committee on Human Resources | No. 2037-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means |
| No. 2014-80 Committee on Human Resources | No. 2038-80 Committee on Education, then to the Committee on Ways and Means |
| No. 2015-80 Committee on Human Resources | No. 2039-80 Committee on Health, then to the Committee on Ways and Means |

No. 2040-80 Committee on Health,
then to the Committee on Ways
and Means

No. 2041-80 Committee on Housing
and Hawaiian Homes, then to the
Committee on Ways and Means

No. 2042-80 Committee on Transportation,
then to the Committee on Ways
and Means

The Chair announced that all
Senate and House bills introduced
during the Regular Session of 1979
which had been returned to the
Clerk's Office at the end of that session,

be returned to their respective Committees.

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

The Senate reconvened at 11:46 o'clock
a.m.

ADJOURNMENT

At 11:47 o'clock a.m., on motion
by Senator Mizuguchi, seconded by
Senator George and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Tuesday, January 29, 1980.

TENTH DAY

Tuesday, January 29, 1980

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

The Divine Blessing was invoked by Reverend Don Brown of St. Andrew's Priory, after which the Roll was called showing all Senators present, with the exception of Senator Yee who was excused.

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

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 34), transmitting the Annual Report of the Kauai Task Force, January 1980, prepared by the Department of Agriculture pursuant to Act 56, SLH 1979, was read by the Clerk and was referred to the Committee on Agriculture.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 8 and 9) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 8), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1494, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on January 28, 1980, the Speaker appointed Representatives Stanley, Chairman, Kunimura and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 9), transmitting House Concurrent Resolution No. 30, which was adopted by the House of Representatives on January 28, 1980, was placed on file.

By unanimous consent, H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR PRESIDENT CARTER TO RESOLVE THE PROBLEM OF RUSSIAN TROOPS IN THE COUNTRY OF AFGHANISTAN", was referred to the Committee on Ecology, Environment and Recreation.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No.

11), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING GEORGE MASON OF PACIFIC BUSINESS NEWS, HAWAII'S 1979 SALESMAN OF THE YEAR", was jointly offered by Senators Kuroda, Yee, Chong, Cobb, Yamasaki, Kawasaki, Soares, Toyofuku, Machida, Mizuguchi, Saiki, George, Ushijima, Wong, Campbell, O'Connor, Ajifu, Abercrombie, Carpenter, Cayetano, Young, Yim, Anderson, Hara and Carroll was read by the Clerk.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, S.C.R. No. 11 was adopted.

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

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

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 46 and 47) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 46), entitled: "SENATE RESOLUTION REQUESTING THE SCHOOL OF PUBLIC HEALTH OF THE UNIVERSITY OF HAWAII TO OBTAIN, COMPILE, AND COMPARE STATISTICS ON ALCOHOL USAGE", was jointly offered by Senators Chong, Kuroda, Carpenter, Cobb, Cayetano, Yim and Abercrombie.

By unanimous consent, S.R. No. 46 was referred to the Committee on Higher Education.

A resolution (S.R. No. 47), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE BIKEWAY FUND AND EXPENDITURES THEREOF", was jointly offered by Senators Mizuguchi, Cayetano, Carpenter, Yamasaki, Carroll, George, Young and Machida.

By unanimous consent, S.R. No. 47 was referred to the Committee on Transportation then to the Committee on Legislative Management.

INTRODUCTION OF BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, January 30, 1980:

Senate Bills

No. 2072-80 "A Bill for an Act Relating to Rates for Electricity Generated by Non-Fossil Fuel Sources Purchased by Electric Utilities."

Introduced by: Senators Chong and Yim.

No. 2073-80 "A Bill for an Act Relating to Guilty but Mentally Ill Defendants."

Introduced by: Senator Carroll.

No. 2074-80 "A Bill for an Act Making an Appropriation for the Maintenance of the Ala Wai Canal, Oahu."

Introduced by: Senators Carroll and Yee.

No. 2075-80 "A Bill for an Act Relating to the Transfer of the Detention Facilities from the Family Court to the Department of Social Services and Housing."

Introduced by: Senators O'Connor, Carpenter, Cobb and Hara.

No. 2076-80 "A Bill for an Act Relating to Drugs."

Introduced by: Senators Chong, Abercrombie, Carpenter, Carroll, Kuroda and George.

No. 2077-80 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senator Cayetano.

No. 2078-80 "A Bill for an Act Relating to Pilotage."

Introduced by: Senator Cayetano, by request.

No. 2079-80 "A Bill for an Act Relating to Real Property."

Introduced by: Senator Cobb, by request.

No. 2080-80 "A Bill for an Act Relating to Property."

Introduced by: Senator Cobb, by request.

No. 2081-80 "A Bill for an Act Relating to Insurance."

Introduced by: Senator Cobb, by request.

No. 2089-80 "A Bill for an Act Relating to the Board of Examiners for Abstract Makers."

Introduced by: Senators Cobb and Chong.

No. 2091-80 "A Bill for an Act Relating to Dental Hygienists."

Introduced by: Senators Cobb and Chong.

No. 2092-80 "A Bill for an Act Relating to the Collection Agencies Board."

Introduced by: Senators Cobb and Chong.

No. 2093-80 "A Bill for an Act Relating to the Board of Barbers."

Introduced by: Senators Cobb and Chong.

No. 2094-80 "A Bill for an Act Relating to the Board of Veterinary Examiners."

Introduced by: Senators Cobb and Chong.

No. 2095-80 "A Bill for an Act Relating to Travel Agencies."

Introduced by: Senators Cobb and Chong.

No. 2096-80 "A Bill for an Act Relating to the Board of Private Detectives and Guards."

Introduced by: Senators Cobb and Chong.

No. 2097-80 "A Bill for an Act Relating to the Board of Cosmetology."

Introduced by: Senators Cobb and Chong.

No. 2098-80 "A Bill for an Act Relating to Employment Agencies."

Introduced by: Senators Kawasaki, Toyofuku, Abercrombie, Kuroda, Cayetano, Chong, Cobb, Campbell, Carpenter, Young, Machida and Ajifu.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Wednesday, January 30, 1980:

Senate Bills

No. 2082-80 "A Bill for an Act Relating to Collection Agencies."

Introduced by: Senator Cobb.

No. 2083-80 "A Bill for an Act Relating to Barbers."

Introduced by: Senator Cobb.

No. 2084-80 "A Bill for an Act Relating to Veterinarians."

Introduced by: Senator Cobb.

No. 2085-80 "A Bill for an Act Relating

to Travel Agencies."

Introduced by: Senator Cobb.

No. 2086-80 "A Bill for an Act Relating to Private Detectives and Guards."

Introduced by: Senator Cobb.

No. 2087-80 "A Bill for an Act Relating to Dental Hygienists."

Introduced by: Senator Cobb.

No. 2088-80 "A Bill for an Act Relating to Beauty Culture."

Introduced by: Senator Cobb.

No. 2090-80 "A Bill for an Act Relating to Abstract Makers."

Introduced by: Senator Cobb.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 8-80) informing the Senate that Senate Concurrent Resolution No. 10, Senate Resolution No. 45 and Senate Bill Nos. 2043-80 to 2071-80 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.

ORDER OF THE DAY

MATTERS DEFERRED FROM JANUARY 28, 1980

Senate Concurrent Resolution No. 10:

By unanimous consent, S.C.R. No. 10, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR PRESIDENT CARTER'S POLICY ON THE BOYCOTT OF THE 1980 SUMMER OLYMPIC GAMES AND URGING THE UNITED STATES OLYMPIC COMMITTEE NOT TO PARTICIPATE IN THE GAMES IF HELD IN MOSCOW", was referred to the Committee on Ecology, Environment and Recreation.

Senate Resolution No. 45:

By unanimous consent, S.R. No. 45, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR PRESIDENT CARTER'S POLICY ON THE BOYCOTT OF THE 1980 OLYMPIC GAMES AND URGING THE UNITED STATES OLYMPIC COMMITTEE NOT TO PARTICIPATE IN THE GAMES IF HELD IN MOSCOW", was referred to the Committee on Ecology, Environment and Recreation.

The President made the following committee assignments of bills that were introduced on Monday, January 28, 1980:

Senate Bills Referred to:

No. 2043-80 Committee on Human Resources

No. 2044-80 Committee on Human Resources

No. 2045-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 2046-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2047-80 Committee on Judiciary, then to the Committee on Ways and Means

No. 2048-80 Committee on Human Resources, then to the Committee on Judiciary

No. 2049-80 Committee on Economic Development, then to the Committee on Ways and Means

No. 2050-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2051-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means

No. 2052-80 Committee on Health, then to the Committee on Ways and Means

No. 2053-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2054-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2055-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2056-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2057-80 Committee on Health, then to the Committee on Ways and Means

No. 2058-80 Committee on Education, then to the Committee on Ways and Means

No. 2059-80 Committee on Education, then to the Committee on Ways and Means

No. 2060-80 Committee on Health, then to the Committee on Ways and Means

No. 2061-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce

No. 2062-80 Committee on Consumer Protection and Commerce

No. 2063-80 Committee on Consumer Protection and Commerce

No. 2064-80 Committee on Human Resources, then to the Committee on Consumer Protection and Commerce

No. 2065-80 Committee on Human Resources, then to the Committee on Consumer Protection and Commerce

No. 2066-80 Committee on Consumer Protection and Commerce

No. 2067-80 Committee on Judiciary

No. 2068-80 Committee on Consumer Protection and Commerce

No. 2069-80 Committee on Consumer Protection and Commerce

No. 2070-80 Committee on Human Resources, then to the Committee on Consumer Protection and Commerce

No. 2071-80 Committee on Judiciary

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of bills that were introduced on Tuesday, January 22, 1980:

Senate Bills Referred to:

No. 1829-80 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 1863-80 Committee on Transportation,

then to the Committee on Ways and Means

No. 1888-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1894-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1914-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1918-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1920-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1934-80 Committee on Education, then to the Committee on Ways and Means

No. 1945-80 Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means

ADJOURNMENT

At 11:46 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 30, 1980.

ELEVENTH DAY

Wednesday, January 30, 1980

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

The Divine Blessing was invoked by the Reverend Fred Tamayose of the McCully Higashi Hongwanji Church, after which the Roll was called showing all Senators present with the exception of Senators Saiki and Yee who were excused.

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

Senator Anderson introduced to the members of the Senate a group of 45 senior citizens from Ewa Beach.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 35 to 38) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 35), transmitting reports prepared by the Department of Transportation in response to the following resolutions:

House Resolution No. 85, H.D. 1 (1979), which requested an assessment of safety problems at Honolulu International Airport;

House Resolution No. 192, H.D. 1 (1979), which requested a report on the feasibility of mandating safety seating for children in moving vehicles; and

House Resolution No. 274 (1979), which requested annual evaluation reports on driver education and training programs,

was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 36), transmitting the 1979 Youth Conservation Corps (YCC) report for the residential camps operated on the islands of Hawaii, Maui and Kauai, which was prepared by the Department of Land and Natural Resources, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 37), transmitting a report prepared by the State Intake Service Centers, Office of the Governor, in response to Senate Resolution No.

169 (1979), which requested a review of alternatives to jail incarceration, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 38), transmitting the Annual Report for the 1977-79 Biennium for the State Foundation on Culture and the Arts, was referred to the Committee on Education.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 12), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF REGULATORY AGENCIES TO CONDUCT A STUDY OF HAWAII'S LIMITED BRANCH BANKING LAW", was jointly offered by Senators Cobb, Kuroda, Machida, George, Ajifu, Hara, Young and Mizuguchi, and was read by the Clerk.

By unanimous consent, S.C.R. No. 12 was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 48 to 53) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 48), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF, AND RECOMMENDATION ON THE PERMIT PROCESS TO EXPEDITE THE DEVELOPMENT OF NON-FOSSIL FUEL AND NON-NUCLEAR ELECTRIC GENERATION FACILITIES", was jointly offered by Senators Chong and Yim.

By unanimous consent, S.R. No. 48 was jointly referred to the Committee on Economic Development and the Committee on Public Utilities.

A resolution (S.R. No. 49), entitled: "SENATE RESOLUTION REQUESTING STUDY OF THE THERAPEUTIC EFFECTS OF MARIJUANA", was jointly offered by Senators Chong, Abercrombie, Carpenter, Carroll, Kuroda, Young, Campbell, George and Mizuguchi.

By unanimous consent, S.R. No. 49 was referred to the Committee on Health, then to the Committee on Higher Education.

A resolution (S.R. No. 50), entitled: "SENATE RESOLUTION REQUESTING THE PREPARATION OF A PLAN FOR USE OF THE PRESENT SITE OF THE HAWAII YOUTH CORRECTIONAL FACILITY IN KAILUA, OAHU, HAWAII", was jointly offered by Senators George, Hara, Ajifu, O'Connor, Anderson, Soares and Carroll.

By unanimous consent, consideration

of S.R. No. 50 was deferred until Thursday, January 31, 1980.

A resolution (S.R. No. 51), entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF REGULATORY AGENCIES TO CONDUCT A STUDY OF HAWAII'S LIMITED BRANCH BANKING LAW", was jointly offered by Senators Cobb, Kuroda, Machida, George, Mizuguchi, Chong, Ajifu, Hara and Young.

By unanimous consent, S.R. No. 51 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 52), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO TAKEO SATO FOR THIRTY-THREE YEARS AND SIX MONTHS OF DISTINGUISHED GOVERNMENT SERVICE", was jointly offered by Senators Wong, Kuroda, Cayetano, Campbell, Yim, Ajifu, Cobb, Anderson, Chong, Young, Yamasaki, Hara, Ushijima, Machida, Toyofuku, Saiki, Carpenter, George, Mizuguchi, Soares, O'Connor and Kawasaki.

On motion by Senator Mizuguchi, seconded by Senator Kuroda and carried, S.R. No. 52 was adopted.

A resolution (S.R. No. 53), entitled: "SENATE RESOLUTION REQUESTING THE STATE ADMINISTRATION TO DROP ALL CRIMINAL CHARGES AGAINST THE SAND ISLAND RESIDENTS STEMMING FROM THEIR EVICTION AND TO ASSIST IN THEIR RELOCATION", was offered by Senator Anderson.

By unanimous consent, S.R. No. 53 was referred to the Committee on Judiciary.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Thursday, January 31, 1980:

Senate Bills

No. 2099-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Hilo Association to Help Retarded Citizens for the Continued Development of Respite Care Hawaii at Hilo, Hawaii."

Introduced by: Senator Ushijima.

No. 2100-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Hilo Association to

Help Retarded Citizens for Developing Alternative Living Arrangements to the Handicapped for Direct Service Skills Training."

Introduced by: Senator Ushijima.

No. 2101-80 "A Bill for an Act Making an Appropriation for Insulation of the Ceiling for the Hilo Vocational Rehabilitation Center Building at Hilo, Hawaii."

Introduced by: Senator Ushijima.

No. 2102-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to Hilo Interim Home at Hilo, Hawaii."

Introduced by: Senator Ushijima.

No. 2103-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Hilo Association to Help Retarded Citizens for Group-Home Treatment of Deaf-Blind Multi-Handicapped Children."

Introduced by: Senator Ushijima.

No. 2104-80 "A Bill for an Act Relating to Partnerships."

Introduced by: Senators Young, George and Saiki.

No. 2105-80 "A Bill for an Act Relating to Separation."

Introduced by: Senators Young, George and Saiki.

No. 2106-80 "A Bill for an Act Relating to Conservation Employment Programs."

Introduced by: Senators Young, George and Saiki.

No. 2107-80 "A Bill for an Act Relating to Public Lands."

Introduced by: Senators Young, George and Saiki.

No. 2108-80 "A Bill for an Act Relating to Women."

Introduced by: Senators Young, George and Saiki.

No. 2109-80 "A Bill for an Act Relating to Bail Bonds."

Introduced by: Senators Young, George and Saiki.

No. 2110-80 "A Bill for an Act Relating to Community Property."

Introduced by: Senators Young, George and Saiki.

No. 2111-80 "A Bill for an Act Relating to Public Employment."

Introduced by: Senators Young, George and Saiki.

No. 2112-80 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senators Young, George and Saiki.

No. 2113-80 "A Bill for an Act Relating to Statutory Revision."

Introduced by: Senators Young, George and Saiki.

No. 2114-80 "A Bill for an Act Relating to the State Forester."

Introduced by: Senators Young, George and Saiki.

No. 2115-80 "A Bill for an Act Relating to Pension and Retirement Systems."

Introduced by: Senators Young, George and Saiki.

No. 2116-80 "A Bill for an Act Relating to Marriage."

Introduced by: Senators Young, George and Saiki.

No. 2117-80 "A Bill for an Act Relating to Number and Gender."

Introduced by: Senators Young, George and Saiki.

No. 2118-80 "A Bill for an Act Relating to Names."

Introduced by: Senators Young, George and Saiki.

No. 2119-80 "A Bill for an Act Relating to the Bank Examiner."

Introduced by: Senators Young, George and Saiki.

No. 2120-80 "A Bill for an Act Relating to Minors."

Introduced by: Senators Young, George and Saiki.

No. 2121-80 "A Bill for an Act Relating to the Hawaii Insurance Law."

Introduced by: Senators Young, George and Saiki.

No. 2122-80 "A Bill for an Act Relating to Fraternal Benefit Societies."

Introduced by: Senators Young, George

and Saiki.

No. 2123-80 "A Bill for an Act Relating to Insurance."

Introduced by: Senators Young, George and Saiki.

No. 2124-80 "A Bill for an Act Relating to Separate Maintenance."

Introduced by: Senators Young, George and Saiki.

No. 2125-80 "A Bill for an Act Relating to the Uniform Desertion and Nonsupport Act (Modified)."

Introduced by: Senators Young, George and Saiki.

No. 2126-80 "A Bill for an Act Relating to Separate Property."

Introduced by: Senators Young, George and Saiki.

No. 2127-80 "A Bill for an Act Relating to Public Employment."

Introduced by: Senators Young, George and Saiki.

No. 2128-80 "A Bill for an Act Relating to Public Lands."

Introduced by: Senators Young, George and Saiki.

No. 2129-80 "A Bill for an Act Relating to Police."

Introduced by: Senators Young, George and Saiki.

No. 2130-80 "A Bill for an Act Relating to Property."

Introduced by: Senators Young, George and Saiki.

No. 2131-80 "A Bill for an Act Relating to Trust Companies."

Introduced by: Senators Young, George and Saiki.

No. 2132-80 "A Bill for an Act Relating to Domicile."

Introduced by: Senators Young, George and Saiki.

No. 2133-80 "A Bill for an Act Relating to Benefit Societies."

Introduced by: Senators Young, George and Saiki.

No. 2134-80 "A Bill for an Act Relating to Food, Drugs, and Cosmetics."

Introduced by: Senators Carpenter, Cobb, Campbell, Abercrombie and Chong.

- No. 2135-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Waiānae Coast Comprehensive Health Center, Oahu."

Introduced by: Senators Carpenter, Cayetano, Abercrombie, Young, Kuroda, Machida, Campbell, Hara, George and Chong.

- No. 2136-80 "A Bill for an Act Making an Appropriation for Paving Mokapu Elementary School Playcourt."

Introduced by: Senators George, Anderson and Ajifu.

- No. 2137-80 "A Bill for an Act Making an Appropriation for Kalaheo High School Athletic Field."

Introduced by: Senators George, Anderson and Ajifu.

- No. 2138-80 "A Bill for an Act Making an Appropriation for Aikahi Elementary School Fencing."

Introduced by: Senators George, Anderson and Ajifu.

- No. 2139-80 "A Bill for an Act Making an Appropriation for Mokapu Elementary School Library."

Introduced by: Senators George, Anderson and Ajifu.

- No. 2140-80 "A Bill for an Act Making an Appropriation for Lanikai Elementary School Playcourt Extension and Improvement."

Introduced by: Senators George, Anderson and Ajifu.

- No. 2141-80 "A Bill for an Act Making an Appropriation for Kainalu Elementary School Parking Lot Extension and Improvement."

Introduced by: Senators George, Anderson and Ajifu.

- No. 2142-80 "A Bill for an Act Making an Appropriation for Mokapu Elementary School Parking Lot Extension and Improvement."

Introduced by: Senators George, Anderson and Ajifu.

- No. 2143-80 "A Bill for an Act Making an Appropriation for Plans and Construction of Student Dormitory Facilities at Maui Community College."

Introduced by: Senators Yamasaki and Machida.

- No. 2144-80 "A Bill for an Act Making an Appropriation for Security Services at Kaunakakai Harbor, Molokai."

Introduced by: Senators Yamasaki and Machida.

- No. 2145-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senators Yamasaki, Machida, Ushijima, Campbell, Chong, Carpenter, Kuroda, Abercrombie, Cobb, Kawasaki, Toyofuku, Soares, Saiki and Mizuguchi.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 9-80), informing the Senate that Senate Concurrent Resolution No. 11, Senate Resolution Nos. 46 and 47, and Senate Bill Nos. 2072-80 to 2098-80 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.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, January 29, 1980:

- | | |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Senate Bills | Referred to: |
| No. 2072-80 | Committee on Public Utilities |
| No. 2073-80 | Committee on Judiciary |
| No. 2074-80 | Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 2075-80 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2076-80 | Committee on Health, then to the Committee on Judiciary |
| No. 2077-80 | Committee on Consumer Protection and Commerce |
| No. 2078-80 | Jointly to the Committee on Consumer Protection and Commerce and the Committee on Transportation, then to the Committee on Ways and Means |
| No. 2079-80 | Committee on Consumer Protection and Commerce |

No. 2080-80 Committee on Judiciary

No. 2081-80 Committee on Consumer
Protection and Commerce

No. 2082-80 Committee on Consumer
Protection and Commerce

No. 2083-80 Committee on Consumer
Protection and Commerce

No. 2084-80 Committee on Consumer
Protection and Commerce

No. 2085-80 Committee on Consumer
Protection and Commerce

No. 2086-80 Committee on Consumer
Protection and Commerce

No. 2087-80 Committee on Consumer
Protection and Commerce

No. 2088-80 Committee on Consumer
Protection and Commerce

No. 2089-80 Committee on Consumer
Protection and Commerce

No. 2090-80 Committee on Consumer
Protection and Commerce

No. 2091-80 Committee on Consumer
Protection and Commerce

No. 2092-80 Committee on Consumer
Protection and Commerce

No. 2093-80 Committee on Consumer
Protection and Commerce

No. 2094-80 Committee on Consumer
Protection and Commerce

No. 2095-80 Committee on Consumer
Protection and Commerce

No. 2096-80 Committee on Consumer
Protection and Commerce

No. 2097-80 Committee on Consumer
Protection and Commerce

No. 2098-80 Committee on Consumer
Protection and Commerce

ADJOURNMENT

At 11: 41 o'clock a.m., on motion
by Senator Mizuguchi, seconded by
Senator Anderson and carried, the
Senate adjourned until 11: 30 o'clock
a.m., Thursday, January 31, 1980.

TWELFTH DAY

Thursday, January 31, 1980

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

The Divine Blessing was invoked by Reverend Doctor Chester Terpstra of Central Union Church, after which the Roll was called showing all Senators present, with the exception of Senators Saiki, Wong and Yee who were excused.

The Vice President announced that the President had read and approved the Journal of the Eleventh Day.

Senator Anderson then introduced to the members of the Senate a group of 40 Hauula (Oahu) senior citizens.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 39 and 40) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 39), transmitting a report of the 20th Anniversary Hawaii Statehood Celebration Committee in response to Section 5, Act 120, Regular Session of 1979, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 40), transmitting a report prepared by the Department of Regulatory Agencies which relates to a study on the feasibility of making examinations given to prospective entrants into regulated professions and occupations objective, in response to Senate Resolution No. 22 (1979), was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 10 and 11) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 10), returning Senate Concurrent Resolution No. 11, which was adopted by the House of Representatives on January 30, 1980, was placed on file.

A communication from the House (Hse. Com. No. 11), transmitting House Concurrent Resolution No. 35, which was adopted by the House of Representatives on January 30, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Anderson and carried, H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION

EXTENDING CONGRATULATIONS AND SUPPORT TO THE AMERICAN LEGION AND AMERICAN LEGION AUXILIARY, DEPARTMENT OF HAWAII, FOR THE CONTINUED SPONSORING OF THE 'FOUR CHAPLAINS' MEMORIAL SERVICE", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 54 and 55) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 54), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF REGULATORY AGENCIES TO CONDUCT A STUDY ON SEX DISCRIMINATION IN INSURANCE", was jointly offered by Senators Young, Carpenter, Yamasaki, Cayetano, Mizuguchi, Machida, George, Chong and Saiki.

By unanimous consent, S.R. No. 54 was referred to the Committee on Consumer Protection and Commerce.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

A resolution (S.R. No. 55), entitled: "SENATE RESOLUTION REQUESTING THE SECRETARY OF DEFENSE TO APPEAR AT A SENATE HEARING ON MILITARY AIRFIELDS", was jointly offered by Senators Mizuguchi, Soares, Young, Yamasaki, Kawasaki, Ajifu, Hara and Chong.

By unanimous consent, S.R. No. 55 was referred to the Committee on Transportation.

INTRODUCTION OF BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, February 1, 1980:

Senate Bills

No. 2146-80 "A Bill for an Act Relating to Food, Drugs and Cosmetics."

Introduced by: Senator Carpenter, by request.

No. 2147-80 "A Bill for an Act Relating to Shelter Facilities for Minors."

- Introduced by: Senator O'Connor.
- No. 2148-80 "A Bill for an Act Relating to the Uniform Securities Act (Modified)."
- Introduced by: Senator Kawasaki, by request.
- No. 2149-80 "A Bill for an Act Relating to Horizontal Property Regimes."
- Introduced by: Senator Kawasaki, by request.
- No. 2150-80 "A Bill for an Act Relating to Property."
- Introduced by: Senator Kawasaki, by request.
- No. 2151-80 "A Bill for an Act Relating to Liens."
- Introduced by: Senator Kawasaki, by request.
- No. 2152-80 "A Bill for an Act Relating to Time-Sharing."
- Introduced by: Senator Kawasaki, by request.
- No. 2153-80 "A Bill for an Act Relating to Hawaii Housing Authority Redeemable Residential Ground Rents."
- Introduced by: Senator Kawasaki, by request.
- No. 2154-80 "A Bill for an Act Relating to the Impoundment of Vessels."
- Introduced by: Senator Kawasaki, by request.
- No. 2155-80 "A Bill for an Act Relating to Intake Service Centers."
- Introduced by: Senator Kawasaki, by request.
- No. 2156-80 "A Bill for an Act Relating to the Uniform Controlled Substances Act."
- Introduced by: Senator Kawasaki, by request.
- No. 2157-80 "A Bill for an Act Relating to the Uniform Controlled Substances Act."
- Introduced by: Senator Kawasaki, by request.
- No. 2158-80 "A Bill for an Act Relating to Taxation."
- Introduced by: Senator Kawasaki, by request.
- No. 2159-80 "A Bill for an Act Relating to Taxation."
- Introduced by: Senator Kawasaki, by request.
- No. 2160-80 "A Bill for an Act Relating to Taxation."
- Introduced by: Senator Kawasaki, by request.
- No. 2161-80 "A Bill for an Act Relating to Taxation."
- Introduced by: Senator Kawasaki, by request.
- No. 2162-80 "A Bill for an Act Relating to Copies of Tax Returns."
- Introduced by: Senator Kawasaki, by request.
- No. 2163-80 "A Bill for an Act Relating to Taxation."
- Introduced by: Senator Kawasaki, by request.
- No. 2164-80 "A Bill for an Act Relating to Taxation."
- Introduced by: Senator Kawasaki, by request.
- No. 2165-80 "A Bill for an Act Relating to the Department of Social Services and Housing."
- Introduced by: Senator Kawasaki, by request.
- No. 2166-80 "A Bill for an Act Relating to Public Utilities."
- Introduced by: Senator Kawasaki, by request.
- No. 2167-80 "A Bill for an Act Relating to the Water Carrier Law."
- Introduced by: Senator Kawasaki, by request.
- No. 2168-80 "A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended."
- Introduced by: Senator Kawasaki, by request.
- No. 2169-80 "A Bill for an Act Relating to Concessions on Public Property."
- Introduced by: Senator Kawasaki, by request.
- No. 2170-80 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Kawasaki, by request.

No. 2171-80 "A Bill for an Act Relating to the Hawaii Insurance Law."

Introduced by: Senator Kawasaki, by request.

No. 2172-80 "A Bill for an Act Relating to Licensure of Independent Group Residences for Elderly, Handicapped or Disabled Persons."

Introduced by: Senator Kawasaki, by request.

No. 2173-80 "A Bill for an Act Relating to Housing."

Introduced by: Senator Kawasaki, by request.

No. 2174-80 "A Bill for an Act Relating to Vocational Rehabilitation."

Introduced by: Senator Kawasaki, by request.

No. 2175-80 "A Bill for an Act Relating to Signing and Filing of Returns for Taxation Purposes."

Introduced by: Senator Kawasaki, by request.

No. 2176-80 "A Bill for an Act Relating to Mass Transportation."

Introduced by: Senator Kawasaki, by request.

No. 2177-80 "A Bill for an Act Relating to Food Costs."

Introduced by: Senators Kawasaki, Chong, Carpenter, Kuroda, Machida, Saiki, Cobb, Young, Hara, Toyofuku, O'Connor, Ajifu, Ushijima, Soares and Wong.

No. 2178-80 "A Bill for an Act Making an Appropriation for Land Acquisition with the State's Surplus Cash."

Introduced by: Senators Kawasaki, Cayetano, Chong, Young, Toyofuku, Carpenter, Ajifu, Kuroda, Carroll, O'Connor, Ushijima and Wong.

No. 2179-80 "A Bill for an Act Relating to the Establishment of Lifeline Rates for Gas and Electricity."

Introduced by: Senators Chong and Yim.

No. 2180-80 "A Bill for an Act Relating to Regulation of Employment Agencies."

Introduced by: Senator Toyofuku, by request.

No. 2181-80 "A Bill for an Act Relating to Motor Vehicle Safety."

Introduced by: Senators Mizuguchi, Saiki, Carpenter, Young, Soares, Kawasaki, Ajifu, Chong, George and Cobb.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 10-80) informing the Senate that Senate Concurrent Resolution No. 12, Senate Resolution Nos. 48 to 53 and Senate Bill Nos. 2099-80 to 2145-80 have been printed and are ready for distribution.

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

ORDER OF THE DAY

MATTERS DEFERRED
FROM JANUARY 30, 1980

Senate Resolution No. 50:

By unanimous consent, S.R. No. 50, entitled: "SENATE RESOLUTION REQUESTING THE PREPARATION OF A PLAN FOR USE OF THE PRESENT SITE OF THE HAWAII YOUTH CORRECTION FACILITY IN KAILUA, OAHU, HAWAII," was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Judiciary, then to the Committee on Legislative Management.

REFERRAL OF SENATE BILLS

The Vice President made the following committee assignments of bills that were introduced on Wednesday, January 30, 1980:

Senate Bills Referred to:

No. 2099-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2100-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2101-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2102-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2103-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2104-80 Committee on Consumer Protection and Commerce

No. 2105-80 Committee on Judiciary

No. 2106-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2107-80 Committee on Economic Development

No. 2108-80 Committee on Judiciary

No. 2109-80 Committee on Judiciary

No. 2110-80 Committee on Judiciary

No. 2111-80 Committee on Human Resources

No. 2112-80 Committee on Human Resources

No. 2113-80 Committee on Judiciary

No. 2114-80 Committee on Human Resources

No. 2115-80 Committee on Human Resources

No. 2116-80 Committee on Judiciary

No. 2117-80 Committee on Judiciary

No. 2118-80 Committee on Judiciary

No. 2119-80 Committee on Consumer Protection and Commerce

No. 2120-80 Committee on Judiciary

No. 2121-80 Committee on Consumer Protection and Commerce

No. 2122-80 Committee on Consumer Protection and Commerce

No. 2123-80 Committee on Consumer Protection and Commerce

No. 2124-80 Committee on Judiciary

No. 2125-80 Committee on Judiciary

No. 2126-80 Committee on Judiciary

No. 2127-80 Committee on Human Resources

No. 2128-80 Committee on Judiciary

No. 2129-80 Committee on Judiciary

No. 2130-80 Committee on Judiciary

No. 2131-80 Committee on Consumer Protection and Commerce

No. 2132-80 Committee on Judiciary

No. 2133-80 Committee on Consumer Protection and Commerce

No. 2134-80 Jointly to the Committee on Health and the Committee on Consumer

Protection and Commerce

No. 2135-80 Committee on Health, then to the Committee on Ways and Means

No. 2136-80 Committee on Education, then to the Committee on Ways and Means

No. 2137-80 Committee on Education, then to the Committee on Ways and Means

No. 2138-80 Committee on Education, then to the Committee on Ways and Means

No. 2139-80 Committee on Education, then to the Committee on Ways and Means

No. 2140-80 Committee on Education, then to the Committee on Ways and Means

No. 2141-80 Committee on Education, then to the Committee on Ways and Means

No. 2142-80 Committee on Education, then to the Committee on Ways and Means

No. 2143-80 Committee on Higher Education, then to the Committee on Ways and Means

No. 2144-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2145-80 Committee on Consumer Protection and Commerce

RE-REFERRAL OF A GOVERNOR'S MESSAGE

The Vice President made the following re-referral of Governor's Message No. 35 that was received on January 30, 1980:

Governor's Message Referred to:

No. 35 Jointly to the Committee on Transportation and the Committee on Education

RE-REFERRAL OF SENATE BILLS

The Vice President made the following re-referral of bills that were introduced on Friday, January 25, 1980:

Senate Bills Referred to:

No. 1982-80 Committee on Health, then to the Committee on Ways and Means

No. 1999-80 Committee on Human
Resources, then to the Committee on
Ways and Means

No. 2017-80 Committee on Human
Resources, then to the Committee on
Ways and Means

ADJOURNMENT

At 11:48 o'clock a.m., on motion
by Senator Mizuguchi, seconded by
Senator Anderson and carried, the
Senate adjourned until 11:30 o'clock
a.m., Friday, February 1, 1980.

THIRTEENTH DAY

Friday, February 1, 1980

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

The Divine Blessing was invoked by the Reverend Louis H. Yim of St. Anthony's Church in Kalihi, after which the Roll was called showing all Senators present with the exception of Senators Saiki, Wong and Yee, who were excused.

The Vice President announced that the President had read and approved the Journal of the Twelfth Day.

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

Senator Carroll introduced a group of students from the fourth and fifth grades at Kuhio School, with their teachers, Mrs. V. Yoshimura, Mrs. C. Chee and Mrs. T. Ho.

Senator Chong introduced Mr. Shizuma Ide, from the Moiliili-McCully area, who is a lobbyist with the Kokua Council.

Senator Yamasaki then introduced Mr. Edward Nakamoto, the Vice President of the Planning and Coordination Council for the senior citizens of Maui.

Senator Hara introduced Mrs. Ruth Walker, principal of Keaukaha School on the island of Hawaii.

Senator Anderson introduced a group from the Aiea Lani Senior Citizens Club.

The Vice President then introduced a group of students from the Pacific Baptist Academy and their teacher and principal, Dr. James Warren.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 41 to 46) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 41), transmitting the Annual Report for the Public Utilities Commission for the fiscal year 1978-1979, as well as the operating results for the regulated utilities for the calendar year ending December 31, 1978, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 42), transmitting a report

entitled, "Hawaii Fisheries Development Plan" and status report on the "Hawaii Coastal Zone Fisheries Management Study", which were prepared by the Department of Land and Natural Resources in response to House Resolution No. 122 and Senate Resolution No. 25, Regular Session of 1978, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 43), transmitting a report, entitled, "Economic Viability of Independent Sugarcane Farms on the Hilo Coast", and noting that this is the final report of Part I of a two-part study in response to House Concurrent Resolution No. 99, Regular Session of 1978, which was prepared by the Hawaii Institute of Tropical Agriculture and Human Resources, University of Hawaii, with financing from the University, the Department of Agriculture, and the Governor's Agriculture Coordinating Committee, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 44), transmitting a report prepared by the Department of Education in response to Senate Resolution No. 434, Regular Session of 1979, which requested the Board of Education to reconsider the limitation imposed on JROTC programs in public high schools, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 45), transmitting the Annual Report of the Medical Claim Conciliation Panel 1978-1979, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 46), transmitting the Annual Report prepared by the Department of Defense, pursuant to Chapter 93-12, Hawaii Revised Statutes, as amended, was referred to the Committee on Intergovernmental Relations.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 56 to 62) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 56), entitled: "SENATE RESOLUTION CONGRATULATING SYLVIA LUKE CHING, MODEL MOTHER OF THE YEAR", was jointly offered by Senators Chong, Yim, O'Connor, Cayetano, Carpenter, Wong, Kuroda, Machida, Yamasaki, George, Mizuguchi, Ajifu, Hara, Cobb, Young and Campbell.

On motion by Senator Chong, seconded by Senator Yim and carried, S.R. No. 56 was adopted.

A resolution (S.R. No. 57), entitled: "SENATE RESOLUTION CONGRATULATING WILLIAM HIN CHEE YOUNG ON HIS SELECTION AS 1979 FATHER OF THE YEAR BY THE UNITED CHINESE SOCIETY", was jointly offered by Senators Chong, Yim, Kuroda, Hara, O'Connor, Cayetano, Carpenter, Wong, Machida, Yamasaki, George, Mizuguchi, Ajifu, Cobb, Young and Campbell.

On motion by Senator Chong, seconded by Senator Yim and carried, S.R. No. 57 was adopted.

A resolution (S.R. No. 58), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING MR. DAVE SCOTT FOR WINNING THE THIRD ANNUAL NAUTILUS TRIATHLON IN RECORD TIME", was jointly offered by Senators Chong, Yim, Kuroda, O'Connor, Cayetano, Carpenter, Wong, Cobb, Young, Hara, Machida, Yamasaki, George, Mizuguchi, Ajifu and Campbell.

On motion by Senator Chong, seconded by Senator Yim and carried, S.R. No. 58 was adopted.

A resolution (S.R. No. 59), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING DR. CALVIN SIA FOR BEING CHOSEN PHYSICIAN OF THE YEAR BY THE HAWAII MEDICAL ASSOCIATION AND FOR BEING PRESENTED THE A. H. ROBBINS AWARD", was jointly offered by Senators Chong, Yim, Carpenter, Young, Cayetano, Wong, Kuroda, Machida, Carroll, O'Connor, Yamasaki, George, Mizuguchi, Ajifu, Hara, Cobb and Campbell.

On motion by Senator Chong, seconded by Senator Yim and carried, S.R. No. 59 was adopted.

A resolution (S.R. No. 60), entitled: "SENATE RESOLUTION CONGRATULATING HAWAII-P.A.L. STARS, 1979 COLT WORLD SERIES CHAMPIONS", was jointly offered by Senators Kawasaki, Kuroda, Saiki, Cayetano, Carroll, Ushijima, George, Toyofuku, Hara, Abercrombie, Ajifu, Yamasaki, Chong, Cobb, Campbell, Carpenter, Young, Machida, Mizuguchi, Anderson, Yim, O'Connor, Soares and Wong.

On motion by Senator Mizuguchi, seconded by Senator Kuroda and carried, S.R. No. 60 was adopted.

A resolution (S.R. No. 61), entitled: "SENATE RESOLUTION CONGRATULATING BENJAMIN B. DOMINGO ON HIS PROMOTION TO MINISTER CONSUL TO HAWAII", was jointly offered by Senators Young, Mizuguchi, Chong, Yamasaki,

Kawasaki, Campbell, Machida, Abercrombie, George, Ajifu, Kuroda, Carroll, Carpenter, Anderson, Ushijima, Hara, Cayetano, Cobb, Soares, O'Connor and Yim.

On motion by Senator Young, seconded by Senator Mizuguchi and carried, S.R. No. 61 was adopted.

A resolution (S.R. No. 62), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING THE FILIPINO CHAMBER OF COMMERCE OF HONOLULU ON THE SUCCESSFUL TRADE MISSION AND GOODWILL TOUR", was jointly offered by Senators Young, Carpenter, Kawasaki, Hara, Carroll, Ajifu, Campbell, Toyofuku, Machida, Kuroda, Mizuguchi, Chong, Cobb, Ushijima, Soares and Cayetano.

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 62 was adopted.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Monday, February 4, 1980:

Senate Bills

No. 2182-80 "A Bill for an Act Relating to the Investment of Employees' Retirement System Funds."

Introduced by: Senators Hara and Carpenter.

No. 2183-80 "A Bill for an Act Relating to the Utilization of Electricity Generated from Non-Fossil Fuels."

Introduced by: Senator Kawasaki.

No. 2184-80 "A Bill for an Act Relating to the Disposition of Real Property Tax Collection Proceeds to the Counties."

Introduced by: Senator Kawasaki.

No. 2185-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the City and County of Honolulu for Improvements to Government Roads in Waianae."

Introduced by: Senator Kawasaki, by request.

No. 2186-80 "A Bill for an Act Relating to Number Plates."

Introduced by: Senator Kawasaki.

No. 2187-80 "A Bill for an Act Relating to a Study on the Cost of Imported

Oil Versus the Economic Benefit
of In-State Use."

Introduced by: Senator Kawasaki,
by request.

No. 2188-80 "A Bill for an Act Relating
to Articles of Incorporation."

Introduced by: Senator Kawasaki.

No. 2189-80 "A Bill for an Act Relating
to County Vehicular Taxes."

Introduced by: Senator Kawasaki.

No. 2190-80 "A Bill for an Act Relating
to Delinquent Penalties: Seizure
and Sale for Tax."

Introduced by: Senator Kawasaki,
by request.

No. 2191-80 "A Bill for an Act Relating
to Motor Vehicle Safety Responsibility
Act."

Introduced by: Senator Kawasaki.

No. 2192-80 "A Bill for an Act Making
an Appropriation of \$692,000 to
the State Department of Transportation
to Implement the Transfer of Wilson
Tunnel from the City and County of
Honolulu to the State of Hawaii."

Introduced by: Senator Kawasaki.

No. 2193-80 "A Bill for an Act Relating
to Procedure when Title of Vehicle
Transferred; Delivery of Certificate
Mandatory."

Introduced by: Senator Kawasaki.

No. 2194-80 "A Bill for an Act Relating
to Collective Bargaining."

Introduced by: Senator Kawasaki,
by request.

No. 2195-80 "A Bill for an Act Relating
to Collective Bargaining."

Introduced by: Senator Kawasaki,
by request.

No. 2196-80 "A Bill for an Act Relating
to Collective Bargaining."

Introduced by: Senator Kawasaki,
by request.

No. 2197-80 "A Bill for an Act Relating
to Correctional Industries."

Introduced by: Senator Kawasaki,
by request.

No. 2198-80 "A Bill for an Act Relating
to Plant and Nondomestic Animal

Quarantine."

Introduced by: Senator Kawasaki,
by request.

No. 2199-80 "A Bill for an Act Relating
to Public Assistance Program Violations
and Penalties."

Introduced by: Senator Kawasaki,
by request.

No. 2200-80 "A Bill for an Act Relating
to the Expungement of Arrest Records."

Introduced by: Senator Kawasaki,
by request.

No. 2201-80 "A Bill for an Act Relating
to Names."

Introduced by: Senator Kawasaki,
by request.

No. 2202-80 "A Bill for an Act Relating
to the Licensing of Radiation Therapy
Technologists."

Introduced by: Senator Kawasaki,
by request.

No. 2203-80 "A Bill for an Act Relating
to Discriminatory Employment Practices."

Introduced by: Senator Kawasaki,
by request.

No. 2204-80 "A Bill for an Act Relating
to the Limitation of Fees."

Introduced by: Senator Kawasaki,
by request.

No. 2205-80 "A Bill for an Act Relating
to the Safety of Boilers, Elevators and
Amusement Rides."

Introduced by: Senator Kawasaki,
by request.

No. 2206-80 "A Bill for an Act Relating
to the Hawaii Occupational Safety and
Health Law."

Introduced by: Senator Kawasaki,
by request.

No. 2207-80 "A Bill for an Act Relating
to Employment Security."

Introduced by: Senator Kawasaki,
by request.

No. 2208-80 "A Bill for an Act Relating
to Public Lands."

Introduced by: Senator Kawasaki,
by request.

No. 2209-80 "A Bill for an Act Relating
to Forest and Water Reserve Zones."

- Introduced by: Senator Kawasaki,
by request.
- No. 2210-80 "A Bill for an Act Relating
to Public Lands."
- Introduced by: Senator Kawasaki,
by request.
- No. 2211-80 "A Bill for an Act Relating
to Recording Fees in the Office of
the Assistant Registrar of the Land
Court in the State Bureau of Conveyances."
- Introduced by: Senator Kawasaki,
by request.
- No. 2212-80 "A Bill for an Act Relating
to Dams and Reservoirs."
- Introduced by: Senator Kawasaki,
by request.
- No. 2213-80 "A Bill for an Act Relating
to the Certification of Civil Service
Eligibles."
- Introduced by: Senator Kawasaki,
by request.
- No. 2214-80 "A Bill for an Act Relating
to Insurance."
- Introduced by: Senator Kawasaki,
by request.
- No. 2215-80 "A Bill for an Act Relating
to the Department of Regulatory Agencies."
- Introduced by: Senator Kawasaki,
by request.
- No. 2216-80 "A Bill for an Act Relating
to Usury."
- Introduced by: Senator Kawasaki,
by request.
- No. 2217-80 "A Bill for an Act Relating
to Ownership and Possession of
Firearms."
- Introduced by: Senator Kawasaki,
by request.
- No. 2218-80 "A Bill for an Act Relating
to Taxation."
- Introduced by: Senator Kawasaki,
by request.
- No. 2219-80 "A Bill for an Act Relating
to the Transfer of all Functions,
Powers and Duties Involving the
Taxation of Real Property to the Counties."
- Introduced by: Senator Kawasaki,
by request.
- No. 2220-80 "A Bill for an Act Relating
to Taxation."
- Introduced by: Senator Kawasaki,
by request.
- No. 2221-80 "A Bill for an Act Relating
to Aeronautics."
- Introduced by: Senator Kawasaki,
by request.
- No. 2222-80 "A Bill for an Act Relating
to Pupil Transportation."
- Introduced by: Senator Kawasaki,
by request.
- No. 2223-80 "A Bill for an Act Relating
to Vehicle Size and Weight."
- Introduced by: Senator Kawasaki,
by request.
- No. 2224-80 "A Bill for an Act Making
an Appropriation for Fencing for
Kailua Elementary School."
- Introduced by: Senators George,
Anderson and Ajifu.
- No. 2225-80 "A Bill for an Act Relating
to the Public Employees Health Fund."
- Introduced by: Senator Kawasaki,
by request.
- No. 2226-80 "A Bill for an Act Relating
to School Health Services."
- Introduced by: Senator Kawasaki,
by request.
- No. 2227-80 "A Bill for an Act Relating
to Displaced Homemakers."
- Introduced by: Senator Kawasaki,
by request.
- No. 2228-80 "A Bill for an Act Relating
to Housing."
- Introduced by: Senator Kawasaki,
by request.
- No. 2230-80 "A Bill for an Act Relating
to Taxation."
- Introduced by: Senator Kawasaki,
by request.
- No. 2231-80 "A Bill for an Act Relating
to Property Assessment of Condominium
Ownerships."
- Introduced by: Senator Kawasaki,
by request.
- No. 2232-80 "A Bill for an Act Relating
to Airport Parking Control."
- Introduced by: Senator Kawasaki,
by request.

No. 2233-80 "A Bill for an Act Making an Appropriation for the Photography Program at the University of Hawaii, Manoa."

Introduced by: Senators Abercrombie, Carpenter, Soares and Ajifu.

No. 2234-80 "A Bill for an Act Relating to the State Program for the Unemployed."

Introduced by: Senators Abercrombie, Chong, Yim, Ajifu, Carpenter, Yamasaki, O'Connor and Cobb.

No. 2235-80 "A Bill for an Act Making an Appropriation for Manpower Development and Training."

Introduced by: Senators Abercrombie, Chong, Ajifu, Yim, Cayetano, Hara, O'Connor, Carpenter, Machida, Soares and Yamasaki.

No. 2236-80 "A Bill for an Act Making an Appropriation for the 5,000 years of Korean Art Exhibition."

Introduced by: Senators Abercrombie, Yim, Carpenter, Machida, Soares and Ajifu.

No. 2237-80 "A Bill for an Act Relating to Public Purchases and Contracts."

Introduced by: Senators Ushijima, Hara, Mizuguchi, Cayetano and Young.

No. 2238-80 "A Bill for an Act Relating to the Utilization of Electricity Generated from Non-Fossil Fuels."

Introduced by: Senators Toyofuku, Ushijima, Kawasaki, Kuroda, Hara, Yamasaki, Young, Machida, Chong and Abercrombie.

No. 2239-80 "A Bill for an Act Relating to Employee Per Diem."

Introduced by: Senators Toyofuku, Ushijima, Hara, Yamasaki, Kawasaki, Kuroda, Young, Machida and Abercrombie.

No. 2240-80 "A Bill for an Act Relating to Pensioners Bonus."

Introduced by: Senators Toyofuku, Ushijima, Yamasaki, Kuroda, Hara, Young, Machida, Chong and Abercrombie.

No. 2241-80 "A Bill for an Act Relating to Leaves of Absence for Public Employees."

Introduced by: Senators Toyofuku, Ushijima, Yamasaki, Kuroda, Kawasaki, Young, Machida, Mizuguchi, Chong and Abercrombie.

No. 2242-80 "A Bill for an Act Relating

to Employment Agencies."

Introduced by: Senators Toyofuku, Machida, Abercrombie, Hara, Carpenter, Ushijima, Yamasaki, Kuroda and Chong.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bill was referred to print and was placed on the calendar for further consideration on Monday, February 4, 1980:

Senate Bill

No. 2229-80 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Kawasaki, by request.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 11-80) informing the Senate that Senate Resolution Nos. 54 and 55 and Senate Bill Nos. 2146-80 to 2181-80 have been printed and are ready for distribution.

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

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 12-80) recommending that Senate Bill No. 1826-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1826-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 4, 1980.

In accordance with Section III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1826-80, S.D. 1.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, January 31, 1980:

Senate Bills

Referred to:

No. 2146-80 Jointly to the Committee

- on Health and the Committee on Consumer Protection and Commerce
- No. 2147-80 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2148-80 Committee on Consumer Protection and Commerce
- No. 2149-80 Committee on Consumer Protection and Commerce
- No. 2150-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2151-80 Committee on Consumer Protection and Commerce
- No. 2152-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2153-80 Committee on Housing and Hawaiian Homes
- No. 2154-80 Committee on Transportation
- No. 2155-80 Committee on Judiciary
- No. 2156-80 Committee on Judiciary
- No. 2157-80 Committee on Consumer Protection and Commerce
- No. 2158-80 Committee on Ways and Means
- No. 2159-80 Committee on Ways and Means
- No. 2160-80 Committee on Ways and Means
- No. 2161-80 Committee on Ways and Means
- No. 2162-80 Committee on Ways and Means
- No. 2163-80 Committee on Ways and Means
- No. 2164-80 Committee on Ways and Means
- No. 2165-80 Committee on Human Resources, then to the Committee on Judiciary
- No. 2166-80 Committee on Public Utilities
- No. 2167-80 Committee on Public Utilities
- No. 2168-80 Committee on Housing and Hawaiian Homes
- No. 2169-80 Committee on Ecology, Environment and Recreation
- No. 2170-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2171-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2172-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2173-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2174-80 Committee on Human Resources
- No. 2175-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2176-80 Committee on Transportation, then to the Committee on Intergovernmental Relations
- No. 2177-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2178-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2179-80 Jointly to the Committee on Public Utilities and the Committee on Economic Development
- No. 2180-80 Committee on Human Resources
- No. 2181-80 Committee on Transportation

ADJOURNMENT

At 11:46 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 4, 1980.

FOURTEENTH DAY

Monday, February 4, 1980

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

The Divine Blessing was invoked by Reverend Joseph Justin of First Christian Church, after which the Roll was called showing all Senators present, with the exception of Senators Abercrombie, Saiki and Ushijima who were excused.

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

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 47), transmitting the 1978-1979 Annual Report prepared by the School Health Services Branch, Family Health Services Division, Department of Health, was read by the Clerk and was referred to the Committee on Health.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 63 to 66) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 63), entitled: "SENATE RESOLUTION EXTENDING CONDOLENCES TO THE FAMILY OF TAKEO OTANI", was jointly offered by Senators Hara, Ushijima, Carpenter, Young, Machida, Toyofuku, Saiki, Kawasaki, Yamasaki, Mizuguchi, Chong, Ajifu, Campbell, George, Kuroda, Cobb, Carroll, Cayetano, Abercrombie and O'Connor.

On motion by Senator Hara, seconded by Senator Carpenter and carried, S.R. No. 63 was adopted.

A resolution (S.R. No. 64), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF THE LATE RONALD TADAO MIYASHIRO AND EXTENDING DEEPEST CONDOLENCES TO HIS WIDOW, CHILDREN, AND PARENTS", was jointly offered by Senators Hara, Ushijima, Carpenter, Anderson, Machida, Chong, Yamasaki, Cobb, Ajifu, Kuroda, Kawasaki, Young, Campbell, Toyofuku, Wong, Mizuguchi, Soares, Yim, George, Carroll, Cayetano, O'Connor and Abercrombie.

On motion by Senator Hara, seconded by Senator Carpenter and carried, S.R. No. 64 was adopted.

A resolution (S.R. No. 65), entitled: "SENATE RESOLUTION OPPOSING THE ESTABLISHMENT OF A GENERAL AVIATION

AIRPORT AT BELLOWS FIELD", was offered by Senator Ajifu.

By unanimous consent, S.R. No. 65 was referred to the Committee on Transportation.

A resolution (S.R. No. 66), entitled: "SENATE RESOLUTION EXPRESSING CONDOLENCES TO THE FAMILY OF THE LATE TEN SUNG 'T.S.' SHINN", was jointly offered by Senators Machida, Yamasaki, Hara, Mizuguchi, Chong, Toyofuku, O'Connor, Ushijima, Campbell, Young, Carpenter, Carroll, Kuroda, Cayetano, George, Anderson, Soares and Abercrombie.

On motion by Senator Machida, seconded by Senator Yamasaki and carried, S.R. No. 66 was adopted.

INTRODUCTION OF BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 5, 1980:

Senate Bills

No. 2243-80 "A Bill for an Act Making an Appropriation for School Construction and Equipment."

Introduced by: Senator Carroll.

No. 2244-80 "A Bill for an Act Making an Appropriation for Repair and Maintenance of Certain Schools."

Introduced by: Senator Carroll.

No. 2245-80 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Carroll.

No. 2246-80 "A Bill for an Act Relating to the State Debt Limit."

Introduced by: Senators Cayetano, Kawasaki, Carpenter, Young, Cobb and Kuroda.

No. 2247-80 "A Bill for an Act Proposing an Amendment to the Hawaii Constitution."

Introduced by: Senators Cayetano, Kawasaki, Carpenter, Young, Cobb and Kuroda.

No. 2248-80 "A Bill for an Act Proposing an Amendment to Article XI, Section 7, of the Constitution of the State

of Hawaii to Eliminate the Requirement that the Legislature Create a New Water Resources Agency."

Introduced by: Senator Kawasaki.

No. 2249-80 "A Bill for an Act Relating to Police Departments."

Introduced by: Senator Kawasaki.

No. 2250-80 "A Bill for an Act Relating to Public Administration."

Introduced by: Senator Kawasaki.

No. 2251-80 "A Bill for an Act Relating to Statute of Limitation Period for Violation of Election Campaign Contributions and Expenditures Statute."

Introduced by: Senator Kawasaki.

No. 2252-80 "A Bill for an Act Relating to Firearms."

Introduced by: Senator Carroll.

No. 2253-80 "A Bill for an Act Relating to Land Use."

Introduced by: Senator Carroll.

No. 2254-80 "A Bill for an Act Relating to Time-Sharing."

Introduced by: Senator Carroll.

No. 2255-80 "A Bill for an Act Relating to Retirement."

Introduced by: Senator Carroll.

No. 2256-80 "A Bill for an Act Relating to the Excise Tax Credit."

Introduced by: Senators Chong and Yim.

No. 2257-80 "A Bill for an Act Relating to an Income Tax Refund."

Introduced by: Senators Chong and Yim.

No. 2258-80 "A Bill for an Act Relating to the Income Tax Credit for Child Care Services."

Introduced by: Senators Chong and Yim.

No. 2259-80 "A Bill for an Act Relating to Personal Exemptions."

Introduced by: Senators Chong and Yim.

No. 2260-80 "A Bill for an Act Relating to the Income Tax Credit for Low-Income

Household Renters."

Introduced by: Senators Chong and Yim.

No. 2261-80 "A Bill for an Act Relating to Exemptions from Income Tax."

Introduced by: Senators Chong and Yim.

No. 2262-80 "A Bill for an Act Relating to a State Housing and Land Utilization Agency."

Introduced by: Senator Young.

No. 2263-80 "A Bill for an Act Relating to Housing."

Introduced by: Senator Young.

No. 2264-80 "A Bill for an Act Relating to Defining Developer Liabilities."

Introduced by: Senator Young.

No. 2265-80 "A Bill for an Act Relating to New Housing Development."

Introduced by: Senator Young.

No. 2266-80 "A Bill for an Act Relating to Land Readjustments."

Introduced by: Senator Young.

No. 2267-80 "A Bill for an Act Relating to Housing."

Introduced by: Senator Young.

No. 2268-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2269-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2270-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2271-80 "A Bill for an Act Relating to Judiciary."

Introduced by: Senator Wong, by request.

No. 2272-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2273-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2274-80 "A Bill for an Act Relating to the Grand Jury."

Introduced by: Senator Wong, by request.

No. 2275-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2276-80 "A Bill for an Act Relating to Traveling Expenses of State Officials."

Introduced by: Senator Wong, by request.

No. 2277-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2278-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2279-80 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2280-80 "A Bill for an Act Relating to the State Code of Ethics."

Introduced by: Senator Wong, by request.

No. 2281-80 "A Bill for an Act Making an Appropriation for the Immigrant Youth Program of the Palama Interchurch Council."

Introduced by: Senators Yim and Wong.

No. 2282-80 "A Bill for an Act Making an Appropriation to Continue the Work Activity Program for Severely Disabled Adults at Lanakila Rehabilitation Center."

Introduced by: Senators Yim, Wong and Campbell.

No. 2283-80 "A Bill for an Act Relating to the Susannah Wesley Community Center."

Introduced by: Senators Yim, Wong and Campbell.

No. 2284-80 "A Bill for an Act Making an Appropriation for the Hawaiian Homes Commission Act of 1920, as Amended, Section 213, Hawaiian Home Education Fund."

Introduced by: Senator Young.

No. 2285-80 "A Bill for an Act Relating

to State Chartered Credit Unions."

Introduced by: Senator Young.

No. 2286-80 "A Bill for an Act Relating to Employment Programs."

Introduced by: Senators Young, Machida, Campbell and O'Connor.

No. 2287-80 "A Bill for an Act Making an Appropriation for Resurfacing of Maunaloa Highway, Molokai."

Introduced by: Senators Yamasaki and Machida.

No. 2288-80 "A Bill for an Act Making an Appropriation for Lahainaluna High School, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2289-80 "A Bill for an Act Making an Appropriation for Improvements and/or Renovations to Dormitory Facilities at Lahainaluna High School, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2290-80 "A Bill for an Act Proposing to Repeal Article XI, Section 7, of the Constitution of the State of Hawaii."

Introduced by: Senator Yamasaki, by request.

No. 2291-80 "A Bill for an Act Relating to Health Care Facilities Identification and Regulations."

Introduced by: Senator Yamasaki, by request.

No. 2292-80 "A Bill for an Act Relating to Litter Control."

Introduced by: Senators Yamasaki, Machida, Ajifu, George, Carpenter, Kawasaki, Toyofuku, Cobb, Cayetano and Carroll.

No. 2293-80 "A Bill for an Act Relating to Civil Commitment."

Introduced by: Senators Yamasaki, by request, Machida, Ajifu, Hara, Kawasaki, Mizuguchi and Cayetano.

No. 2294-80 "A Bill for an Act Relating to Firearms."

Introduced by: Senators Kawasaki, Kuroda, Abercrombie, Carpenter, Chong, George, Young and Wong.

No. 2295-80 "A Bill for an Act Relating to the Employees' Retirement System of the State of Hawaii."

Introduced by: Senators Kawasaki, Abercrombie, Carpenter, Cobb and Wong.

No. 2296-80 "A Bill for an Act Relating to Spending Limits."

Introduced by: Senators Kawasaki, Kuroda, Abercrombie, Chong and Wong.

No. 2297-80 "A Bill for an Act Proposing Amendments to the Hawaii State Constitution to Establish Spending Limits."

Introduced by: Senators Kawasaki, Cayetano, Chong, Carpenter, Kuroda, O'Connor, Ajifu, Soares, Wong and Abercrombie.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 13-80) informing the Senate that Senate Resolution Nos. 56 to 62 and Senate Bill Nos. 2182-80 to 2242-80 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.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 1826-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1826-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Abercrombie, Saiki and Ushijima).

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Friday, February 1, 1980:

Senate Bills Referred to:

No. 2182-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2183-80 Jointly to the Committee on Public Utilities and the Committee

on Economic Development

No. 2184-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 2185-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2186-80 Committee on Intergovernmental Relations

No. 2187-80 Committee on Economic Development, then to the Committee on Ways and Means

No. 2188-80 Committee on Consumer Protection and Commerce

No. 2189-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 2190-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 2191-80 Committee on Intergovernmental Relations

No. 2192-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2193-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 2194-80 Committee on Human Resources

No. 2195-80 Committee on Human Resources

No. 2196-80 Committee on Human Resources

No. 2197-80 Committee on Government Operations and Efficiency

No. 2198-80 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary

No. 2199-80 Committee on Human Resources, then to the Committee on Judiciary

No. 2200-80 Committee on Judiciary

No. 2201-80 Committee on Health, then to the Committee on Judiciary

No. 2202-80 Committee on Health, then to the Committee on Consumer Protection and Commerce

No. 2203-80 Committee on Human Resources, then to the Committee on Judiciary, then to the Committee

- on Ways and Means
- No. 2204-80 Committee on Human Resources
- No. 2205-80 Committee on Human Resources
- No. 2206-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2207-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2208-80 Committee on Economic Development
- No. 2209-80 Committee on Economic Development, then to the Committee on Judiciary
- No. 2210-80 Committee on Economic Development, then to the Committee on Judiciary
- No. 2211-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2212-80 Committee on Economic Development, then to the Committee on Judiciary
- No. 2213-80 Committee on Human Resources
- No. 2214-80 Committee on Consumer Protection and Commerce
- No. 2215-80 Committee on Consumer Protection and Commerce
- No. 2216-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 2217-80 Committee on Judiciary
- No. 2218-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2219-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2220-80 Committee on Ways and Means
- No. 2221-80 Committee on Transportation, then to the Committee on Judiciary
- No. 2222-80 Jointly to the Committee on Education and the Committee on Transportation, then to the Committee on Ways and Means
- No. 2223-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 2224-80 Committee on Education, then to the Committee on Ways and Means
- No. 2225-80 Committee on Human Resources
- No. 2226-80 Committee on Health
- No. 2227-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2228-80 Committee on Housing and Hawaiian Homes
- No. 2229-80 Committee on Ways and Means
- No. 2230-80 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2231-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2232-80 Committee on Transportation
- No. 2233-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 2234-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2235-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2236-80 Committee on Education, then to the Committee on Ways and Means
- No. 2237-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2238-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities
- No. 2239-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2240-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2241-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2242-80 Committee on Human Resources

ADJOURNMENT

At 11:42 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 5, 1980.

FIFTEENTH DAY

Tuesday, February 5, 1980

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

The Divine Blessing was invoked by the Reverend David N. Halsinger of St. Luke's Episcopal Church, Nuuanu, after which the Roll was called showing all Senators present with the exception of Senators Ajifu, Chong, Saiki and Ushijima, who were excused.

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

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

Senator Campbell introduced Mr. Willard Maguire, President of the National Education Association and Senator Young presented him with a lei. Senator Campbell then introduced Mrs. Odetta Fujimori, former President of the Hawaii State Teachers Association and a member of the Board of Directors of the National Education Association and Mrs. Masako Ledward, Chairperson of the Hawaii Education Council, who accompanied Mr. Maguire.

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

Senator Yee introduced Mr. Mits Watanabe, Treasurer of Molokai Electric Company.

Senator Cayetano then introduced Mr. and Mrs. Stanley Asanoma from Pearl City, Oahu.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 48 and 49) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 48), transmitting a report prepared by the Department of Health in response to Senate Resolution No. 369 (1979), which requested the Department to conduct a study of the School Food Service Program, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 49), transmitting the 1978 Annual Report prepared by the Teacher

Education Coordinating Committee in accordance with Section 304-20, Hawaii Revised Statutes, was referred to the Committee on Education.

DEPARTMENTAL COMMUNICATION

A communication from the Department of Hawaiian Home Lands (Dept. Com. No. 4), transmitting a "Position Paper on the Native Hawaii Rehabilitation Fund", a draft form for public review and comment and noting that the Position Paper describes the background for the Native Hawaiian Rehabilitation Fund, proposed objectives and priorities for the period 1980-84, major research findings to date and the planning process being carried out, was read by the Clerk and was referred to the Committee on Housing and Hawaiian Homes.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 13), entitled: "SENATE CONCURRENT RESOLUTION RESPECTFULLY URGING THE UNITED STATES CONGRESS TO ENACT ENABLING LEGISLATION FOR THE EFFECTUATION OF THE RECENTLY NEGOTIATED INTERNATIONAL SUGAR AGREEMENT", was jointly offered by Senators Machida, Yamasaki, Hara, Mizuguchi, Chong, Toyofuku, O'Connor, Ushijima, Campbell, Young, Carpenter, Carroll, Kuroda, Cayetano, George, Soares and Abercrombie and was read by the Clerk.

By unanimous consent, S.C.R. No. 13 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 67 to 69) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 67), entitled: "SENATE RESOLUTION RESPECTFULLY URGING THE UNITED STATES CONGRESS TO ENACT ENABLING LEGISLATION FOR THE EFFECTUATION OF THE RECENTLY NEGOTIATED INTERNATIONAL SUGAR AGREEMENT", was jointly offered by Senators Machida, Yamasaki, Hara, Chong, Mizuguchi, Toyofuku, O'Connor, Ushijima, Campbell, Young, Carpenter, Carroll, Kuroda, Cayetano, George, Soares and Abercrombie.

By unanimous consent, S.R. No. 67 was referred to the Committee on Agriculture.

A resolution (S.R. No. 68), entitled: "SENATE RESOLUTION CONGRATULATING ROY R. YONAHARA ON HIS SELECTION AS THE 1980 TEACHER OF THE YEAR

FOR THE MAUI DISTRICT", was jointly offered by Senators Machida, Yamasaki, Campbell, Anderson, Kawasaki, Soares, Cayetano, Toyofuku, Hara, Carpenter, Wong, Yee, Yim, Ajifu, Mizuguchi, Chong, Kuroda, Abercrombie, O'Connor and George.

On motion by Senator Machida, seconded by Senator Yamasaki and carried, S.R. No. 68 was adopted.

A resolution (S.R. No. 69), entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RETURN BELLOWS FIELD TO THE STATE OF HAWAII", was offered by Senator Ajifu.

By unanimous consent, S.R. No. 69 was referred to the Committee on Ecology, Environment and Recreation.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 6, 1980:

Senate Bills

No. 2298-80 "A Bill for an Act Making an Appropriation for Makiki Park."

Introduced by: Senator Carroll.

No. 2299-80 "A Bill for an Act Making an Appropriation for Makiki Fire Station."

Introduced by: Senator Carroll.

No. 2300-80 "A Bill for an Act Making an Appropriation for Street Trees for the Makiki Area."

Introduced by: Senator Carroll.

No. 2301-80 "A Bill for an Act Relating to Bodies."

Introduced by: Senator Carroll, by request.

No. 2302-80 "A Bill for an Act Relating to Workers' Compensation Program Commission."

Introduced by: Senators Toyofuku, Hara, Ushijima, Kuroda, Young, Machida, Mizuguchi, Chong, Abercrombie, Campbell, Ajifu and Soares.

No. 2303-80 "A Bill for an Act Making an Appropriation for Hale Opio Kauai, Incorporated."

Introduced by: Senators Toyofuku,

Chong, Campbell, Ajifu, Soares, Machida, Carpenter and Kuroda.

No. 2304-80 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senators Toyofuku, Machida, Carpenter, Ajifu, Anderson and Soares.

No. 2305-80 "A Bill for an Act Relating to the Limits of Liability of a Policy of Uninsured Motorist Insurance."

Introduced by: Senators Toyofuku, Ushijima, Kuroda, Hara, Young, Machida, Abercrombie, Campbell, Anderson and Soares.

No. 2306-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 1."

Introduced by: Senator Wong.

No. 2307-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 2."

Introduced by: Senator Wong.

No. 2308-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 3."

Introduced by: Senator Wong.

No. 2309-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 4."

Introduced by: Senator Wong.

No. 2310-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 5."

Introduced by: Senator Wong.

No. 2311-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 6."

Introduced by: Senator Wong.

No. 2312-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 7."

Introduced by: Senator Wong.

No. 2313-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 8."

Introduced by: Senator Wong.

No. 2314-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 9."

Introduced by: Senator Wong.

No. 2315-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 10."

Introduced by: Senator Wong.

No. 2316-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 11."

Introduced by: Senator Wong.

No. 2317-80 "A Bill for an Act Making an Appropriation for Collective Bargaining, Unit 13."

Introduced by: Senator Wong.

No. 2318-80 "A Bill for an Act Making Appropriations for Adjustment Authorized by Chapter 89C, Hawaii Revised Statutes."

Introduced by: Senator Wong.

No. 2319-80 "A Bill for an Act Relating to Criminal History Record Information."

Introduced by: Senator Wong, by request.

No. 2320-80 "A Bill for an Act Relating to Traveling Expenses of State Officials."

Introduced by: Senator Wong, by request.

No. 2321-80 "A Bill for an Act Relating to Partnerships."

Introduced by: Senator Wong, by request.

No. 2322-80 "A Bill for an Act Relating to Residential Leasehold Condominiums."

Introduced by: Senator Wong, by request.

No. 2323-80 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 2324-80 "A Bill for an Act Relating to Domiciliary Care."

Introduced by: Senator Wong, by request.

No. 2325-80 "A Bill for an Act Relating to Project Holomua."

Introduced by: Senators Hara, Ushijima, Carpenter, Young, Machida, Toyofuku, Saiki, Kuroda, Carroll, Cayetano, Yamasaki, Chong, Ajifu, Campbell, Mizuguchi, George, Yee, O'Connor,

Soares and Abercrombie.

SPECIAL COMMITTEE REPORT

Senator O'Connor, for the Joint Committee of the Senate and House of Representatives, directed by Senate Resolution No. 509 (1979) and House Resolution No. 844 (1979), respectively, to review during the 1979 legislative interim, the possible codification of the proposed Hawaii Rules of Evidence, presented a report (Spec. Com. Rep. No. 2-80), with certain recommendations.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was accepted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 14-80) informing the Senate that Senate Resolution Nos. 63 to 66 and Senate Bill Nos. 2243-80 to 2297-80 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.

Senators Carpenter and Cobb, for the Committees on Health and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 15-80) recommending that Senate Bill No. 2134-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the joint report of the Committees was adopted and S.B. No. 2134-80, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 7, 1980:

In accordance with Section III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2134-80.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 4, 1980:

Senate Bills Referred to:

No. 2243-80 Committee on Education, then to the Committee on Ways and Means

No. 2244-80 Committee on Education, then to the Committee on Ways and Means

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| No. 2245-80 Committee on Human Resources,
then to the Committee on Ways and
Means | to the Committee on Judiciary |
| No. 2246-80 Committee on Ways and Means | No. 2272-80 Committee on Judiciary |
| No. 2247-80 Committee on Judiciary | No. 2273-80 Committee on Judiciary |
| No. 2248-80 Committee on Economic
Development, then to the Committee
on Judiciary | No. 2274-80 Committee on Judiciary,
then to the Committee on Ways and
Means |
| No. 2249-80 Committee on Intergovernmental
Relations | No. 2275-80 Committee on Judiciary |
| No. 2250-80 Committee on Judiciary | No. 2276-80 Committee on Human Resources,
then to the Committee on Ways and Means |
| No. 2251-80 Committee on Judiciary | No. 2277-80 Committee on Judiciary |
| No. 2252-80 Committee on Judiciary | No. 2278-80 Committee on Judiciary,
then to the Committee on Ways and Means |
| No. 2253-80 Committee on Consumer
Protection and Commerce | No. 2279-80 Committee on Judiciary,
then to the Committee on Ways and
Means |
| No. 2254-80 Committee on Consumer
Protection and Commerce | No. 2280-80 Committee on Judiciary |
| No. 2255-80 Committee on Human Resources,
then to the Committee on Ways and
Means | No. 2281-80 Committee on Education,
then to the Committee on Ways and
Means |
| No. 2256-80 Committee on Ways and Means | No. 2282-80 Committee on Human Resources,
then to the Committee on Ways and
Means |
| No. 2257-80 Committee on Ways and Means | No. 2283-80 Committee on Human Resources,
then to the Committee on Ways and Means |
| No. 2258-80 Committee on Ways and Means | No. 2284-80 Committee on Housing
and Hawaiian Homes, then to the Committee
on Ways and Means |
| No. 2259-80 Committee on Ways and Means | No. 2285-80 Committee on Consumer
Protection and Commerce |
| No. 2260-80 Committee on Ways and Means | No. 2286-80 Committee on Human Resources |
| No. 2261-80 Committee on Ways and Means | No. 2287-80 Committee on Transportation,
then to the Committee on Ways and
Means |
| No. 2262-80 Committee on Housing
and Hawaiian Homes, then to the
Committee on Ways and Means | No. 2288-80 Committee on Education,
then to the Committee on Ways and
Means |
| No. 2263-80 Committee on Housing and
Hawaiian Homes, then to the Committee
on Ways and Means | No. 2289-80 Committee on Education,
then to the Committee on Ways and Means |
| No. 2264-80 Committee on Housing and
Hawaiian Homes, then to the Committee
on Consumer Protection and Commerce | No. 2290-80 Committee on Economic
Development, then to the Committee
on Judiciary |
| No. 2265-80 Committee on Housing and
Hawaiian Homes | No. 2291-80 Committee on Health |
| No. 2266-80 Committee on Housing and
Hawaiian Homes | No. 2292-80 Committee on Ecology,
Environment and Recreation |
| No. 2267-80 Committee on Housing and
Hawaiian Homes | No. 2293-80 Committee on Health, then
to the Committee on Judiciary |
| No. 2268-80 Committee on Judiciary | No. 2294-80 Committee on Judiciary |
| No. 2269-80 Committee on Judiciary | |
| No. 2270-80 Committee on Judiciary | |
| No. 2271-80 Committee on Health, then | |

No. 2295-80 Committee on Human Resources, up, in a more public way.
then to the Committee on Ways and Means

"Thank you, Mr. President."

No. 2296-80 Committee on Ways and Means

(The letter reads as follows:

No. 2297-80 Committee on Judiciary,
then to the Committee on Ways and Means

"The Senate
The Ninth Legislature
of the
State of Hawaii
Honolulu, Hawaii

MISCELLANEOUS COMMUNICATION

January 12, 1979

A communication from Mr. Gordon R. Ring, Assistant to the President for Program Coordination, the East-West Center, (Misc. Com. No. 3), transmitting their Annual Report for the fiscal year 1979, in compliance with Act 82 of the Hawaii State Legislature, Regular Session of 1975, was read by the Clerk and was referred to the Committee on Higher Education.

The Honorable Yoshimi Hayashi
Judge, First Circuit Court
Judiciary Building
417 South King Street
Honolulu, Hawaii 96813

Re: Medicaid Fraud
Central Unit convictions on Maui

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

Dear Judge Hayashi:

The Senate reconvened at 11:47 o'clock a.m.

In the coming weeks you must make a decision concerning an appropriate sentence in respect of 3 defendants who have pleaded guilty to first degree Theft in the Medicaid payment program.

Senator Abercrombie then rose on a point of personal privilege and stated as follows:

In the past, as a Senior Deputy Probation Officer and as a private citizen, I have made many recommendations to the Court in both misdemeanor and felony cases ranging from traffic tickets to murder. I have always believed, philosophically, when an officer of the Court, as a private citizen and now as a Legislator, that sentencing is not a mechanical process; that discretionary power should and must remain with the judiciary. Because of the advocacy nature of our system of jurisprudence, this principle is essential. While entitled to a position neither the defense nor the prosecution may necessarily represent to the Court what is ultimately in the best interests of society and the defendant to be sentenced.

"Mr. President, I would like to submit for the Journal a copy of a letter that I wrote to the Honorable Yoshimi Hayashi, Judge of the First Circuit Court, in January of 1979, concerning Medicaid fraud and the Medicaid Fraud Unit convictions, at that time--they referred to the convictions on Maui.

Likewise, an outside view may not be cognizant of every relevant factor, but nonetheless the observations of third parties may serve to illuminate the parameters within which a judge must reach his conclusions.

"Since that time, there have been subsequent convictions and subsequent sentences. I kept the letter to myself previously because I was not sure of the ethical implications, in my own mind, of discussing publicly a recommendation to the Judiciary in terms of sentencing in a particular case. However, since the sentencing has commenced in various cases with the Medicaid Fraud Unit, I have become very much concerned that these cases do not seem to have the same kind of impetus in the minds of some of the judges, in terms of what the proper sentences are or how they should be addressed, both in the public mind and in the degree to which the Judiciary seems to regard them as serious.

It is in this spirit that I write you.

I hope I am not a vengeful person. I realize one person's sense of justice may be accounted revenge by another. But I hope I am not a fool either.

"Mr. President, I would like to submit this letter--it's quite lengthy and detailed--as my feelings on this subject in the record for those who wish to have it in mind. Also, I intend to inform Judge (Samuel) King as I think there is another sentencing coming

Perhaps because of the fact I receive a paycheck from the public treasury I am sensitive to Theft from it, but it is also a fact that the confidence of our taxpayers has been severely shaken by revelations of so-called white-collar crime on a massive scale throughout the nation especially where government spending is involved.

In the case of Medicaid we are dealing with the most explosive public issue in government today--health care and its runaway costs. This is particularly so because of the fear factor. In few areas of his or her life is the individual so dependent upon the judgment and integrity of another as in serving health needs. Most of us are virtually without recourse in determining if we are being cheated or badly served.

This combination of cost and trust must be addressed when criminality threatens to undermine the confidence I have previously cited. The situation is so serious where Medicaid is concerned that a special Fraud Unit has been created. The outcome of its labors will be closely monitored by those tempted to take advantage of the program at every level of service. To secure successful prosecution and have the guilty parties lightly treated will undermine the rationale of the special attention the taxpayers are sponsoring through their financial support of the Fraud Unit personnel.

I refer in particular to the assessment of fines in lieu of prison time. Whether fairly drawn or not, there is a distinct public impression that white-collar crime is handled as if it 'really' isn't all that wrong. Fines paid with relative ease with probation and/or short or suspended sentences in the relative comfort of low-security penal institutions seem in the public mind to smack of rewarding the criminal.

I am perfectly aware of the meaning of prison. I have been inside them enough to know their terror even in the most seemingly benign atmosphere. But I am also aware that its imposition has all too often in the past been for the poor, the inarticulate and life's losers. That is not a lament so much as a simple statement of fact.

Here it is the poor who have been victimized along with the taxpayer in general. The more costs rise the more the poor person's well-being

in health care terms is in jeopardy because of the irritation of the larger tax-paying public. Deserved benefits are seen to be a wasteful extravagance at the expense of the honest taxpayer. A distorted picture emerges and animosity breeds among those who rather than sharing the fiscal burden inherent in proper health care come to view one another with suspicion and spite. The poor rather than disease become the enemy.

The victims here are not articulate--in the sense that they were able to interpret, let alone question, the authority of the druggists. Druggists are professional people whose standards must be more than circumspect if they are to retain the good will and faith of the public. This case involves people who obviously were not confused, misled or incapable. They willfully stole from the public treasury using for their advantage the inability of their victims to protest.

Finally, these thieves are not life's losers. They are among its privileged. They have turned their skills, knowledge and public trust to the ends of greed--not a new story certainly but within the context as I view it particularly reprehensible.

I, therefore, ask you consider in dispensing the awful responsibility of your high office the maximum term. In the individual instance, the sentence is just. In the public context, the warning is unmistakable.

Sincerely,

/s/ Neil Abercrombie

Neil Abercrombie
Senator, Sixth District

NA:vb")

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 6, 1980.

SIXTEENTH DAY

Wednesday, February 6, 1980

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

The Divine Blessing was invoked by Reverend Toyahiko Kurasawa of the Jodo Mission, after which the Roll was called showing all Senators present, with the exception of Senators Chong, Machida, Saiki and Ushijima who were excused.

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

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

Senator Anderson introduced a group of 31 senior citizens from the Hui Hauoli O'Aina Haina Club.

Senator Cayetano introduced Mr. Gary Maestas from Los Angeles, California, who works for the San Diego Legal Aid Office.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 50), transmitting a report prepared by the Department of Transportation in response to S.R. No. 35 (1979) which requested the Department of Education and the Department of Transportation to determine the feasibility of staggered school hours to alleviate traffic congestion, was read by the Clerk and was referred jointly to the Committee on Education and the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 70 to 73) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 70), entitled: "SENATE RESOLUTION REQUESTING THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO WORK TOWARDS AND APPROPRIATE MONEYS FOR THE ESTABLISHMENT OF MORE BIKEWAYS", was offered by Senator Carroll.

By unanimous consent, S.R. No. 70 was referred to the Committee on Transportation.

A resolution (S.R. No. 71), entitled: "SENATE RESOLUTION REQUESTING THE MAYOR OF THE CITY AND COUNTY OF

HONOLULU TO WORK TOWARDS THE ESTABLISHMENT OF MORE BIKEWAYS", was offered by Senator Carroll.

By unanimous consent, S.R. No. 71 was referred to the Committee on Transportation.

A resolution (S.R. No. 72) relating to the Senate employees' compensation was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 72 was adopted.

A resolution (S.R. No. 73), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE CAPACITY OF CORRECTIONAL FACILITIES IN HAWAII", was jointly offered by Senators Machida and Yamasaki.

By unanimous consent, S.R. No. 73 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print, and were placed on the calendar for further consideration on Thursday, February 7, 1980:

Senate Bills

No. 2326-80 "A Bill for an Act Relating to Displaced Homemakers."

Introduced by: Senator Young.

No. 2327-80 "A Bill for an Act Relating to the Office of Hawaiian Affairs."

Introduced by: Senator Young, by request.

No. 2328-80 "A Bill for an Act Making an Appropriation to the Hawaiian Loan Guarantee Fund."

Introduced by: Senator Young.

No. 2329-80 "A Bill for an Act Relating to Deferred Acceptance of Guilty Plea."

Introduced by: Senators Machida and Yamasaki.

No. 2330-80 "A Bill for an Act Relating

to Sexual Abuse."

Introduced by: Senators Machida and Yamasaki.

No. 2331-80 "A Bill for an Act Relating to Young Adult Defendants."

Introduced by: Senators Machida and Yamasaki.

No. 2332-80 "A Bill for an Act Relating to Manslaughter."

Introduced by: Senators Machida and Yamasaki.

No. 2333-80 "A Bill for an Act Relating to the Uniform Controlled Substances Act."

Introduced by: Senators Machida and Yamasaki.

No. 2334-80 "A Bill for an Act Relating to the Penal Code."

Introduced by: Senators Machida and Yamasaki.

No. 2335-80 "A Bill for an Act Making an Appropriation for the Sugarcane Industry."

Introduced by: Senators Machida and Yamasaki.

No. 2336-80 "A Bill for an Act Making an Appropriation for the Office of Library Services."

Introduced by: Senator Campbell

No. 2337-80 "A Bill for an Act Relating to Construction of High-Voltage Electric Transmission Lines."

Introduced by: Senators Soares and O'Connor.

No. 2338-80 "A Bill for an Act Making an Appropriation for School Projects Located in the Maui School District."

Introduced by: Senators Yamasaki and Machida.

No. 2339-80 "A Bill for an Act Making an Appropriation for Improvements to Mala Pier Facility, Lahaina, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2340-80 "A Bill for an Act Making an Appropriation for Makena La Perouse State Park, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2341-80 "A Bill for an Act Making an Appropriation for the Restoration of Historical Structures in Maui County."

Introduced by: Senators Yamasaki and Machida.

No. 2342-80 "A Bill for an Act Making an Appropriation for the Construction of Residential Subdivision at Paukalo, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2343-80 "A Bill for an Act Making an Appropriation for Construction of Honoapiilani Highway, Lahaina, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2344-80 "A Bill for an Act Making an Appropriation for Modernization and Renovation of Kula Hospital, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2345-80 "A Bill for an Act Making an Appropriation for Highway Projects Located on the Island of Molokai."

Introduced by: Senators Yamasaki and Machida.

No. 2346-80 "A Bill for an Act Making an Appropriation for Highway Projects Located on the Island of Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2347-80 "A Bill for an Act Making an Appropriation for the Realignment of Hana Highway from the Vicinity of Kuau Toward Hookipa Park, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2348-80 "A Bill for an Act Making an Appropriation for Water Sources Investigation and Development, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2349-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kahului Airport, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2350-80 "A Bill for an Act Making

an Appropriation for the Construction of Improvements at Kahului Harbor, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2351-80 "A Bill for an Act Making an Appropriation for the Construction of Water Treatment Facilities in the County of Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2352-80 "A Bill for an Act Making Supplemental Appropriation for Molokai General Hospital Subsidy."

Introduced by: Senators Yamasaki and Machida.

No. 2353-80 "A Bill for an Act Making an Appropriation for Molokai Water System Improvement, Molokai."

Introduced by: Senators Yamasaki and Machida.

No. 2354-80 "A Bill for an Act Making an Appropriation for Central Maui Water Project, County of Maui."

Introduced by: Senators Yamasaki and Machida.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 16-80) informing the Senate that Senate Concurrent Resolution No. 13, Senate Resolution Nos. 67 to 69, Senate Bill Nos. 2298-80 to 2325-80, Spec. Com. Rep. No. 2-80 and Stand. Com. Rep. No. 15-80 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.

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

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

ORDER OF THE DAY

THIRD READING

Senate Bill No. 2134-80:

Senator Carpenter moved that S.B. No. 2134-80, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

At this time, Senator Carpenter rose

to speak in favor of the measure and stated as follows:

"Mr. President, I believe this Body certainly is aware of the ramifications of the generic substitution bill before us. The subject matter went through extensive and thorough hearings last year and again this year. The bill that is before us today contains a similar format and substance and was agreed to last year when there was consensus agreement in both the House and the Senate.

"The previous bill was vetoed by the Governor due to a constitutional defect. That defect has been corrected and the essence of this new bill will be to pass on a considerable amount of savings to our consumers, who are primarily the frail elderly, in the order of magnitude of \$1,000,000 per year.

"I hope that all of the members of this Honorable Body will support this legislation so that we can move it as rapidly as possible to accomplish its intent."

Senator Campbell added his remarks in favor of the measure as follows:

"Mr. President, I have just a few remarks that I'd like to make in support of the bill and add a few statements to the remarks made by the Chairman of the Health Committee.

"As a representative of this legislature, I attended the first National Conference on Generic Drugs which was held in Washington, D.C. It was at that conference that the Food and Drug Administration and the Federal Trade Commission, for the very first time in their history, took a very strong stand in favor of generic drug substitution as a means of reducing medical costs for our citizenry.

"This bill makes it possible for Hawaii's people to save a tremendous amount of their income when it comes to medical costs; therefore, I very strongly urge the passage of this bill by this Body.

"Thank you very much."

Senator Carroll also rose to add his remarks in support of the measure as follows:

"Mr. President, I rise to speak in favor of this bill with a reservation which I would like noted for the record.

"In the provision which calls for

the formulary, we are asking that the druggists of the state substitute, based upon a list which is primarily produced by the Federal Drug Administration. Their track record is, I believe, poor and I therefore do not have a lot of trust in their office.

"The effect of this bill is to mandate the use of these drugs for our citizens and I believe that the impact of this mandate will be that any doctor and druggist complying with the terms of this bill will not be liable for any injuries suffered by a person so using those drugs, and, unfortunately, the State of Hawaii is going to be liable. I believe that the group that is going to be in charge of overseeing the administration of this, particularly, our Department of Health, is going to have to watch with an 'eagle eye' every item that is listed on it that is turned over to the formulary. It is with that reservation that I urge that we all vote 'aye' on the measure."

Senator Anderson then rose to support the measure and stated as follows:

"Mr. President, I'll support this measure although there are parts of it that trouble me and I did 'neck' with this last year. I'd like to believe that the passage of this bill is in fact going to save many millions of dollars to our people.

"I think the committees have worked hard on this bill and have done their best to put out a piece of legislation that we should all support.

"As a practical measure, I don't like removing the liability from the dispensers.

"On the question of price, if there is any tremendous move to generic drugs by any great volume - when you get into the millions of dollars - as a businessman trying to operate a business, if you have a fixed overhead, all I can see is generic drugs increasing in price to narrow the gap.

"Today, there is no demand for generic drugs, so as a businessman I would imagine there is no market. The price spread between a prescription drug and a generic drug could be great. The moment there is a demand for anything - the generic drug demand - the particular prescription company or drugstore trying to meet its overhead and maintain a qualified staff would have to increase its price to pay the salaries and the benefits and the government demands.

"All I can see at this point is that the more popular generic drugs become the greater the price increase will be. Maybe in the future, price control or looking at that fluctuating price in the next year

or two would be worth looking into."

Senator Cobb also added his comments in favor of the measure and stated as follows:

"Mr. President, a brief observation speaking in favor of the bill is that, first of all, almost 40 states now have generic drug laws.

"Coming to the point of using a formulary, although the federal formulary has not received the final approval of the FDA, most of the states do derive their list of substitutable drugs from that proposed list.

"Secondly, in terms of the experience gained from other states relative to the cost savings, it has been found in testimony presented to our joint committees, that there is a rather substantial consumer savings.

"Even though generic drugs do become more in demand, it's a question of availability of supply, and we found that even in large states where generic drugs are available there's not that much of an increase in the cost of the generic equivalent, and it gives the consumer that much more of a choice relative to his own savings."

The motion was put by the Chair and carried and S.B. No. 2134-80, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chong, Machida, Saiki and Ushijima).

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, February 5, 1980:

Senate Bills Referred to:

No. 2298-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2299-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 2300-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2301-80 Committee on Health, then to the Committee on Judiciary

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|-------------|-----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| No. 2302-80 | Committee on Human Resources, then to the Committee on Ways and Means | Means |
| No. 2303-80 | Committee on Health, then to the Committee on Ways and Means | No. 2319-80 Committee on Judiciary |
| No. 2304-80 | Committee on Human Resources | No. 2320-80 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 2305-80 | Committee on Consumer Protection and Commerce | No. 2321-80 Committee on Consumer Protection and Commerce |
| No. 2306-80 | Committee on Ways and Means | No. 2322-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce |
| No. 2307-80 | Committee on Ways and Means | No. 2323-80 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 2308-80 | Committee on Ways and Means | No. 2324-80 Committee on Human Resources |
| No. 2309-80 | Committee on Ways and Means | No. 2325-80 Committee on Education, then to the Committee on Ways and Means |
| No. 2310-80 | Committee on Ways and Means | |
| No. 2311-80 | Committee on Ways and Means | |
| No. 2312-80 | Committee on Ways and Means | |
| No. 2313-80 | Committee on Ways and Means | |
| No. 2314-80 | Committee on Ways and Means | |
| No. 2315-80 | Committee on Ways and Means | |
| No. 2316-80 | Committee on Ways and Means | |
| No. 2317-80 | Committee on Ways and Means | |
| No. 2318-80 | Committee on Ways and | |

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a bill that was introduced on Monday, January 28, 1980:

Senate Bill Referred to:

No. 2071-80 Committee on Judiciary, then to the Committee on Ways and Means

ADJOURNMENT

At 12:09 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., on Thursday, February 7, 1980.

SEVENTEENTH DAY

Thursday, February 7, 1980

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

The Divine Blessing was invoked by the Reverend Warren Studer of the Kailua Presbyterian Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Chong and Yim, who were excused.

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

Senator Ajifu introduced to the members of the Senate two visitors from California, Mrs. Toshiko Tokubo from Sacramento and Mrs. Kaye Hayashi from Oakland.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 51 to 56) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 51), transmitting the Annual Report of the Filipino 75th Anniversary Commemoration Commission in cooperation with the Hawaii Foundation for History and the Humanities, pursuant to Act 181, Session Laws of Hawaii, 1977, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 52), transmitting a Preliminary Report prepared by the Board of Nursing, pursuant to Senate Concurrent Resolution No. 75 and Senate Resolution No. 371, S.D. 1, (1979), which requested that the Board of Nursing study the issue of minimum educational requirement for entry into professional nursing practice, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 53), transmitting a report prepared by the Department of Accounting and General Services in response to Senate Resolution No. 436 (1979) which requested that department to review the parking facilities, policies and rates of all State and county agencies and their impact on traffic congestion in Hawaii, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 54), transmitting a report prepared by the Department of Accounting and General Services in response to House Resolution No. 271 (1979) which

requested that department to develop and implement a waste paper recovery program for major State office buildings in Honolulu, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 55), transmitting the sixth Annual Report of the Environmental Council entitled, "Hawaii's Environment 1979", which summarizes the recent progress of State, County and Federal agencies in achieving their environmental goals and policies and prepared in compliance with Chapter 341-6, Hawaii Revised Statutes, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 56), transmitting a report which was prepared by the Department of Land and Natural Resources in response to House Resolution No. 474 (1979) which requested that department to perform a study relating to the implementation of Article XI of the Constitution of the State of Hawaii, concerning State licensing of mariculture operations, was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 14), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF THE EDUCATION FUNCTIONAL PLAN", was offered by Senator Campbell and was read by the Clerk.

By unanimous consent, S.C.R. No. 14 was referred to the Committee on Education, then to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 74 to 79) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 74), entitled: "SENATE RESOLUTION REQUESTING HAWAIIAN HOMES COMMISSIONERS TO REPORT TO THE SENATE COMMITTEE ON HOUSING AND HAWAIIAN HOMES THE STATUS OF ITS LEASE OF A 39 ACRE HAWAIIAN HOMES PARCEL IN HILO TO REDEVCO OF HONOLULU", was offered by Senator Young.

By unanimous consent, S.R. No. 74 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 75), entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT OF A PLAN OF STATEWIDE EMERGENCY RESPONSE IN THE EVENT OF NUCLEAR ACCIDENTS", was jointly offered by Senators Chong, Abercrombie, Carpenter, O'Connor,

Cobb, Campbell, Cayetano, Toyofuku, Yamasaki, Young and Kawasaki.

By unanimous consent, S.R. No. 75 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 76), entitled: "SENATE RESOLUTION REQUESTING THE ASSISTANCE OF HAWAII'S CONGRESSIONAL DELEGATION IN PREVENTING STORAGE OR DISPOSAL OF NUCLEAR MATERIALS IN THE PACIFIC BASIN", was jointly offered by Senators Chong, Abercrombie, Carpenter, Campbell, Cayetano, Toyofuku, Yamasaki, Young and Kawasaki.

By unanimous consent, S.R. No. 76 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 77), entitled: "SENATE RESOLUTION REQUESTING THE ASSISTANCE OF HAWAII'S CONGRESSIONAL DELEGATION IN OBTAINING INFORMATION ON THE WEST LOCH PROJECT", was jointly offered by Senators Chong, Abercrombie, Carpenter, Campbell, Cayetano, Yamasaki and Young.

By unanimous consent, S.R. No. 77 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 78), entitled: "SENATE RESOLUTION URGING THE U.S. NAVY TO DISCLOSE AND NOTIFY PERSONS INVOLVED IN ATOMIC TEST 'OPERATION WIGWAM'", was jointly offered by Senators Chong, Abercrombie, Campbell and Young.

By unanimous consent, S.R. No. 78 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 79), entitled: "SENATE RESOLUTION RELATING TO A RADIOLOGICAL MONITORING PROGRAM FOR THE STATE OF HAWAII", was jointly offered by Senators Chong, Abercrombie, Carpenter, O'Connor, Cobb, Campbell, Cayetano, Yamasaki, Young and Kawasaki.

By unanimous consent, S.R. No. 79 was referred to the Committee on Intergovernmental Relations.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and

carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, February 8, 1980:

Senate Bills

No. 2355-80 "A Bill for an Act Relating to the Budget."

Introduced by: Senators Cayetano, Abercrombie and Campbell.

No. 2356-80 "A Bill for an Act Relating to the Land Fire Protection Law."

Introduced by: Senator Cayetano.

No. 2363-80 "A Bill for an Act Making an Appropriation for a Study on the Possibility of Adding Integrated Microwave Data Transmission Capabilities or Other Modes of Electronic Data Processing Technology to the State Government Communication System."

Introduced by: Senator Cayetano, by request.

No. 2364-80 "A Bill for an Act Making an Appropriation for Civil Air Patrol Headquarters."

Introduced by: Senator Cayetano, by request.

No. 2365-80 "A Bill for an Act Relating to Newspapers."

Introduced by: Senators Kawasaki, Abercrombie, Toyofuku, Young, Carpenter, Cayetano, Ajifu and Machida.

No. 2366-80 "A Bill for an Act Relating to Newspapers."

Introduced by: Senators Kawasaki, Abercrombie, Toyofuku, Cayetano and Machida.

No. 2367-80 "A Bill for an Act Relating to Residential Leaseholds."

Introduced by: Senators Kawasaki, Cobb, Young, Yamasaki, Carpenter, Cayetano, Ajifu, Abercrombie, Carroll and Soares.

No. 2368-80 "A Bill for an Act Proposing an Amendment to Article VI, Section 3, of the Hawaii Constitution to Require the Judicial Selection Commission to Present its List of Nominees for a Judicial Vacancy to Both the Governor and the Senate."

Introduced by: Senators Kawasaki, Cayetano, Abercrombie, Wong and Cobb.

No. 2369-80 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senators Kawasaki, George and Carpenter.

No. 2370-80 "A Bill for an Act Relating to Daylight Savings Time."

Introduced by: Senator Yim.

No. 2371-80 "A Bill for an Act Relating to Energy Production Facilities in Agriculture Districts."

Introduced by: Senator Yim.

No. 2372-80 "A Bill for an Act Relating to Collective Bargaining Arbitration."

Introduced by: Senator Carroll.

No. 2373-80 "A Bill for an Act Relating to Transferring the Public Utilities Commission Assistant to the Department of Regulatory Agencies, Public Utilities Division."

Introduced by: Senators Toyofuku, Hara, Machida, Carpenter, Yamasaki and Abercrombie.

No. 2374-80 "A Bill for an Act Relating to Employees of County Legislative Bodies."

Introduced by: Senators Toyofuku, Hara, Machida, Carpenter, Yamasaki and Abercrombie.

No. 2375-80 "A Bill for an Act Relating to Appropriations for Veterans Cemeteries."

Introduced by: Senators Toyofuku, Hara, Machida, Carpenter, Yamasaki and Abercrombie.

No. 2376-80 "A Bill for an Act Relating to the Authorization of Special Purpose Revenue Bonds to Assist Utilities Serving the General Public."

Introduced by: Senator Chong.

No. 2377-80 "A Bill for an Act Making an Appropriation for the Monitoring of Radioactivity In and Around Civilian Populated Areas in the Vicinity of Pearl Harbor."

Introduced by: Senator Chong.

No. 2378-80 "A Bill for an Act Making an Appropriation for Small Group Homes for the Elderly."

Introduced by: Senator Chong.

No. 2379-80 "A Bill for an Act Making an Appropriation for Stay Straight Program, Youth Awareness Program."

Introduced by: Senator Chong.

No. 2380-80 "A Bill for an Act Making an Appropriation for Volincor: Corrections Volunteer Services."

Introduced by: Senator Chong.

No. 2381-80 "A Bill for an Act Relating to the National Guard."

Introduced by: Senators Chong and Abercrombie.

No. 2382-80 "A Bill for an Act Relating to Tax Incentives for Generation of Electricity from Non-Fossil Fuel Sources."

Introduced by: Senator Chong.

No. 2383-80 "A Bill for an Act Relating to the Department of Regulatory Agencies."

Introduced by: Senator Chong.

No. 2384-80 "A Bill for an Act Relating to Tax Incentives for Self-Generation of Electricity."

Introduced by: Senator Chong.

No. 2385-80 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Chong.

No. 2386-80 "A Bill for an Act Relating to the Anti-Trust Exemption of the Western Motor Tariff Bureau."

Introduced by: Senator Chong.

No. 2387-80 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Chong.

No. 2388-80 "A Bill for an Act Relating to the Militia."

Introduced by: Senator Chong.

No. 2389-80 "A Bill for an Act Making an Appropriation for the Hawaii Medical Library, Oahu."

Introduced by: Senators Carpenter, Yamasaki, Machida, Abercrombie, Cayetano, Kuroda and Cobb.

No. 2390-80 "A Bill for an Act Making an Appropriation for Infant and Child Development Services."

Introduced by: Senators Carpenter, Yamasaki, Machida, Abercrombie, Cayetano, Cobb and Kuroda.

No. 2391-80 "A Bill for an Act Making an Appropriation for Child Abuse, Neglect, and Spouse Abuse Programs."

Introduced by: Senators Carpenter, Yamasaki, Machida, Abercrombie, Cayetano, Cobb and Kuroda.

No. 2392-80 "A Bill for an Act Relating to Frozen Food Products."

Introduced by: Senators Carpenter, Abercrombie, Kuroda, Yamasaki, Machida, Cayetano and Cobb.

No. 2393-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Variety Club School."

Introduced by: Senators Carpenter, Yamasaki, Machida, Abercrombie and Cayetano.

No. 2394-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Lamp Language Arts Multi-Cultural Program."

Introduced by: Senators Carpenter, Yamasaki, Machida, Abercrombie, Cayetano, Cobb and Kuroda.

No. 2395-80 "A Bill for an Act Making an Appropriation for Hilo Library, Hawaii."

Introduced by: Senators Carpenter, Yamasaki, Machida, Abercrombie, Cayetano and Kuroda.

No. 2396-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Hawaii Medical Library, Oahu."

Introduced by: Senators Carpenter, Yamasaki, Machida, Abercrombie, Cayetano and Kuroda.

No. 2397-80 "A Bill for an Act Making an Appropriation for Respite Services for the Developmentally Disabled."

Introduced by: Senators Carpenter, Yamasaki, Machida, Abercrombie, Cayetano, Cobb and Kuroda.

No. 2398-80 "A Bill for an Act Making an Appropriation for the Expansion of Pre-Vocational, Day Activity Training Programs for Developmentally Disabled Adults."

Introduced by: Senators Carpenter, Yamasaki, Machida, Abercrombie, Cayetano, Cobb and Kuroda.

No. 2399-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senators Wong, Kuroda, Yim and Young.

No. 2400-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senators Wong, Kuroda, Yim and Young.

No. 2401-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senators Wong, Kuroda, Yim and Young.

No. 2402-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senators Wong, Kuroda, Yim, Young and Mizuguchi.

No. 2403-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senators Wong and Yim.

No. 2404-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senators Wong, Yim and Young.

No. 2405-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senators Wong, Kuroda, Yim and Young.

No. 2406-80 "A Bill for an Act Relating to Securing Payment of Compensation to Sick, Injured, or Disabled Persons or to Persons Who Sustain Damage to Property."

Introduced by: Senators Wong, Kuroda, Yim and Young.

No. 2407-80 "A Bill for an Act Relating to the Importation, Purchase and Sale of Intoxicating Liquor."

Introduced by: Senator Wong.

No. 2408-80 "A Bill for an Act Relating to Discriminatory Pricing in Supplying Liquor."

Introduced by: Senator Wong.

No. 2409-80 "A Bill for an Act Making an Appropriation for Drilling Groundwater Exploratory Wells, Oahu."

Introduced by: Senator Wong, by request.

No. 2416-80 "A Bill for an Act Relating to the Compensation of Certain Persons Under the Criminal Injuries Compensation Act and Providing Appropriations Therefor."

Introduced by: Senator Cayetano, by request.

No. 2417-80 "A Bill for an Act Relating to Deposits of Public Funds."

Introduced by: Senator Cayetano.

No. 2418-80 "A Bill for an Act Making an Appropriation for the Okinawan Celebration Commission."

Introduced by: Senator Young.

No. 2419-80 "A Bill for an Act Relating to Family Courts."

Introduced by: Senators George, Kuroda, Campbell, Soares, Cobb, Yamasaki, Ajifu, Carroll, O'Connor, Machida, Mizuguchi and Young.

No. 2420-80 "A Bill for an Act Relating to County Vehicular Taxes."

Introduced by: Senators George and Mizuguchi.

No. 2435-80 "A Bill for an Act Making an Appropriation for Safety Improvements at Honokeana Cove and Kahana Sunset on Honoapiilani Highway, Lahaina, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2436-80 "A Bill for an Act Making an Appropriation for the Construction of Drainage Improvements on Kaahumanu Avenue, Kahului, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2437-80 "A Bill for an Act Making an Appropriation for Adult Boarding and Care Home Operators."

Introduced by: Senators Yamasaki, Machida, Carroll, Soares, Ajifu, George, Hara, Young, Ushijima, O'Connor, Campbell, Cayetano, Saiki and Toyofuku.

No. 2438-80 "A Bill for an Act Making an Appropriation for a Training Program for Care Home Operators."

Introduced by: Senators Yamasaki, Machida, Soares, Ajifu, George, Hara, Young, Ushijima, Toyofuku, Cayetano, Campbell, O'Connor and Saiki.

No. 2439-80 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senators Yamasaki, Machida, Ushijima, Young, Toyofuku and Cayetano.

No. 2440-80 "A Bill for an Act Relating to Employment Practices."

Introduced by: Senators Yamasaki, Machida, Ushijima, Young and Cayetano.

No. 2441-80 "A Bill for an Act Relating to Closings and Relocations of Establishments of Business Concerns."

Introduced by: Senators Yamasaki, Machida, Ushijima, Young and Cayetano.

No. 2442-80 "A Bill for an Act Making an Appropriation for the Brantley Center, Inc."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 2443-80 "A Bill for an Act Relating to Liability of Dog Owners."

Introduced by: Senator Carroll.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Friday, February 8, 1980:

Senate Bills

No. 2357-80 "A Bill for an Act Relating to State Insurance Administration."

Introduced by: Senator Cayetano.

No. 2358-80 "A Bill for an Act Relating to Audit and Accounting."

Introduced by: Senator Cayetano.

No. 2359-80 "A Bill for an Act Relating to Disaster Relief."

Introduced by: Senator Cayetano.

No. 2360-80 "A Bill for an Act Relating to Compensation of Public Employees and Officers."

Introduced by: Senator Cayetano.

No. 2361-80 "A Bill for an Act Relating to the Revised Uniform Disposition of Unclaimed Property Act."

Introduced by: Senator Cayetano.

No. 2362-80 "A Bill for an Act Relating to Tax Appeals."

Introduced by: Senator Cayetano.

No. 2410-80 "A Bill for an Act Relating to Taxes."

Introduced by: Senator Cayetano.

No. 2411-80 "A Bill for an Act Relating to the Collection of Taxes."

Introduced by: Senator Cayetano.

No. 2412-80 "A Bill for an Act Relating to Cash Management."

Introduced by: Senator Cayetano.

No. 2413-80 "A Bill for an Act Relating to Emergency Medical Services."

Introduced by: Senator Cayetano.

No. 2414-80 "A Bill for an Act Relating to Deposits of Public Funds."

Introduced by: Senator Cayetano.

No. 2415-80 "A Bill for an Act Relating to School Athletic Programs."

Introduced by: Senator Cayetano.

No. 2421-80 "A Bill for an Act Relating to Improving Common Carrier Services in Hawaii."

Introduced by: Senator Chong.

No. 2422-80 "A Bill for an Act Relating to Improving Electric Utilities in Hawaii."

Introduced by: Senator Chong.

No. 2423-80 "A Bill for an Act Relating to Marginal Cost Calculations for Electric Utilities."

Introduced by: Senator Chong.

No. 2424-80 "A Bill for an Act Relating to Load Management Programs for Electric Utilities."

Introduced by: Senator Chong.

No. 2425-80 "A Bill for an Act Relating to Low-Interest Financing of Non-Nuclear, Non-Fossil Fuel Devices by Regulated Utilities."

Introduced by: Senator Chong.

No. 2426-80 "A Bill for an Act Relating to the Energy Cost-Adjustment Clause."

Introduced by: Senator Chong.

No. 2427-80 "A Bill for an Act Relating to the Fuel Adjustment Clause."

Introduced by: Senator Chong.

No. 2428-80 "A Bill for an Act Relating to the Fuel Adjustment Clause."

Introduced by: Senator Chong.

No. 2429-80 "A Bill for an Act Relating to the Price of Purchased Power, Electric Utilities Pay to Co-Generators or Small Power Producers."

Introduced by: Senator Chong.

No. 2430-80 "A Bill for an Act Relating to Utility Involvement in the Marketing, Sale, and Leasing of Non-Nuclear,

Non-Fossil Fuel Development Services."

Introduced by: Senator Chong.

No. 2431-80 "A Bill for an Act Relating to Improving Services of Public Utilities in Hawaii."

Introduced by: Senator Chong.

No. 2432-80 "A Bill for an Act Relating to Conservation Voltage Reduction Programs for Electric Utilities."

Introduced by: Senator Chong.

No. 2433-80 "A Bill for an Act Relating to Improving Telephone Services."

Introduced by: Senator Chong.

No. 2434-80 "A Bill for an Act Relating to Conservation-Oriented Energy Policy for Electric Utility Resources Investment Planning."

Introduced by: Senator Chong.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 17-80) informing the Senate that Senate Resolution Nos. 70 to 73 and Senate Bill Nos. 2326-80 to 2354-80 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.

At this time, the President discharged the Managers who were appointed on April 4, 1979, on the part of the Senate for the conference to consider the amendments proposed by the House to the following bills:

S.B. No. 1096, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1097, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1098, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1099, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1100, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1101, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1102, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1103, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1104, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1105, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1106, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1108, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING"; and

S.B. No. 1742, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 18-80), recommending that Senate Bill No. 1946-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 1946-80, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", passed Second Reading and was placed on the calendar for further consideration on Monday, February 11, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1946-80.

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep.

No. 19-80) recommending that Senate Bill No. 1947-80 pass Second Reading and be placed on the calendar for Third Reading.

Senator Cayetano moved that the report of the Committee be adopted and that S.B. No. 1947-80 pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Kawasaki.

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

"Mr. President, I rise to urge the members of this body to vote in favor of passing this bill on Second Reading, and add that my comments will also relate to the previous bill.

"Mr. President, as all of the members of this Honorable Body are aware, there had been a disagreement between the House of Representatives and the Senate as to the procedure which would be followed to deal with the collective bargaining contracts recently negotiated between the public workers' unions and the State.

"During the last session, this Senate favored dealing with contracts on a separate basis. To this end, we introduced twelve separate collective bargaining bills. At the close of last session, these twelve bills, having passed both the House and Senate unanimously were positioned in conference awaiting the settlement of the collective bargaining negotiations. Those negotiations, Mr. President, were settled after the adjournment of last session.

"At the beginning of this session, the Governor sent an urgency message to the Legislature, listing two bills as urgency measures which could be passed prior to the passage of the supplemental budget.

"At the outset, Mr. President, my position and the position of some of the members of the Committee on Ways and Means was that the bills were in conference and that we should deal with those bills on an individual basis.

"If one were to believe the news media, Mr. President, I think the quotes of Mr. (David) Trask at a collective bargaining hearing held a few days ago would be very appropriate. The disagreement between the House and the Senate was a domestic between parents, and the children would get hurt. However, it is much more complex than that, Mr. President.

"Basically there were two reasons why I and some of the members of the Senate opted to deal with the bills on an individual basis.

"The first was one of procedure; we felt that it would give each individual senator much more latitude and leeway in terms of dealing or voting as he or she pleased on each individual contract.

"The second, Mr. President, was much more basic and real. One of the collective bargaining contracts worked out, the one between the teachers and the State, had a grievance filed by the Hawaii State Teachers Association against the State hanging over its head, and this grievance would have cost the State the sum of \$7,000,000.

"Most of us are aware of the reasons for this grievance so I shall not go into detail. However, unknown, I suppose, or maybe the House was unaware... this grievance arose from language in the existing contract and that very same language is embodied in the new contract which we are asked to ratify.

"As a result, Mr. President, by ratifying the collective bargaining measure for the teachers, this Senate would have abdicated its responsibility because, really, we would not have been solving any problems for the State.

"In the next collective bargaining round, the State would be faced with the very same problem; and I might make an analogy there that as a lawyer, I would be committing malpractice if I knew that there was some ambiguity in the contract and that same ambiguity existed in a renegotiated contract.

"In any event, last week or a couple of days ago, we held a hearing on the collective bargaining bills and at that hearing, the executive director of the HSTA was asked and testified that the grievance filed by the teachers had been withdrawn. Yesterday, Mr. President, I called Superintendent Charles Clark at about 3:00 o'clock in the afternoon and I asked him whether the grievance in fact had been withdrawn. Mr. Clark told me the following: 'No, the grievance had not been withdrawn,' and, in fact, he quoted to me a letter written to him by the HSTA dated January 23, 1980, in which the Association said that the grievance would be held in abeyance pending negotiation of the disagreement. Mr. President, the word 'abeyance' does not mean 'withdrawn'.

"Shortly thereafter, Mr. President, I relayed the message to you and I believe you called Mr. Clark, and then Mr. Clark called the HSTA Executive Director who was on Kauai, I believe. Then through the miracle of the telephone, he was urged to get back here to discuss

settlement and I understand that at about 9:00 o'clock last night, they reached a settlement.

"This morning, Mr. Clark appeared before the Ways and Means Committee and gave all of us a copy of a letter dated February 6, 1980 in which the settlement reached by the Association and the State is stated.

"So, Mr. President, my own personal objections and the objections of many of our Senators, I believe, to this \$7,000,000 price tag hanging over the collective bargaining contract has been allayed.

"I believe that we should still proceed with each contract on an individual basis because for this very reason in this particular case, we came up with a problem and now we have resolved it. However, Mr. President, no Senator should stand in the way of duly earned pay raises earned by the public employees of this State simply because of a difference in procedure between the House and the Senate.

"Many of you who have been here for many years longer than I, have counseled me on this matter; those of you who felt strongly that we should go ahead and deal with the bills on an individual basis have released me from my commitment to you, and you, Mr. President, have asked me to reconsider my position and I have, primarily because I believe that in the interim the House and Senate can get together and work out ground rules for dealing with the collective bargaining contracts next session.

"Also, Mr. President, I believe that it is time that we tended to the rest of the people's business; we have a lot of work to do. For those reasons, I'm asking everyone to vote yes on this bill.

"Thank you, Mr. President."

Senator Kawasaki then spoke for the measure, with reservations, as follows:

"Mr. President, I just want to say that I agree completely with the sentiments expressed by the very competent, very diligent chairman of the Ways and Means Committee. He and I discussed the philosophy of the method by which we ratify these contracts and I must say to his credit that he agreed with me on a point that I have been making for many years now.

"Mr. President, I have said this--it's almost like a litany--that we have the responsibility under the collective bargaining ratification procedure to examine each contract, contract by contract, because there might be certain terms incorporated in an agreement, in a particular contract, covering a particular unit

to which we may have objections.

"Indeed, I do have objections to some of the contracts in this year's session, but I do agree with the Chairman of Ways and Means Committee that perhaps we can just record our vote and our sentiment in this instance because the pay raise due deserving units are long past the deadline that we should have set forth. For that reason, I am willing to go on record as objecting to the manner in which we are ratifying this contract--that is to say, a single carte blanche bill that takes care of all twelve contracts.

"I have signed the committee report, 'I do not concur', which, however, does not mean that I disagree with the terms agreed upon on each and every unit's contract. There are some units' contracts that I approve of; there are others that I do not, and this should be noted along with 'I do not concur.'

"Mr. President, there is one other point that I want to touch on, and that is, may this be an object lesson to us. This instance when the spokesman for the teachers' union had told us in committee, in front of the entire committee, that the grievance which we speak about, that the Chairman speaks about, which has, as he put it, the \$7,000,000 tag (I consider it a little more than that--but a huge cost tag) when he said in committee, that the grievance had been settled and had been withdrawn. The end effect was that he perjured himself. I don't know that he intended to do this, but the object lesson here is that on an issue as important as this, when something like that is before us, perhaps it behooves us as a chairman of each committee to put some of these witnesses under oath. In this way, if we find that they really had perjured themselves knowingly, we can take steps to discourage such procedures in the future. I thought I'd just add that comment. This is one way to discourage any one from knowingly not telling a committee of the Senate the entire truth on a very important issue involving a lot of money.

"Thank you, Mr. President."

Senator Cayetano then rose and spoke as follows:

"Mr. President, I would like to make some additional remarks which I forgot to make, not intentionally because they are particularly important to me personally.

"As all of the Senators know, this whole episode has been given play in the press. I want to thank each and

every one of you, especially the Minority, I suppose, for not joining in the fray and sparing me from some of the criticisms which I think may be or would have been, well forthcoming.

"And I want to thank the members of the Majority, especially the senior members, those who have been around here for a long time, for their counsel and their support. Thank you."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and S.B. No. 1947-80, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 11, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1947-80.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, February 6, 1980:

Senate Bills	Referred to:
No. 2326-80	Committee on Human Resources, then to the Committee on Ways and Means
No. 2327-80	Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2328-80	Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2329-80	Committee on Judiciary
No. 2330-80	Committee on Judiciary
No. 2331-80	Committee on Judiciary
No. 2332-80	Committee on Judiciary
No. 2333-80	Committee on Health, then to the Committee on Judiciary
No. 2334-80	Committee on Judiciary
No. 2335-80	Committee on Agriculture, then to the Committee on Ways and Means
No. 2336-80	Committee on Education, then to the Committee on Ways and Means
No. 2337-80	Committee on Public Utilities
No. 2338-80	Committee on Education,

then to the Committee on Ways and Means

No. 2339-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2340-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2341-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2342-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 2343-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2344-80 Committee on Health, then to the Committee on Ways and Means

No. 2345-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2346-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2347-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2348-80 Committee on Economic Development, then to the Committee on Ways and Means

No. 2349-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2350-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2351-80 Committee on Economic Development, then to the Committee on Ways and Means

No. 2352-80 Committee on Health, then to the Committee on Ways and Means

No. 2353-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 2354-80 Committee on Economic Development, then to the Committee on Ways and Means

At this time, Senator Saiki stated as follows:

"Mr. President, I spent a good part of last week and the earlier part of this week on official business on behalf of the Western Interstate Commission for Higher Education and had the pleasure of meeting with the Governor and legislators of the states of Oregon and Alaska.

"We have many friends there and they wanted to extend to us their warmest wishes for a successful session.

"I had the honor of being introduced and then addressing the Senate in both Oregon and Alaska.

"Mr. President, from what I understand, Senator Yee went to Washington, D.C. and thought the snow there made everything look very white. Well, you should have seen it in Alaska. It's great to be back. Thank you."

ADJOURNMENT

At 12:31 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 8, 1980.

EIGHTEENTH DAY

Friday, February 8, 1980

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

The Divine Blessing was invoked by Reverend Charles Lees, Associate Pastor of St. John Vianney Church of Kailua, after which the Roll was called showing all Senators present, with the exception of Senators Anderson, Chong, Hara and Machida who were excused.

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

At this time, Senator Toyofuku introduced to the members of the Senate a group of businessmen and women from Kobe, Japan, with their leaders Mr. and Mrs. Sadao Yoshida and tour guides Tomoko and Kiyoto Fujioka.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 57 to 60) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 57), transmitting several reports prepared by the Department of Land and Natural Resources pursuant to Section 171 of the Hawaii Revised Statutes, as follows:

1. Subleases Approved by the Board of Land and Natural Resources, January 1, 1979 to December 31, 1979;
2. Executive Orders Issued, January 1, 1979 to December 31, 1979;
3. Quitclaim of State's Interest, January 1, 1978 to January 1, 1979;
4. Land Dispositions, January 1, 1979 to December 31, 1979; and
5. Disposition to Public Utilities, January 1, 1979 to December 31, 1979,

was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 58), transmitting a report prepared by the Department of Health in response to H.R. No. 511 (1979) which requested that asbestos building materials in public school classrooms be identified, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 59), transmitting the 1979 Annual

Report prepared by the Department of Planning and Economic Development on its loan programs, as required under the following statutes:

1. Section 210-8, HRS, requires an annual report on the progress made under Chapter 210, the Hawaii Capital Loan Program;
2. Section 189-26, HRS, requires an annual report on the progress made under Chapter 189, Part II, the Large Fishing Vessel Purchase, Construction, Renovation, Maintenance, and Repair Loan Program;
3. Section 189-46, HRS, requires an annual report on the progress made under Chapter 189, Part IV, the Hawaii Small Fishing Vessel Loan Program; and
4. Section 209-5, HRS, requires an annual report from the Rehabilitation Coordinator. However, since DPED administers the Disaster Commercial and Personal Loan Program, an annual report on its progress is presented,

was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 60), transmitting the State Agriculture Plan, prepared by the Department of Agriculture in compliance with the requirements of the Hawaii State Plan Act, Chapter 226, HRS, with the report of the Advisory Committee, comments of members of the State Plan Policy Council and the Department of Agriculture's response to those comments, was referred to the Committees on Agriculture, the Committee on Economic Development, then to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 61), informing the Senate that on February 7, 1980, he signed the following bill into law:

S.B. No. 1826-80 as Act 1, entitled:
"MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN",

was placed on file.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 12), returning Senate Bill No. 1826-80, S.D. 1, which passed

Third Reading in the House of Representatives on February 7, 1980, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 15 to 18) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 15), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF A CENTRALIZED COPIER AND COPIER/DUPPLICATOR MANAGEMENT PROGRAM AND REVIEW OF THE COMPETITIVE BIDDING FOR COPIER AND COPIER/ DUPLICATOR EQUIPMENT IN HAWAII", was offered by Senator Kawasaki.

By unanimous consent, S.C.R. No. 15 was referred to the Committee on Government Operations and Efficiency.

A concurrent resolution (S.C.R. No. 16), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE STATE REGULATIONS FOR CONTROL OF RADIATION", was jointly offered by Senators Carpenter, Kuroda, Kawasaki, Young, Yamasaki, Machida, Toyofuku, Carroll, Chong, Campbell, Cobb, Cayetano, Ajifu and Abercrombie.

By unanimous consent, S.C.R. No. 16 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 17), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING AND CONGRATULATING WAIHEE SCHOOL, MAUI, ON ITS 100TH ANNIVERSARY CELEBRATION", was jointly offered by Senators Yamasaki, Machida, Wong, Campbell, Ushijima, Young, Carpenter, Kuroda, Mizuguchi, Soares, Carroll, Anderson, Yee, Chong, Cobb, Hara, Yim, Ajifu, George, Cayetano, O'Connor, Toyofuku, Kawasaki, Abercrombie and Saiki.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.C.R. No. 17 was adopted.

A concurrent resolution (S.C.R. No. 18), entitled: "SENATE CONCURRENT RESOLUTION PROTESTING THE STORAGE OF RADIOACTIVE WASTE ON PALMYRA ISLAND OR ANYWHERE ELSE IN THE PACIFIC", was jointly offered by Senators Hara, Carpenter, Ushijima, Yamasaki, Toyofuku, Young, Cobb, Mizuguchi, Abercrombie, Kawasaki, Campbell, Machida, Carroll, George and Kuroda.

By unanimous consent, S.C.R. No. 18 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 80 to 85) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 80), entitled: "SENATE RESOLUTION REQUESTING THE IMPLEMENTATION OF A CENTRALIZED COPIER AND COPIER/DUPPLICATOR MANAGEMENT PROGRAM AND REVIEW OF THE COMPETITIVE BIDDING FOR COPIER AND COPIER/DUPPLICATOR EQUIPMENT IN HAWAII", was offered by Senator Kawasaki.

By unanimous consent, S.R. No. 80 was referred to the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 81), entitled: "SENATE RESOLUTION CONGRATULATING THE ORGANIZERS OF THE HONOLULU MARATHON", was jointly offered by Senators Chong, Mizuguchi, Machida, Soares, Carroll, Yim, Ajifu, Toyofuku, Yamasaki, Hara, O'Connor, Cobb, George, Cayetano, Kuroda, Young and Kawasaki.

On motion by Senator Mizuguchi, seconded by Senator Kuroda and carried, S.R. No. 81 was adopted.

A resolution (S.R. No. 82), entitled: "SENATE RESOLUTION DESIGNATING APRIL 1980 AS CANCER CONTROL MONTH", was jointly offered by Senators Carpenter, Chong, Kawasaki, Young, Kuroda, Campbell, Soares, Yamasaki, Cobb and Machida.

On motion by Senator Carpenter, seconded by Senator Kawasaki and carried, S.R. No. 82 was adopted.

A resolution (S.R. No. 83), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE STATE REGULATIONS FOR CONTROL OF RADIATION", was jointly offered by Senators Carpenter, Abercrombie, Cayetano, Hara, Kawasaki, Young, Kuroda, Cobb, Chong, Machida, Campbell and George.

By unanimous consent, S.R. No. 83 was referred to the Committee on Health.

A resolution (S.R. No. 84), entitled: "SENATE RESOLUTION CONGRATULATING WILLIAM 'BILL' SMITHE UPON HIS SELECTION AS THE HULA BOWL'S 1979 SPORTSMAN OF THE YEAR", was jointly offered by Senators Mizuguchi, Wong, Machida, Yamasaki, Kuroda, Cobb, Carroll, Cayetano, Ushijima, Anderson, Toyofuku, Hara, Chong, Campbell, Young, George, O'Connor,

Carpenter, Kawasaki, Ajifu and Saiki.

Senator Mizuguchi moved that S.R. No. 84 be adopted, seconded by Senator Kuroda.

Senator Mizuguchi then spoke in favor of the resolution as follows:

"Mr. President, I rise to speak in favor of this resolution.

"As members of the Senate we are aware that the Hula Bowl's Sportsman of the Year Award is a prestigious award because it recognizes the contributions of men and women in the field of athletics.

"In 1974 our former governor, the late John A. Burns, was recognized for his contributions and we all are aware of the contributions that he made in terms of University athletics and the building of the Aloha Stadium.

"The honoree today, Bill Smithe, has spent his whole adult life in the education of our young people; first as a teacher and a coach, and now as the executive secretary of the Oahu Interscholastic Association.

"My association with Bill Smithe goes back many years. I first met Bill in 1954 when he was a teacher and a coach at Hilo Intermediate School and I was a student there. The one thing that impressed me about this man is that he always stressed the importance of academic achievement as well as athletic achievement.

"The Hula Bowl Committee has made a wise choice in recognizing Bill Smithe as the 1979 Sportsman of the Year and the action of the Senate on this resolution also recognizes Bill Smithe's efforts and accomplishments.

"Thank you."

The motion was put by the Chair and carried, and S.R. No. 84 was adopted.

Senator Mizuguchi then introduced the honoree and Mrs. Smithe to the members of the Senate. Senators Young and Cayetano presented them with leis and Senator Kuroda with pictures of Mr. Smithe at the Hula Bowl Sportsman of the Year presentation.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

At this time, Senator Yee, on behalf of Senator Anderson, introduced to the members of the Senate a group of 36 senior citizens of the First Assembly of God Golden

Fellowship Club.

A resolution (S.R. No. 85), entitled: "SENATE RESOLUTION PROTESTING THE STORAGE OF RADIOACTIVE WASTE ON PALMYRA ISLAND OR ANYWHERE ELSE IN THE PACIFIC", was jointly offered by Senators Hara, Carpenter, Ushijima, Yamasaki, Toyofuku, Young, Cobb, Mizuguchi, Machida, Abercrombie, Kawasaki, Campbell, Carroll, George and Kuroda.

By unanimous consent, S.R. No. 85 was referred to the Committee on Ecology, Environment and Recreation.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 20-80), informing the Senate that Senate Concurrent Resolution No. 14, Senate Resolution Nos. 74 to 79, Senate Bill Nos. 2355-80 to 2443-80 and Stand. Com. Rep. Nos. 18-80 and 19-80 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.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 1946-80:

Senator Cayetano moved that S.B. No. 1946-80, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

At this time, Senator Kawasaki rose to speak on the measure and stated as follows:

"Mr. President, as you can well anticipate, I am voting 'no' on this particular bill primarily because ... as I said in previous years and yesterday ... I believe we have a responsibility to require that the ratification of these contracts involving, literally, millions of dollars (\$90,000,000 to be exact) responsibility requires us to examine these contracts, contract by contract.

"Some of us here may be in perfect sympathy, I am, for example, in the wage increases for the lower categories of our public employees ... the blue-collar workers for example, that category of government workers. I am quite opposed to a 7% increase for the higher categories, generally, positions paying \$25,000 or over in our state government employment system.

"The University of Hawaii contract has a good portion of their employees covered under wage increases that would bring them way over \$25,000 a year. Seven percent for these people, I feel, is a little too much. As a matter of fact, I think some of those people up there are overpaid to begin with.

"I also object to the fact that we've been giving pay increases based on a percentage of salary. I have always maintained that this is not a fair way to arrive at equitable wage increases primarily because, as we always put it, the cost of living has gone up, inflation has taken place. Inflation has taken place and the cost of living has gone up equally for all categories of employees.

"A man at an SR-14 level, whatever the level is, making \$800 - \$900 per month, when he goes to the Safeway Market he has to pay an amount that's higher on a food item on the shelf that's equal to a man who's possibly making \$35,000.

"The point here is, a wage increase scheme based on a flat across-the-board increase for everybody is fair. If it's a \$100, it should be that for a man making \$35,000 as well as a man making \$800 per month.

"A percentage increase is a great advantage to the higher classified employees. This is not the way to take care of the plight of people, particularly in the lower wage category, who have a hard time making ends meet in these inflation years of ours.

"I would hope that in future collective bargaining agreements, future increases, compensation based on the cost of living, we consider the concept of across-the-board increases.

"I would also like to have considered, perhaps freezing, freezing if you will, the higher classified positions' wages. We have frozen the salaries of a lot of high-paying positions of the the cabinet officials who make \$42,500 a year; the judges, the pay of the Governor, the pay of the legislators. I think a lot of the positions in these higher categories ... let's say if we're using the figure of \$25,000 and over ... perhaps either could stand freezing at that level, or perhaps in the case of percentage increase using a lower percentage, 2%, 3% or 4%, not a 7% increase. This does not contribute to giving people increases on a fair basis primarily because we are concerned about the cost of living today.

"For those reasons I have to vote 'no' on these bills."

Senator Abercrombie then added his remarks in favor of the bill and stated as follows:

"Mr. President, speaking in favor of the bill, I would be delighted if we could freeze the wages of legislators at \$25,000. If we could get there I would be only too happy, but in the absence of that I would just like to make a couple of remarks not in rebuttal but perhaps ancillary remarks to what the previous speaker indicated.

"I too favor, at this particular stage in time, a cash across-the-board rather than a percentage increase, but the exclusive collective bargaining agents for the workers involved decided that a percentage is what they preferred at this time, and inasmuch as the legislature is not doing the bargaining, I accede to that at this time although I still maintain to them -- to the individuals involved -- that it was more to their advantage, at least on a one-time basis, to have a cash across-the-board rather than a percentage of salary.

"I also believe that individual bills is the correct way to do things; however, I think that it's quite clear that the legal consequences today or the legal implications of the urgency message is such that we have no other avenue to deal with the bill, to deal with the contracts before us, than through the single bill procedure which the Chairman of Ways and Means has put before us.

"And, lastly, where the University of Hawaii faculty is concerned, inasmuch as it was brought to the attention of the Senators, I would like to point out that we are talking about a faculty unit and not the entire University staff.

"The faculty makes up less than half of the number of people who are hired in the University, and among that faculty -- that's Unit 7 -- there are very few in number compared to the total number of faculty hired who are making more than \$25,000 a year. Most of these people are full professors; in fact all these people are full professors. They would not be in that category otherwise.

"One becomes a full professor only after a great many years of service in the university system. It is not something that one achieves overnight, or achieves without the process of having to be passed from an instructor and the assistant-associate professor stages on to the full professor stage. And, as I said,

that takes a number of years.

"It may not be known to everybody that you do not receive tenure in the university until you have passed through a five-year process of review and evaluation... I don't think that there is a civil service position nor any other teaching position, I think in the lower-education area I believe it is 18 months, a year and a half. At five years you are finally given that opportunity so that scrutiny is quite lengthy before you are even eligible in those circumstances for promotion.

"So, I think, it has to be kept well in mind that when we are dealing with a full professor who has demonstrated community service, research, and teaching ability over a sustained number of years, that that professor is well worth the \$25,000 plus that are involved now in the faculty salaries.

"Should there be some circumstances in which people are dissatisfied with the way the University is being administrated, perhaps we can look at some of those job descriptions in some of those positions to see whether or not the work being done there is of equal value as that of a full professor. Thank you."

Senator Cobb also rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak in favor of the measure with a reservation that I'd like to express for the record and that is concerning one of the units that went through a labor dispute last year.

"There remains unsettled and unresolved the matter of a court injunction and a court fine that was levied during that dispute. And my reservation is whether or not the contract signed when this court judgment had not been satisfied is, in fact, legal.

"That's a matter for the courts to determine rather than the legislature, since our role seems to be confined to that of a board of directors ratifying or rejecting the recommendations of management, in this case the Governor.

"But, I think, it sets a rather bad precedent if a court decision, a court injunction and a court fine remain unsatisfied when a labor contract comes before the legislature for ratification.

"We in the legislature do not and should not have the power or authority to vacate the court judgment, and neither does the Governor. That is a matter to be resolved in the courts. But unless this matter is on appeal, I do not feel that the unsatisfied court judgment renders the contract legally sufficient and binding. However, I do

not consider that reservation sufficient cause to vote against all the other provisions contained within the bill or all the other contracts.

"With that as a reservation I wish to express for the record. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1946-80, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Kawasaki).
Excused, 4 (Anderson, Chong, Hara and Machida).

Senate Bill No. 1947-80:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1947-80, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENTS AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Kawasaki).
Excused, 4 (Anderson, Chong, Hara and Machida).

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, the following bills passed First Reading by title, were referred to print, and were placed on the calendar for further consideration on Monday, February 11, 1980:

Senate Bills

No. 2444-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the East Hawaii Cultural Council for the Restoration and Preservation of the Old Police Station in Hilo, County of Hawaii."

Introduced by: Senators Carpenter, Hara, Ushijima, Yamasaki, Soares, Toyofuku, Kuroda, Mizuguchi, Machida, Young, Carroll, O'Connor and George.

No. 2445-80 "A Bill for an Act Making an Appropriation to Continue the Work and Day Activity Programs for Severely Disabled Adults at Lanakila Rehabilitation Center, Oahu."

Introduced by: Senators Carpenter, Hara, Kawasaki, Yamasaki, Soares, Carroll, Machida, Ushijima, Mizuguchi, Kuroda, Young, O'Connor, Toyofuku, George and Cobb.

No. 2446-80 "A Bill for an Act Making an Appropriation to the Hilo Association to Help Retarded Citizens in the County of Hawaii."

Introduced by: Senators Carpenter, Hara, Ushijima, Yamasaki, Soares, Carroll, Machida, Mizuguchi, Young, O'Connor, Toyofuku, Kuroda, George and Cobb.

No. 2447-80 "A Bill for an Act Making an Appropriation for the Social Impact Analysis of the Tourism Industry."

Introduced by: Senators Kuroda, Machida, Mizuguchi, Young, Ajifu and Soares.

No. 2450-80 "A Bill for an Act Relating to Small Business General Excise Tax Exemptions."

Introduced by: Senator Yim.

No. 2451-80 "A Bill for an Act Relating to State Functions and Responsibilities."

Introduced by: Senator Kawasaki, by request.

No. 2452-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the City and County of Honolulu for Improvements to Hamakua Drive, Kailua, Oahu."

Introduced by: Senator Kawasaki, by request.

No. 2453-80 "A Bill for an Act Relating to Sexual Abuse."

Introduced by: Senator Kawasaki, by request.

No. 2454-80 "A Bill for an Act Relating to Conservation District Uses."

Introduced by: Senator Kawasaki, by request.

No. 2455-80 "A Bill for an Act Relating to Political Subdivision Pollution Control Bonds."

Introduced by: Senator Kawasaki.

No. 2456-80 "A Bill for an Act Relating to Bicycle and Moped Tax."

Introduced by: Senator Kawasaki.

No. 2457-80 "A Bill for an Act Relating to Dogs: Licenses and Regulations;

License Fee Controlled by Ordinance."

Introduced by: Senator Kawasaki.

No. 2458-80 "A Bill for an Act Relating to Refund of Vehicular Weight Tax for Stolen Vehicles."

Introduced by: Senator Kawasaki.

No. 2459-80 "A Bill for an Act Transferring Jurisdiction Over Taxicabs from the Counties to the State Public Utilities Commission."

Introduced by: Senator Kawasaki, by request.

No. 2460-80 "A Bill for an Act Relating to County Fuel Tax."

Introduced by: Senator Kawasaki, by request.

No. 2461-80 "A Bill for an Act Relating to Registration of Lobbyists."

Introduced by: Senator O'Connor.

No. 2462-80 "A Bill for an Act Relating to Taxation."

Introduced by: Senators Yee, Yamasaki, Young, Machida, Ajifu, Mizuguchi, Toyofuku, Hara, Carroll, Campbell and Carpenter.

No. 2463-80 "A Bill for an Act Relating to Hawaiian Standard Time."

Introduced by: Senators Yee, Hara, Young, Soares, Mizuguchi, Toyofuku, Ajifu, Kawasaki, Carpenter and Campbell.

No. 2464-80 "A Bill for an Act Relating to Medical Care Payments."

Introduced by: Senators Yee, Yamasaki, Young, Cobb, Soares, Ajifu, Hara, Kuroda, Anderson and Carpenter.

No. 2465-80 "A Bill for an Act Relating to State Tort Liability."

Introduced by: Senator Carroll.

No. 2466-80 "A Bill for an Act Relating to State and County Tort Liability."

Introduced by: Senator Carroll.

No. 2467-80 "A Bill for an Act Relating to Motor Vehicle Insurance."

Introduced by: Senator Carroll.

No. 2468-80 "A Bill for an Act Relating to Water Vessel Mechanics."

Introduced by: Senator Ajifu.

No. 2469-80 "A Bill for an Act Relating to the General Excise Taxation of Certain Sales."

Introduced by: Senator Ajifu.

No. 2470-80 "A Bill for an Act Relating to the General Excise Taxation of Certain Activities."

Introduced by: Senator Ajifu.

No. 2471-80 "A Bill for an Act Relating to Biomass Generated Electricity."

Introduced by: Senator Ajifu.

No. 2472-80 "A Bill for an Act Making an Appropriation for the Hawaii Youth Correctional Facility Agriculture Program."

Introduced by: Senator Ajifu.

No. 2473-80 "A Bill for an Act Relating to the Executive Budget Act."

Introduced by: Senators Wong, Kuroda, Yim, Young, Mizuguchi and Cobb.

No. 2474-80 "A Bill for an Act Relating to Motor Vehicles."

Introduced by: Senators Wong, Kuroda, Yim, Young and Cobb.

No. 2475-80 "A Bill for an Act Making Appropriations for Capitol Improvements for Mililani-Uka Elementary and Waialua High Schools."

Introduced by: Senators Cayetano, Young, Mizuguchi and Kuroda.

No. 2476-80 "A Bill for an Act Making an Appropriation for Capital Improvements for Mililani High and Haleiwa Elementary Schools."

Introduced by: Senators Young, Cayetano, Kuroda and Mizuguchi.

No. 2477-80 "A Bill for an Act Making an Appropriation for Capital Improvements for Mililani High and Mililani Uka Elementary Schools."

Introduced by: Senators Mizuguchi, Kuroda, Young and Cayetano.

No. 2478-80 "A Bill for an Act Making an Appropriation for Capital Improvements in the Fourth Senatorial District."

Introduced by: Senators Kuroda, Mizuguchi, Cayetano and Young.

No. 2479-80 "A Bill for an Act Making an Appropriation for the Repair and Maintenance of Waipahu High School Tennis Courts."

Introduced by: Senators Kuroda, Mizuguchi, Cayetano and Young.

No. 2480-80 "A Bill for an Act Making an Appropriation for the Design and Construction of a Gymnasium at Mililani High School."

Introduced by: Senators Kuroda, Mizuguchi, Cayetano and Young.

No. 2481-80 "A Bill for an Act Relating to Nuisances."

Introduced by: Senator Yim.

No. 2482-80 "A Bill for an Act Making an Appropriation for the Kalihi-Palama Culture and Arts Society, Incorporated."

Introduced by: Senator Yim.

No. 2483-80 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Yim.

No. 2484-80 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Yim.

No. 2485-80 "A Bill for an Act Making an Appropriation for the Waianae Coast Culture and Arts Society."

Introduced by: Senators Young, Kuroda, Mizuguchi and Cayetano.

No. 2486-80 "A Bill for an Act Making an Appropriation to Reimburse the Hawaii Housing Authority for the Acquisition of the Waiahole Agriculture Park."

Introduced by: Senator Young.

No. 2487-80 "A Bill for an Act Relating to Property."

Introduced by: Senators Young, Campbell, Yim and Wong.

No. 2488-80 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senator Young.

No. 2489-80 "A Bill for an Act Relating to State Chartered Credit Unions."

Introduced by: Senator Young.

No. 2490-80 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senators Abercrombie and Young.

No. 2491-80 "A Bill for an Act Making an Appropriation for the Aquarium."

Introduced by: Senator Abercrombie.

No. 2492-80 "A Bill for an Act Making an Appropriation for the Hawaii Film Office."

Introduced by: Senators Abercrombie, Yim, Machida, Hara, Yamasaki and Young.

No. 2493-80 "A Bill for an Act Making an Appropriation for the Development of Movie and Television Production Courses."

Introduced by: Senators Abercrombie, Yim, Machida, Yamasaki, Cobb and Young.

No. 2494-80 "A Bill for an Act Relating to Pension and Retirement Systems."

Introduced by: Senator Abercrombie.

No. 2495-80 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Abercrombie.

No. 2496-80 "A Bill for an Act Relating to Landlords and Tenants."

Introduced by: Senators Abercrombie and Young.

No. 2497-80 "A Bill for an Act Relating to the Landlord-Tenant Code."

Introduced by: Senators Abercrombie and Young.

No. 2498-80 "A Bill for an Act Relating to Security Deposits."

Introduced by: Senators Abercrombie and Young.

No. 2501-80 "A Bill for an Act Relating to Absolute Liability of Animal Owners; Penalties for Violations."

Introduced by: Senators George, O'Connor, Mizuguchi, Young, Hara, Carpenter, Campbell, Soares and Carroll.

No. 2502-80 "A Bill for an Act Relating to Volunteer Services Tax Credit Pilot Program."

Introduced by: Senators George, Carpenter, Yamasaki, Ushijima, Soares and Carroll.

No. 2503-80 "A Bill for an Act Making an Appropriation for Hamakua Drive."

Introduced by: Senators George and Ajifu.

No. 2504-80 "A Bill for an Act Making an Appropriation for Elderly Housing

in Senatorial District Number Three."

Introduced by: Senators George and Ajifu.

No. 2505-80 "A Bill for an Act Making an Appropriation for Kawaiui Regional Park."

Introduced by: Senator George.

No. 2506-80 "A Bill for an Act Making an Appropriation for Expansion of the Kailua Library."

Introduced by: Senators George and Ajifu.

No. 2507-80 "A Bill for an Act Making an Appropriation for Completing H-3 to Kam Highway."

Introduced by: Senators George and Ajifu.

No. 2508-80 "A Bill for an Act Making an Appropriation to Establish Counter-Traffic Lanes on Pali Highway."

Introduced by: Senators George and Ajifu.

No. 2509-80 "A Bill for an Act Making an Appropriation for a Helipad at Castle Hospital."

Introduced by: Senators George and Ajifu.

No. 2510-80 "A Bill for an Act Making an Appropriation for Repair and Maintenance of Certain Schools."

Introduced by: Senators Saiki, Cobb, Young, Soares and O'Connor.

No. 2511-80 "A Bill for an Act Making an Appropriation for School Construction and Equipment."

Introduced by: Senators Saiki, Cobb, Soares, Young and O'Connor.

No. 2512-80 "A Bill for an Act Relating to Public Purchasing and Contracting."

Introduced by: Senator Kawasaki.

No. 2513-80 "A Bill for an Act Relating to the Administrative Procedure Act."

Introduced by: Senator Cobb, by request.

No. 2514-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senator Cobb, by request.

No. 2515-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senator Cobb, by request.

No. 2516-80 "A Bill for an Act Relating to General Excise Tax Applying to Corporations which Employ Handicapped Individuals."

Introduced by: Senator Cobb, by request.

No. 2517-80 "A Bill for an Act Relating to Employment Agencies."

Introduced by: Senator Cobb, by request.

No. 2518-80 "A Bill for an Act Relating to Real Estate Brokers and Salesmen."

Introduced by: Senator Cobb, by request.

No. 2519-80 "A Bill for an Act Relating to Interest Rates."

Introduced by: Senator Cobb, by request.

No. 2520-80 "A Bill for an Act Relating to Industrial Loan Companies."

Introduced by: Senator Cobb, by request.

No. 2521-80 "A Bill for an Act Relating to Industrial Loan Companies."

Introduced by: Senator Cobb, by request.

No. 2522-80 "A Bill for an Act Making an Appropriation for the Language Arts Multi-Cultural Program of the County of Hawaii."

Introduced by: Senators Hara, Carpenter, Ushijima, Kuroda, Yamasaki, Toyofuku, O'Connor, Abercrombie, Young, Cobb, Machida, Soares, Mizuguchi, Campbell and George.

No. 2523-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to Honua, Hawaii."

Introduced by: Senators Hara, Carpenter, Ushijima, Yamasaki, Toyofuku, Young, Mizuguchi, George, Kuroda, Abercrombie, Campbell, Machida, O'Connor, Soares, Carroll and Cobb.

No. 2524-80 "A Bill for an Act Relating to Conditional Release Centers."

Introduced by: Senator O'Connor.

No. 2526-80 "A Bill for an Act Relating to General Excise Taxes."

Introduced by: Senator Yim, by request.

No. 2527-80 "A Bill for an Act Making an Appropriation to Reimburse the Hawaii Crime Commission for Conducting a

Study of Violence and Vandalism in the Public Schools."

Introduced by: Senator Cayetano.

No. 2530-80 "A Bill for an Act Making an Appropriation for the Hawaii Crime Commission."

Introduced by: Senator Cayetano.

No. 2531-80 "A Bill for an Act Relating to the State Budget."

Introduced by: Senator Cayetano.

No. 2532-80 "A Bill for an Act Relating to School Athletic Programs."

Introduced by: Senator Cayetano.

No. 2533-80 "A Bill for an Act Relating to Abandoned and Derelict Vehicles."

Introduced by: Senator Wong, by request.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, the following bills were referred to print and were placed on the calendar for further consideration on Monday, February 11, 1980:

Senate Bills

No. 2448-80 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senator Cayetano.

No. 2449-80 "A Bill for an Act Relating to Art in State Buildings."

Introduced by: Senator Cayetano.

No. 2499-80 "A Bill for an Act Relating to the Promotion of Movie and Television Production."

Introduced by: Senator Abercrombie, Yim, Hara, Machida, Yamasaki and Young.

No. 2500-80 "A Bill for an Act Relating to Land Designation for the Aquarium."

Introduced by: Senator Abercrombie.

No. 2525-80 "A Bill for an Act Relating to Solicitation of Funds from the Public."

Introduced by: Senators Kuroda, Mizuguchi and Yee.

No. 2528-80 "A Bill for an Act Relating to Public Employee Collective Bargaining."

Introduced by: Senator Cayetano.

No. 2529-80 "A Bill for an Act Relating to Public Employees and Officers."

Introduced by: Senator Cayetano.

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, February 7, 1980:

Senate Bills Referred to:

- | | |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| No. 2355-80 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Ways and Means | No. 2372-80 Committee on Human Resources |
| No. 2356-80 Committee on Economic Development, then to the Committee on Ways and Means | No. 2373-80 Committee on Human Resources, then to the Committee on Public Utilities |
| No. 2357-80 Committee on Ways and Means | No. 2374-80 Committee on Human Resources |
| No. 2358-80 Committee on Ways and Means | No. 2375-80 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 2359-80 Committee on Ways and Means | No. 2376-80 Committee on Public Utilities, then to the Committee on Ways and Means |
| No. 2360-80 Committee on Ways and Means | No. 2377-80 Jointly to the Committee on Health and the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 2361-80 Committee on Ways and Means | No. 2378-80 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 2362-80 Committee on Ways and Means | No. 2379-80 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2363-80 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means | No. 2380-80 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2364-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means | No. 2381-80 Committee on Intergovernmental Relations, then to the Committee on Judiciary |
| No. 2365-80 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary | No. 2382-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means |
| No. 2366-80 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary | No. 2383-80 Committee on Consumer Protection and Commerce |
| No. 2367-80 Committee on Housing and Hawaiian Homes | No. 2384-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means |
| No. 2368-80 Committee on Judiciary | No. 2385-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities |
| No. 2369-80 Committee on Human Resources, then to the Committee on Ways and Means | No. 2386-80 Committee on Public Utilities |
| No. 2370-80 Committee on Judiciary | No. 2387-80 Committee on Public Utilities |
| No. 2371-80 Committee on Agriculture, then to the Committee on Economic Development | No. 2388-80 Committee on Intergovernmental Relations |
| | No. 2389-80 Committee on Health, then to the Committee on Ways and Means |
| | No. 2390-80 Committee on Human |

Resources, then to the Committee on Ways and Means	No. 2413-80 and Means	Committee on Ways and Means
No. 2391-80 Committee on Human Resources, then to the Committee on Ways and Means	No. 2414-80 and Means	Committee on Ways and Means
No. 2392-80 Committee on Health, then to the Committee on Consumer Protection and Commerce	No. 2415-80 and Means	Committee on Ways and Means
No. 2393-80 Committee on Human Resources, then to the Committee on Ways and Means	No. 2416-80 Committee on Judiciary, then to the Committee on Ways and Means	
No. 2394-80 Committee on Education, then to the Committee on Ways and Means	No. 2417-80 and Means	Committee on Ways and Means
No. 2395-80 Committee on Education, then to the Committee on Ways and Means	No. 2418-80 Committee on Education, then to the Committee on Ways and Means	
No. 2396-80 Committee on Health, then to the Committee on Ways and Means	No. 2419-80	Committee on Judiciary
No. 2397-80 Committee on Human Resources, then to the Committee on Ways and Means	No. 2420-80 Jointly to the Committee on Intergovernmental Relations and the Committee on Human Resources, then to the Committee on Ways and Means	
No. 2398-80 Committee on Human Resources, then to the Committee on Ways and Means		
No. 2399-80 Committee on Consumer Protection and Commerce	No. 2421-80 Utilities	Committee on Public Utilities
No. 2400-80 Committee on Consumer Protection and Commerce	No. 2422-80 Utilities	Committee on Public Utilities
No. 2401-80 Committee on Consumer Protection and Commerce	No. 2423-80 Utilities	Committee on Public Utilities
No. 2402-80 Committee on Consumer Protection and Commerce	No. 2424-80 Utilities	Committee on Public Utilities
No. 2403-80 Committee on Consumer Protection and Commerce	No. 2425-80 Utilities	Committee on Public Utilities
No. 2404-80 Committee on Consumer Protection and Commerce	No. 2426-80 Utilities	Committee on Public Utilities
No. 2405-80 Committee on Consumer Protection and Commerce	No. 2427-80 Utilities	Committee on Public Utilities
No. 2406-80 Jointly to the Committee on Human Resources and the Committee on Consumer Protection and Commerce	No. 2428-80 Utilities	Committee on Public Utilities
No. 2407-80 Committee on Consumer Protection and Commerce	No. 2429-80 Utilities	Committee on Public Utilities
No. 2408-80 Committee on Consumer Protection and Commerce	No. 2430-80 Utilities	Committee on Public Utilities
No. 2409-80 Committee on Economic Development, then to the Committee on Ways and Means	No. 2431-80 Utilities	Committee on Public Utilities
No. 2410-80 Committee on Ways and Means	No. 2432-80 Utilities	Committee on Public Utilities
No. 2411-80 Committee on Ways and Means	No. 2433-80 Utilities	Committee on Public Utilities
No. 2412-80 Committee on Ways and Means	No. 2434-80 Utilities	Committee on Public Utilities
	No. 2435-80	Committee on Transportation,

then to the Committee on Ways and Means

No. 2436-80 Committee on Transportation,
then to the Committee on Ways and Means

No. 2437-80 Jointly to the Committee
on Human Resources and the Committee
on Health, then to the Committee on Ways
and Means

No. 2438-80 Jointly to the Committee
on Human Resources and the Committee
on Health, then to the Committee on Ways
and Means

No. 2439-80 Committee on Human Resources,
then to the Committee on Judiciary

No. 2440-80 Committee on Human Resources,

then to the Committee on Judiciary

No. 2441-80 Committee on Economic
Development, then to the Committee
on Ways and Means

No. 2442-80 Committee on Health,
then to the Committee on Ways and
Means

No. 2443-80 Committee on Judiciary

ADJOURNMENT

At 12:01 o'clock p.m., on motion
by Senator Mizuguchi, seconded by
Senator Yee and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Monday, February 11, 1980.

NINETEENTH DAY

Monday, February 11, 1980

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

The Divine Blessing was invoked by the Reverend Richard Allen of the First Unitarian Church, after which the Roll was called showing all Senators present with the exception of Senators Chong and George, who were excused.

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

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 19), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO AN AGRICULTURE FUNCTIONAL PLAN", was offered by Senator Wong, by request, and was read by the Clerk.

By unanimous consent, S.C.R. No. 19 was referred to the Committee on Agriculture, then to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 86 to 91) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 86), entitled: "SENATE RESOLUTION THANKING JACK L. THROP FOR FOURTEEN YEARS OF SERVICE AS THE HONOLULU ZOO DIRECTOR AND CONGRATULATING HIM UPON HIS DUAL APPOINTMENT AS DIRECTOR OF AUSTRALIA'S TARONGA PARK ZOO AND THE WESTERN PLAINS ZOO", was jointly offered by Senators Yee, Young, Cobb, Saiki, Mizuguchi, Machida, Ajifu, George, Hara, Yamasaki, Carroll, Toyofuku, Kuroda, Anderson, Campbell, Kawasaki, Carpenter, Ushijima, Wong, O'Connor and Soares.

On motion by Senator Yee, seconded by Senator Young and carried, S.R. No. 86 was adopted.

A resolution (S.R. No. 87), entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO UNDERTAKE APPROPRIATE LEGISLATIVE ACTION WHICH WOULD BAN THE PRODUCTION OF ANY CIGARETTE THAT IS NOT SELF-EXTINGUISHING", was jointly offered by Senators Yee, Young, Kawasaki, Mizuguchi, Machida, Carroll, Campbell, Kuroda and Carpenter.

By unanimous consent, S.R. No.

87 was referred to the Committee on Inter-governmental Relations.

A resolution (S.R. No. 88), entitled: "SENATE RESOLUTION REQUESTING A STATEWIDE INSPECTION OF PROBLEMS AND NEEDS OF HAWAII'S FARMERS DURING THE LEGISLATIVE RECESS OF THE REGULAR SESSION OF THE 1980 STATE LEGISLATURE", was jointly offered by Senators Machida and Yamasaki.

By unanimous consent, S.R. No. 88 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

A resolution (S.R. No. 89), entitled: "SENATE RESOLUTION COMMENDING THE WINNERS OF THE WELLNESS POSTER CONTEST", was jointly offered by Senators Hara, Chong, Campbell, Mizuguchi, George, Kuroda, Cobb, Carroll, Cayetano, Ushijima, Carpenter, Machida, O'Connor, Soares, Wong, Young, Yamasaki, Kawasaki, Saiki and Ajifu.

On motion by Senator Hara, seconded by Senator Mizuguchi and carried, S.R. No. 89 was adopted.

At 11:37 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.

A resolution (S.R. No. 90), entitled: "SENATE RESOLUTION REQUESTING THE INTRODUCTION AND ENACTMENT OF LEGISLATION TO SEPARATE THE FEDERAL AVIATION ADMINISTRATION FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION", was jointly offered by Senators Mizuguchi, Machida, Kuroda, Cayetano, Yamasaki, Ushijima, Campbell, Hara, Young and Yee.

By unanimous consent, S.R. No. 90 was referred to the Committee on Transportation.

A resolution (S.R. No. 91), entitled: "SENATE RESOLUTION CONGRATULATING GENERAL WALTER K. TAGAWA ON HIS PROMOTION TO BRIGADIER GENERAL, UNITED STATES ARMY RESERVE", was jointly offered by Senators Kuroda, Cobb, O'Connor, Ushijima, Saiki, Carroll, Yamasaki, Chong, Machida, Carpenter, Mizuguchi, Hara, Young, Cayetano, Campbell, George, Toyofuku, Yim, Soares, Ajifu, Anderson, Kawasaki, Abercrombie and Yee.

On motion by Senator Kuroda, seconded by Senator Cobb and carried, S.R. No. 91 was adopted.

Senator Kuroda then introduced to the members of the Senate, General Walter K. Tagawa and his wife Ella, who accompanied him. Senator Kuroda presented General Tagawa with the certified copy of the resolution and Senators Young and Cobb presented leis to General Tagawa and Mrs. Tagawa, respectively.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Kuroda introduced to the members of the Senate Lt. General Benjamin J. Webster, United States Air Force (Ret.), the former Adjutant General of the State of Hawaii.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 12, 1980:

Senate Bills

No. 2534-80 "A Bill for an Act Relating to Rollerskating in Waikiki."

Introduced by: Senators Kuroda, Machida, Yamasaki, Young and Cobb.

No. 2535-80 "A Bill for an Act Relating to the Pension and Retirement System."

Introduced by: Senators Toyofuku, Abercrombie, Hara, Young, Machida, Kuroda, Ushijima, Yamasaki and Carpenter.

No. 2536-80 "A Bill for an Act Relating to Social Services."

Introduced by: Senators Toyofuku, Carpenter, Abercrombie, Hara, Young, Kuroda and Yamasaki.

No. 2537-80 "A Bill for an Act Relating to the Public Employees' Retirement System."

Introduced by: Senators Toyofuku, Young, Machida, Kuroda, Ushijima, Yamasaki, Kawasaki and Carpenter.

No. 2538-80 "A Bill for an Act Making an Appropriation to Complete Construction of an Extended Sheltered Workshop through Goodwill Industries of Honolulu at Shafter Flats in Mapunapuna on the Island of Oahu."

Introduced by: Senators Toyofuku, Young, Machida, Kuroda, Ushijima and Carpenter.

No. 2539-80 "A Bill for an Act Relating to Disability Retirement Benefits."

Introduced by: Senators Toyofuku, Machida, Kuroda, Ushijima, Yamasaki and Carpenter.

No. 2540-80 "A Bill for an Act Relating to Transportation."

Introduced by: Senator Mizuguchi.

No. 2541-80 "A Bill for an Act Relating to Mopeds."

Introduced by: Senators Mizuguchi, Campbell, Kuroda, George, Cayetano, Yamasaki, Cobb, Young, Machida, Ushijima, Soares and Yee.

No. 2546-80 "A Bill for an Act Relating to Cable Television."

Introduced by: Senators Kawasaki, Yee, Campbell, Machida, Cayetano, Kuroda and Young.

No. 2547-80 "A Bill for an Act Relating to Unemployment Security Law."

Introduced by: Senator Carroll.

No. 2548-80 "A Bill for an Act Relating to Liability of Dog Owners."

Introduced by: Senator Yim.

No. 2549-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Akiko Dance Company."

Introduced by: Senator Yim.

No. 2550-80 "A Bill for an Act Relating to Water Use."

Introduced by: Senator Yim.

No. 2551-80 "A Bill for an Act Relating to Formulation of a State Water Code."

Introduced by: Senator Yim.

No. 2552-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Polynesian Voyaging Society."

Introduced by: Senator Yim.

No. 2553-80 "A Bill for an Act Relating to Marine Resources."

Introduced by: Senator Yim.

No. 2554-80 "A Bill for an Act Relating to the Hawaii Self-Sufficiency Fuel Fund."

Introduced by: Senator Yim, by request.

No. 2555-80 "A Bill for an Act Relating to Real Estate."

Introduced by: Senator Young, by request.

No. 2556-80 "A Bill for an Act Relating to Housing and Loan Programs, Chapter 356, Hawaii Revised Statutes."

Introduced by: Senator Young.

No. 2557-80 "A Bill for an Act Relating to Housing and Loan Programs, Chapter 356, Hawaii Revised Statutes."

Introduced by: Senator Young.

No. 2558-80 "A Bill for an Act Relating to the Hawaii Housing Authority."

Introduced by: Senator Young.

No. 2559-80 "A Bill for an Act Relating to Housing."

Introduced by: Senator Young.

No. 2562-80 "A Bill for an Act Relating to the Hawaiian Homes Commission Act."

Introduced by: Senator Young.

No. 2563-80 "A Bill for an Act Relating to the Office of Hawaiian Affairs."

Introduced by: Senator Young.

No. 2565-80 "A Bill for an Act Making Appropriations for Capital Improvements for Waipahu Intermediate and Pohakea Elementary Schools."

Introduced by: Senators Young, Cayetano, Kuroda and Mizuguchi.

No. 2566-80 "A Bill for an Act Making an Appropriation for Capital Improvements for Campbell High, and Leeward Severely Mental Health Center."

Introduced by: Senators Kuroda, Cayetano, Young and Mizuguchi.

No. 2567-80 "A Bill for an Act Making Appropriations for Capital Improvements for Waianae High and Pearl City High Schools."

Introduced by: Senators Mizuguchi, Cayetano, Young and Kuroda.

No. 2568-80 "A Bill for an Act Making an Appropriation for Capital Improvements for Pearl City High, Ewa Elementary, and Highlands Intermediate Schools."

Introduced by: Senators Cayetano, Kuroda, Young and Mizuguchi.

No. 2569-80 "A Bill for an Act Relating to the Widening of Kuhio Avenue in Waikiki."

Introduced by: Senator Cayetano, by request.

No. 2570-80 "A Bill for an Act Relating to the Widening of Kuhio Avenue in Waikiki."

Introduced by: Senator Cayetano, by request.

No. 2571-80 "A Bill for an Act Relating to the Hawaii State Planning Act."

Introduced by: Senator Wong.

No. 2573-80 "A Bill for an Act Relating to Zoning."

Introduced by: Senator Wong.

No. 2574-80 "A Bill for an Act Relating to Mechanic's and Materialman's Liens."

Introduced by: Senator Wong.

No. 2575-80 "A Bill for an Act Making an Appropriation for Moanalua Valley Park."

Introduced by: Senators Wong and Yim.

No. 2576-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to Kuakini Medical Center, Oahu."

Introduced by: Senators Wong and Yim.

No. 2577-80 "A Bill for an Act Making an Appropriation for Mass Transit."

Introduced by: Senator Wong.

No. 2578-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Honolulu Symphony Society."

Introduced by: Senator Wong.

No. 2579-80 "A Bill for an Act Relating to Repair, Maintenance and Beautification of Public Facilities and Making Appropriations Therefor."

Introduced by: Senator Wong, Yim, Young, Kuroda, Yamasaki, Kawasaki, Cayetano, Yee, Soares, Carpenter and Machida.

No. 2580-80 "A Bill for an Act Making an Appropriation for Planning and Construction at the Community Correctional Center."

Introduced by: Senator O'Connor.

No. 2581-80 "A Bill for an Act Relating to Leased or Rented Personal Property."

Introduced by: Senator O'Connor.

No. 2582-80 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator O'Connor.

No. 2583-80 "A Bill for an Act Amending the Hawaii Revised Statutes by Adding a New Chapter Relating to Criminal Justice Training Fund."

Introduced by: Senator Wong, by request.

No. 2584-80 "A Bill for an Act Authorizing the Placement of the Sculpture 'The Spirit of Liliuokalani' at the State Capitol Complex."

Introduced by: Senator Wong, by request.

No. 2585-80 "A Bill for an Act Relating to the Hawaii Occupational Safety and Health Law."

Introduced by: Senator Wong, by request.

No. 2586-80 "A Bill for an Act Relating to the Purchase of Solar Energy Products by a Public Utility."

Introduced by: Senator Wong, by request.

No. 2587-80 "A Bill for an Act Relating to Disclosure by Fuel Importers, Manufacturers, Distributors, and Exporters."

Introduced by: Senator Wong, by request.

No. 2588-80 "A Bill for an Act Relating to the 1984 Silver Jubilee of Hawaii's Statehood."

Introduced by: Senator Wong, by request.

No. 2589-80 "A Bill for an Act Relating to Eviction."

Introduced by: Senator Wong, by request.

No. 2590-80 "A Bill for an Act Relating to the Hawaii Housing Authority."

Introduced by: Senator Wong, by request.

No. 2591-80 "A Bill for an Act Relating to Tax Rebates and Providing an

Appropriation Therefor."

Introduced by: Senator Wong, by request.

No. 2592-80 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Wong, by request.

No. 2593-80 "A Bill for an Act Relating to Van Go Hawaii."

Introduced by: Senator Wong, by request.

No. 2594-80 "A Bill for an Act Relating to State and County Tort Liability."

Introduced by: Senator Carroll.

No. 2595-80 "A Bill for an Act Relating to the General Excise Tax."

Introduced by: Senators Yee, Machida, Mizuguchi, Young, Carroll, Saiki, Ajifu, Toyofuku and Yamasaki.

No. 2596-80 "A Bill for an Act Making an Appropriation for Repair and Maintenance of Certain Schools."

Introduced by: Senators Yee, Hara, Yamasaki, Young, Ajifu, Carroll, Toyofuku, Carpenter and Campbell.

No. 2597-80 "A Bill for an Act Making an Appropriation for School Construction and Equipment."

Introduced by: Senators Yee, Hara, Yamasaki, Carroll, Toyofuku, Kuroda, Carpenter, Young, Ajifu and Campbell.

No. 2598-80 "A Bill for an Act Making an Appropriation for a Study of the 'Tri-Fly' and the Mango Weevil, the Threat They Pose, and Means for Their Control."

Introduced by: Senators Yee, Machida, Mizuguchi, Young, Hara, Anderson, Carroll, Saiki, Ajifu, Toyofuku and Yamasaki.

No. 2599-80 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Young, Mizuguchi, Ushijima and Machida.

No. 2600-80 "A Bill for an Act Relating to Taxation."

Introduced by: Senators Carpenter, Hara, Yamasaki, Machida and Kawasaki.

No. 2601-80 "A Bill for an Act Making an Appropriation for Environmental Studies Relating to a Manganese Nodule Processing Industry."

Introduced by: Senators Carpenter,
Hara, Ushijima, Yamasaki and Machida.

No. 2602-80 "A Bill for an Act Relating
to a National Park at Kalawao County."

Introduced by: Senators Carpenter,
Abercrombie, Young, Kuroda, Ushijima,
Mizuguchi, Toyofuku, Campbell,
Cobb, Machida and Kawasaki.

No. 2603-80 "A Bill for an Act Making
an Appropriation for Volincor:
Corrections Volunteer Services."

Introduced by: Senator Chong.

No. 2604-80 "A Bill for an Act Making
an Appropriation to Provide a Grant-
In-Aid to Small Group Homes; Housing
for the Elderly."

Introduced by: Senator Chong.

No. 2605-80 "A Bill for an Act Making
an Appropriation for Planning and
Construction of the Kaneohe Multi-
Purpose Senior Citizens' Center."

Introduced by: Senator Ajifu.

No. 2606-80 "A Bill for an Act Making
an Appropriation for Planning,
Design, and Construction of Various
Projects in the Windward School District,
Oahu."

Introduced by: Senator Ajifu.

No. 2608-80 "A Bill for an Act Relating
to Capital Improvement Projects
and Authorizing the Issuance of
Bonds."

Introduced by: Senator Cayetano.

No. 2609-80 "A Bill for an Act Making
an Appropriation for the College
of Continuing Education and Community
Service, University of Hawaii."

Introduced by: Senator Cayetano.

No. 2610-80 "A Bill for an Act Making
an Appropriation to Provide for a
Demonstration Project in Orthomolecular
Medicine at Hawaii State Hospital."

Introduced by: Senators Abercrombie
and Carpenter.

No. 2611-80 "A Bill for an Act Relating
to Appropriate Bargaining Units."

Introduced by: Senator Abercrombie,
by request.

No. 2612-80 "A Bill for an Act Relating
to the Department of Education."

Introduced by: Senator Abercrombie,

by request.

No. 2613-80 "A Bill for an Act Relating
to Time-Sharing."

Introduced by: Senator Abercrombie.

No. 2614-80 "A Bill for an Act Relating
to Real Property Tax Law."

Introduced by: Senator Abercrombie,
by request.

No. 2615-80 "A Bill for an Act Relating
to Collective Bargaining."

Introduced by: Senator Abercrombie,
by request.

No. 2616-80 "A Bill for an Act Relating
to False Statements and Misrepresentations."

Introduced by: Senator Abercrombie.

No. 2617-80 "A Bill for an Act Making
an Appropriation for the Statue of
the Spirit of Queen Liliuokalani."

Introduced by: Senator Abercrombie.

No. 2618-80 "A Bill for an Act Relating
to Civil Service Law."

Introduced by: Senator Abercrombie.

No. 2619-80 "A Bill for an Act Relating
to Collective Bargaining in Public
Employment and Amending Chapter
89, Hawaii Revised Statutes."

Introduced by: Senator Abercrombie,
by request.

No. 2620-80 "A Bill for an Act Making
an Appropriation for Pension Increase."

Introduced by: Senator Abercrombie.

No. 2621-80 "A Bill for an Act Relating
to Horizontal Property Regimes."

Introduced by: Senators Abercrombie
and Young.

No. 2622-80 "A Bill for an Act Making
an Appropriation for Plans and Construction
for Water Development Systems, County
of Hawaii."

Introduced by: Senators Ushijima,
Hara and Carpenter.

No. 2623-80 "A Bill for an Act Making
an Appropriation for Furnishings
for the Kahaluu Multi-Purpose Center."

Introduced by: Senators Anderson,
George and Ajifu.

No. 2624-80 "A Bill for an Act Making
an Appropriation for Construction of

a Water Tank at Kalaupapa Settlement, Molokai."

Introduced by: Senators Yamasaki and Machida.

No. 2625-80 "A Bill for an Act Making an Appropriation for the Construction of Improvements to Water System at Kalaupapa Settlement, Molokai."

Introduced by: Senators Yamasaki and Machida.

No. 2626-80 "A Bill for an Act Making an Appropriation to Provide Library Services at Kihei Community Public Library, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 2627-80 "A Bill for an Act Relating to Fishing."

Introduced by: Senators Yamasaki, by request, and Machida.

No. 2628-80 "A Bill for an Act Allowing Income from Care Homes to be Exempt from the General Excise Tax Law."

Introduced by: Senators Yamasaki, Machida, Ushijima, Yee, Young, Carroll, Ajifu, Carpenter, Hara and Cayetano.

No. 2629-80 "A Bill for an Act Relating to General Excise Taxes."

Introduced by: Senator Yamasaki, by request.

No. 2630-80 "A Bill for an Act Relating to Mental Health."

Introduced by: Senator Yamasaki, by request.

No. 2631-80 "A Bill for an Act Relating to Mechanic's and Materialman's Liens."

Introduced by: Senators Yamasaki, Machida, Young, Cayetano, Hara, Ajifu, Campbell, Toyofuku, Carpenter and Ushijima.

No. 2632-80 "A Bill for an Act Relating to Transportation."

Introduced by: Senator Yamasaki, by request.

No. 2635-80 "A Bill for an Act Relating to Special Purpose Revenue Bonds for Industrial Enterprises."

Introduced by: Senators Mizuguchi, Young, Machida and Campbell.

No. 2636-80 "A Bill for an Act Making

an Appropriation for a Study of a Second Access Road to Leeward Community College."

Introduced by: Senators Mizuguchi, Cayetano, Kuroda and Young.

No. 2637-80 "A Bill for an Act Relating to Solar Energy Devices."

Introduced by: Senator Mizuguchi.

No. 2638-80 "A Bill for an Act Relating to the Authorization of Special Purpose Revenue Bonds to Assist Industrial Enterprises."

Introduced by: Senators Mizuguchi, Yim, Soares, Young, Kuroda, George, Yee, Campbell and Machida.

No. 2639-80 "A Bill for an Act Making an Appropriation for Painting the Buildings of Pearl City High School."

Introduced by: Senators Mizuguchi, Cayetano, Kuroda and Young.

No. 2640-80 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senator Mizuguchi.

No. 2641-80 "A Bill for an Act Relating to Special Purpose Revenue Bonds for Manufacturing Enterprises."

Introduced by: Senator Mizuguchi.

No. 2642-80 "A Bill for an Act Making an Appropriation for Plans and Construction of an Interchange on Interstate Route H-2 in the Vicinity of the Mililani Memorial Road."

Introduced by: Senators Mizuguchi, Cayetano, Young and Kuroda.

No. 2643-80 "A Bill for an Act Relating to Improvements at Honolulu International Airport and General Aviation."

Introduced by: Senators Mizuguchi and Wong.

No. 2644-80 "A Bill for an Act Making an Appropriation for Transportation of Interscholastic Athletic Teams."

Introduced by: Senators Mizuguchi, Campbell and Cayetano.

No. 2645-80 "A Bill for an Act Making an Appropriation to Provide Full State Funding for the Salaries of Coaches of Interscholastic Athletic Teams."

Introduced by: Senators Mizuguchi, Campbell and Cayetano.

No. 2646-80 "A Bill for an Act Relating

to the Authorization of Special Purpose Revenue Bonds to Assist Manufacturing Enterprises."

Introduced by: Senator Mizuguchi.

No. 2647-80 "A Bill for an Act Relating to Care."

Introduced by: Senators Carpenter and Campbell.

No. 2648-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Home Na'Auao O Ka'u Non-Profit Organization, Kau, Hawaii."

Introduced by: Senators Carpenter, Campbell, Ushijima, Machida, Chong and Saiki.

No. 2649-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Sex Abuse Treatment Center."

Introduced by: Senators Carpenter, Campbell, Ushijima, Machida, Saiki and Chong.

No. 2650-80 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senators Carpenter, Campbell and Chong.

No. 2651-80 "A Bill for an Act Relating to Health."

Introduced by: Senators Carpenter and Campbell.

No. 2652-80 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senators Carpenter, Yamasaki, Ushijima and Machida.

No. 2653-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid for Capital Improvement Projects, County of Hawaii."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2654-80 "A Bill for an Act Relating to Leprosy."

Introduced by: Senators Carpenter and Abercrombie.

No. 2655-80 "A Bill for an Act Relating to Kalawao County."

Introduced by: Senators Carpenter, Abercrombie and Machida.

No. 2656-80 "A Bill for an Act Making an Appropriation for Arthritis."

Introduced by: Senators Carpenter, Campbell, Ushijima, Machida, Chong and Saiki.

No. 2657-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to St. Francis Hospital, Oahu."

Introduced by: Senators Carpenter, Campbell, Ushijima, Machida, Chong and Saiki.

No. 2658-80 "A Bill for an Act Making an Appropriation for Alcoholism Programs."

Introduced by: Senators Carpenter, Campbell, Ushijima, Machida, Saiki and Chong.

No. 2659-80 "A Bill for an Act Relating to the Developmentally Disabled."

Introduced by: Senators Carpenter, Campbell, Ushijima, Machida, Saiki and Chong.

No. 2660-80 "A Bill for an Act Relating to the Budget."

Introduced by: Senators Carpenter and Campbell.

No. 2661-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Autistic Vocational Education Center."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2662-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Hemophilia Foundation of Hawaii."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2663-80 "A Bill for an Act Making an Appropriation for the Continued Funding of Programs under Hawaiian Home Lands Act IV."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2664-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Easter Seal Society for Crippled Children and Adults of Hawaii, Hilo."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2665-80 "A Bill for an Act Relating to Mental Health."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2666-80 "A Bill for an Act Relating to Pensioners Bonus."

Introduced by: Senators Carpenter, Ushijima and Yamasaki.

No. 2673-80 "A Bill for an Act Relating to the Legislature."

Introduced by: Senators Cobb, Carpenter, Kawasaki and Ajifu.

No. 2674-80 "A Bill for an Act Relating to Motor Vehicle Insurance."

Introduced by: Senators Cobb and Chong.

No. 2675-80 "A Bill for an Act Relating to Motor Vehicle Insurance."

Introduced by: Senators Cobb and Chong.

No. 2676-80 "A Bill for an Act Relating to Motor Vehicle Insurance."

Introduced by: Senators Cobb and Chong.

No. 2677-80 "A Bill for an Act Relating to Service of Process."

Introduced by: Senators Cobb, Cayetano, Toyofuku, Ajifu, Carpenter, Ushijima and Saiki.

No. 2678-80 "A Bill for an Act Relating to the Hawaii Paroling Authority."

Introduced by: Senator Cobb.

No. 2679-80 "A Bill for an Act Relating to Rental Units."

Introduced by: Senator Cobb.

No. 2680-80 "A Bill for an Act Relating to State Vehicle Weight Tax."

Introduced by: Senator Cobb, by request.

No. 2681-80 "A Bill for an Act Relating to Engineers, Architects, and Surveyors."

Introduced by: Senator Cobb, by request.

No. 2682-80 "A Bill for an Act Relating to Public Accountancy."

Introduced by: Senator Cobb.

No. 2683-80 "A Bill for an Act Relating to Industrial Loan Companies."

Introduced by: Senator Cobb, by request.

No. 2684-80 "A Bill for an Act Making

an Appropriation for Construction, Equipment, and Repairs for Oahu Schools."

Introduced by: Senators Cobb, O'Connor, Soares and Saiki.

No. 2685-80 "A Bill for an Act Relating to Burglar Alarms."

Introduced by: Senator Cobb.

No. 2687-80 "A Bill for an Act Relating to Optometry."

Introduced by: Senator Abercrombie.

No. 2688-80 "A Bill for an Act Relating to an Office of Hawaiian Affairs."

Introduced by: Senator Cayetano, by request.

No. 2690-80 "A Bill for an Act Making an Appropriation for Congregate Services."

Introduced by: Senators Abercrombie and Young.

No. 2691-80 "A Bill for an Act Relating to Historic Preservation."

Introduced by: Senators Kawasaki, Machida, Young, Ushijima, Yamasaki, Toyofuku, Cayetano and Wong.

No. 2692-80 "A Bill for an Act Relating to Education."

Introduced by: Senator Kawasaki, by request.

No. 2693-80 "A Bill for an Act Relating to Historical Objects and Sites; Culture and Arts; and History and the Humanities."

Introduced by: Senator Campbell.

No. 2694-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Ensemble Players Guild."

Introduced by: Senator Campbell.

No. 2695-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Pacific and Asian Affairs Council."

Introduced by: Senator Campbell.

No. 2696-80 "A Bill for an Act Making an Appropriation for the Lay Reader Program."

Introduced by: Senator Campbell.

No. 2697-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Honolulu Theater for Youth."

- Introduced by: Senator Campbell.
- No. 2698-80 "A Bill for an Act Making an Appropriation for the Electronic Data Processing System of the Department of Education."
- Introduced by: Senator Campbell.
- No. 2699-80 "A Bill for an Act Making an Appropriation for Promoting and Furthering the Hawaii Motion Picture and Television Production Industry."
- Introduced by: Senator Campbell.
- No. 2700-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the United Okinawan Association."
- Introduced by: Senator Campbell.
- No. 2701-80 "A Bill for an Act Making an Appropriation for Act 4 Educational Projects."
- Introduced by: Senator Campbell.
- No. 2702-80 "A Bill for an Act Making an Appropriation for School Bus Aides."
- Introduced by: Senator Campbell.
- No. 2703-80 "A Bill for an Act Making an Appropriation for Summer School Funds for Handicapped Children."
- Introduced by: Senator Campbell.
- No. 2704-80 "A Bill for an Act Making an Appropriation for Additional Vice-Principal Positions for High Schools."
- Introduced by: Senator Campbell.
- No. 2705-80 "A Bill for an Act Making an Appropriation for Iolani Palace Restoration."
- Introduced by: Senator Campbell.
- No. 2706-80 "A Bill for an Act Making an Appropriation for the State Foundation on Culture and the Arts."
- Introduced by: Senator Campbell.
- No. 2707-80 "A Bill for an Act Making an Appropriation for the University of Hawaii Ethnic Studies Oral History Project."
- Introduced by: Senator Campbell.
- No. 2708-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Honolulu Symphony Society."
- Introduced by: Senator Campbell.
- No. 2709-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to Friends of Iolani Palace."
- Introduced by: Senator Campbell.
- No. 2710-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Friends of Waipahu Garden Park."
- Introduced by: Senator Campbell.
- No. 2711-80 "A Bill for an Act Making an Appropriation for the Statewide Historical Preservation Program."
- Introduced by: Senator Campbell.
- No. 2712-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Hawaii Multi-Cultural Center."
- Introduced by: Senator Campbell.
- No. 2713-80 "A Bill for an Act Making an Appropriation for Adult Education."
- Introduced by: Senator Campbell.
- No. 2714-80 "A Bill for an Act Making an Appropriation for the State Foundation on the Arts and the Humanities."
- Introduced by: Senator Campbell.
- No. 2715-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Hawaiian Islands Public Radio."
- Introduced by: Senator Campbell.
- No. 2716-80 "A Bill for an Act Making an Appropriation for Security Attendants for Public Libraries."
- Introduced by: Senator Campbell.
- No. 2717-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Polynesian Voyaging Society."
- Introduced by: Senator Campbell.
- No. 2718-80 "A Bill for an Act Making an Appropriation for the Filipino 75th Anniversary Commission."
- Introduced by: Senator Campbell.
- No. 2738-80 "A Bill for an Act Relating to Worker's Compensation."
- Introduced by: Senators O'Connor, Abercrombie, Ajifu, Campbell, Kuroda, Young, Machida, Cayetano, Cobb, Toyofuku and Yamasaki.

No. 2739-80 "A Bill for an Act Relating to the Exemption of Certain Activities from the General Excise Tax."

Introduced by: Senators O'Connor, Abercrombie, Ajifu, Machida, Campbell, Kuroda, Young, Carroll, Cobb, Toyofuku and Yamasaki.

No. 2740-80 "A Bill for an Act Relating to Shares Without Par Value."

Introduced by: Senators O'Connor, Abercrombie, Ajifu, Campbell, Kuroda, Machida, Cayetano, Toyofuku and Yamasaki.

No. 2741-80 "A Bill for an Act Relating to Fitness to Proceed."

Introduced by: Senators O'Connor, Abercrombie, Ajifu, Campbell, Kuroda, Machida, Cayetano, Cobb and Toyofuku.

No. 2742-80 "A Bill for an Act Relating to Quarantine."

Introduced by: Senators O'Connor, Abercrombie, Ajifu, Campbell, Kuroda, Machida, Cobb, Toyofuku and Yamasaki.

No. 2743-80 "A Bill for an Act Relating to Parking."

Introduced by: Senators O'Connor, Abercrombie, Ajifu, Campbell, Kuroda, Young, Machida, Cayetano, Cobb and Yamasaki.

No. 2744-80 "A Bill for an Act Relating to the Insanity Defense."

Introduced by: Senators O'Connor, Abercrombie, Ajifu, Campbell, Kuroda, Young, Machida, Cobb and Yamasaki.

No. 2745-80 "A Bill for an Act Relating to Statutory Revision; Amending Various Provisions of the Hawaii Revised Statutes for the Purpose of Correcting Errors, Clarifying Language, and Correcting References."

Introduced by: Senators O'Connor, Abercrombie, Ajifu, Campbell, Kuroda, Young, Machida, Cayetano, Cobb, Toyofuku and Yamasaki.

No. 2746-80 "A Bill for an Act Relating to Product Liability."

Introduced by: Senators O'Connor, Abercrombie, Ajifu, Kuroda, Cobb, Carroll, Campbell, Young, Machida and Yamasaki.

No. 2747-80 "A Bill for an Act Making an Appropriation for the Hawaii

Air National Guard to Enable It to Send Its Monarchy Type Uniformed Color Guard to Accompany the Royal Hawaiian Band on Its Trip to Europe."

Introduced by: Senator Kuroda.

No. 2748-80 "A Bill for an Act Making an Appropriation for the Royal Hawaiian Band on Its Trip to Europe."

Introduced by: Senator Kuroda.

No. 2749-80 "A Bill for an Act Relating to Credit."

Introduced by: Senator Chong.

No. 2750-80 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Chong.

No. 2751-80 "A Bill for an Act Relating to Energy Conservation in Public Facilities."

Introduced by: Senator Chong.

No. 2752-80 "A Bill for an Act Relating to Utilities."

Introduced by: Senator Chong.

No. 2753-80 "A Bill for an Act Relating to Utilities."

Introduced by: Senator Chong.

No. 2754-80 "A Bill for an Act Relating to Rates for Electricity Generated by Non-Fossil Fuel Sources Purchased by Electric Utilities."

Introduced by: Senator Chong.

No. 2755-80 "A Bill for an Act Relating to Credit Unions."

Introduced by: Senator Chong, by request.

No. 2756-80 "A Bill for an Act Relating to Public Utilities Commission."

Introduced by: Senator Chong.

No. 2757-80 "A Bill for an Act Relating to the Energy Self-Sufficiency."

Introduced by: Senator Yim, by request.

No. 2758-80 "A Bill for an Act Relating to Appropriations to Alu Like, Inc. for Native Hawaiians under Native American Programs."

Introduced by: Senator Yim.

No. 2759-80 "A Bill for an Act Making an Appropriation for the Implementation of the Hawaii Fisheries Development

Plan."

Introduced by: Senator Yim.

No. 2760-80 "A Bill for an Act Amending Section 286 Relating to Motor Vehicles."

Introduced by: Senator Mizuguchi.

No. 2761-80 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senator Mizuguchi.

No. 2762-80 "A Bill for an Act Relating to Airport Funding."

Introduced by: Senator Mizuguchi.

No. 2763-80 "A Bill for an Act Relating to Mass Transit."

Introduced by: Senator Mizuguchi.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Tuesday, February 12, 1980:

Senate Bills

No. 2542-80 "A Bill for an Act Relating to Carpooling Programs."

Introduced by: Senators Mizuguchi, Campbell, Hara, Young, George, Yee, Machida, Kuroda, Carroll, Cayetano, Yamasaki, Ushijima and Soares.

No. 2543-80 "A Bill for an Act Relating to Public Employer Commuter Van Programs."

Introduced by: Senators Mizuguchi, Campbell, Hara, Young, George, Machida, Cayetano and Soares.

No. 2544-80 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Mizuguchi.

No. 2545-80 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Mizuguchi.

No. 2560-80 "A Bill for an Act Relating to Hawaiian Rights."

Introduced by: Senator Young.

No. 2561-80 "A Bill for an Act Relating to Hawaiian Homes and Hawaiian Education."

Introduced by: Senator Young.

No. 2564-80 "A Bill for an Act Relating to Hawaiian Homes."

Introduced by: Senator Young.

No. 2572-80 "A Bill for an Act Relating to the Hawaii Insurance Law."

Introduced by: Senator Wong.

No. 2607-80 "A Bill for an Act Relating to Social Services."

Introduced by: Senator Cayetano.

No. 2633-80 "A Bill for an Act Relating to Reduction of Traffic Congestion."

Introduced by: Senator Mizuguchi.

No. 2634-80 "A Bill for an Act Relating to Energy Saving Transportation Modes."

Introduced by: Senator Mizuguchi.

No. 2667-80 "A Bill for an Act Relating to Departmental Duties for Health Services to Children."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2668-80 "A Bill for an Act Relating to Health."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2669-80 "A Bill for an Act Relating to Health."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2670-80 "A Bill for an Act Relating to Health."

Introduced by: Senators Carpenter, Campbell, Ushijima, Machida, Saiki and Chong.

No. 2671-80 "A Bill for an Act Relating to Optometry."

Introduced by: Senators Carpenter and Campbell.

No. 2672-80 "A Bill for an Act Relating to Health."

Introduced by: Senators Carpenter, Campbell, Ushijima and Machida.

No. 2686-80 "A Bill for an Act Relating to Retail Installment Sales."

Introduced by: Senator Cobb.

No. 2689-80 "A Bill for an Act Relating to Waikiki."

Introduced by: Senator Kuroda.

No. 2719-80 "A Bill for an Act Relating to Education."

Introduced by: Senator Campbell.

No. 2720-80 "A Bill for an Act Relating to School Administration."

Introduced by: Senator Campbell.

No. 2721-80 "A Bill for an Act Relating to School Psychological and Social Work Services."

Introduced by: Senator Campbell.

No. 2722-80 "A Bill for an Act Relating to the Board of Education."

Introduced by: Senator Campbell.

No. 2723-80 "A Bill for an Act Relating to Compensatory Education."

Introduced by: Senator Campbell.

No. 2724-80 "A Bill for an Act Relating to Student Transportation."

Introduced by: Senator Campbell.

No. 2725-80 "A Bill for an Act Relating to Public Libraries."

Introduced by: Senator Campbell.

No. 2726-80 "A Bill for an Act Relating to Instructional Development in the Department of Education."

Introduced by: Senator Campbell.

No. 2727-80 "A Bill for an Act Relating to School Counseling."

Introduced by: Senator Campbell.

No. 2728-80 "A Bill for an Act Relating to School Safety and Security Services."

Introduced by: Senator Campbell.

No. 2729-80 "A Bill for an Act Relating to the Exceptional Child Program."

Introduced by: Senator Campbell.

No. 2730-80 "A Bill for an Act Relating to the Department of Education."

Introduced by: Senator Campbell.

No. 2731-80 "A Bill for an Act Relating to Regular Instruction."

Introduced by: Senator Campbell.

No. 2732-80 "A Bill for an Act Relating

to the District Administration of the Department of Education."

Introduced by: Senator Campbell.

No. 2733-80 "A Bill or an Act Relating to the State Administration of the Department of Education."

Introduced by: Senator Campbell.

No. 2734-80 "A Bill for an Act Relating to Higher Education."

Introduced by: Senator Campbell.

No. 2735-80 "A Bill for an Act Relating to Student Activities."

Introduced by: Senator Campbell.

No. 2736-80 "A Bill for an Act Relating to the Budget Process of the Department of Education."

Introduced by: Senator Campbell.

No. 2737-80 "A Bill for an Act Relating to the Capital Improvement Budget Process of the Department of Education."

Introduced by: Senator Campbell.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 21-80) informing the Senate that Senate Concurrent Resolution Nos. 15 to 18, Senate Resolution Nos. 80 to 85 and Senate Bill Nos. 2444-80 to 2533-80 have been printed and are ready for distribution.

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

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 22-80) recommending that Senate Bill No. 1827-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1827-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 13, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1827-80, S.D. 1.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Friday, February 8, 1980:

Senate Bills Referred to:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| No. 2444-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means | No. 2460-80 Committee on Transportation, then to the Committee on Ways and Means |
| No. 2445-80 Committee on Human Resources, then to the Committee on Ways and Means | No. 2461-80 Committee on Judiciary |
| No. 2446-80 Committee on Health, then to the Committee on Ways and Means | No. 2462-80 Committee on Economic Development, then to the Committee on Ways and Means |
| No. 2447-80 Committee on Tourism, then to the Committee on Ways and Means | No. 2463-80 Committee on Judiciary |
| No. 2448-80 Committee on Ways and Means | No. 2464-80 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 2449-80 Committee on Ways and Means | No. 2465-80 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2450-80 Committee on Economic Development, then to the Committee on Ways and Means | No. 2466-80 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2451-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means | No. 2467-80 Committee on Consumer Protection and Commerce |
| No. 2452-80 Committee on Transportation, then to the Committee on Ways and Means | No. 2468-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means |
| No. 2453-80 Committee on Judiciary | No. 2469-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means |
| No. 2454-80 Committee on Intergovernmental Relations, then to the Committee on Economic Development | No. 2470-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means |
| No. 2455-80 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Intergovernmental Relations, then to the Committee on Ways and Means | No. 2471-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means |
| No. 2456-80 Committee on Transportation, then to the Committee on Ways and Means | No. 2472-80 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2457-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means | No. 2473-80 Committee on Ways and Means |
| No. 2458-80 Committee on Transportation, then to the Committee on Ways and Means | No. 2474-80 Committee on Consumer Protection and Commerce |
| No. 2459-80 Jointly to the Committee on Public Utilities and the Committee on Intergovernmental Relations | No. 2475-80 Committee on Education, then to the Committee on Ways and Means |
| | No. 2476-80 Committee on Education, then to the Committee on Ways and Means |
| | No. 2477-80 Committee on Education, then to the Committee on Ways and Means |
| | No. 2478-80 Committee on Ways and Means |
| | No. 2479-80 Committee on Education, |

- then to the Committee on Ways and Means
- No. 2480-80 Committee on Education, then to the Committee on Ways and Means
- No. 2481-80 Committee on Economic Development, then to the Committee on Judiciary
- No. 2482-80 Committee on Education, then to the Committee on Ways and Means
- No. 2483-80 Committee on Human Resources
- No. 2484-80 Committee on Human Resources
- No. 2485-80 Committee on Education, then to the Committee on Ways and Means
- No. 2486-80 Jointly to the Committee on Agriculture and the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2487-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 2488-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 2489-80 Committee on Consumer Protection and Commerce
- No. 2490-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 2491-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2492-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2493-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 2494-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2495-80 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development
- No. 2496-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 2497-90 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 2498-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 2499-80 Committee on Economic Development
- No. 2500-80 Committee on Ecology, Environment and Recreation
- No. 2501-80 Committee on Judiciary
- No. 2502-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2503-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 2504-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2505-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2506-80 Committee on Education, then to the Committee on Ways and Means
- No. 2507-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 2508-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 2509-80 Committee on Health, then to the Committee on Ways and Means
- No. 2510-80 Committee on Education, then to the Committee on Ways and Means
- No. 2511-80 Committee on Education, then to the Committee on Ways and Means
- No. 2512-80 Committee on Government Operations and Efficiency
- No. 2513-80 Committee on Government Operations and Efficiency, then to the Committee on Judiciary
- No. 2514-80 Committee on Consumer Protection and Commerce
- No. 2515-80 Committee on Consumer Protection and Commerce
- No. 2516-80 Committee on Human Resources, then to the Committee on Ways and Means

- No. 2517-80 Committee on Human Resources, Senate Bills Referred to:
then to the Committee on Consumer
Protection and Commerce
- No. 2518-80 Committee on Consumer
Protection and Commerce
- No. 2519-80 Committee on Consumer
Protection and Commerce
- No. 2520-80 Committee on Consumer
Protection and Commerce
- No. 2521-80 Committee on Consumer
Protection and Commerce
- No. 2522-80 Committee on Education,
then to the Committee on Ways and
Means
- No. 2523-80 Committee on Intergovernmental
Relations, then to the Committee
on Ways and Means
- No. 2524-80 Committee on Judiciary
- No. 2525-80 Committee on Tourism
- No. 2526-80 Committee on Economic
Development, then to the Committee
on Ways and Means
- No. 2527-80 Committee on Judiciary,
then to the Committee on Ways and
Means
- No. 2528-80 Committee on Ways and
Means
- No. 2529-80 Committee on Ways and
Means
- No. 2530-80 Committee on Judiciary,
then to the Committee on Ways and
Means
- No. 2531-80 Committee on Ways and
Means
- No. 2532-80 Committee on Education,
then to the Committee on Ways and
Means
- No. 2533-80 Committee on Transportation,
then to the Committee on Ways and
Means
- No. 1989-80 Committee on Consumer
Protection and Commerce, then to the
Committee on Judiciary
- No. 2027-80 Committee on Intergovernmental
Relations, then to the Committee on Ways
and Means
- The President made the following re-
referral of bills that were introduced on
Thursday, January 31, 1980:
- Senate Bills Referred to:
- No. 2168-80 Committee on Housing and
Hawaiian Homes, then to the Committee
on Ways and Means
- No. 2169-80 Committee on Ecology,
Environment and Recreation, then to
the Committee on Ways and Means
- The President made the following re-
referral of a bill that was introduced on
Monday, February 4, 1980:
- Senate Bill Referred to:
- No. 2249-80 Committee on Intergovernmental
Relations, then to the Committee on Ways
and Means
- The President then made the following
re-referral of a bill that was introduced
on Tuesday, February 5, 1980:
- Senate Bill Referred to:
- No. 2319-80 Committee on Judiciary,
then to the Committee on Ways and
Means
- The President then made the following
re-referral of a bill that was introduced
on Thursday, February 7, 1980:
- Senate Bill Referred to:
- No. 2420-80 Jointly to the Committee
on Transportation and the Committee
on Intergovernmental Relations, then
to the Committee on Ways and Means

ADJOURNMENT

RE-REFERRAL OF SENATE BILLS

The President made the following
re-referral of bills that were introduced
on Friday, January 25, 1980:

At 11:50 o'clock a.m., on motion by
Senator Mizuguchi, seconded by Senator
Anderson and carried, the Senate adjourned
until 11:30 o'clock a.m., Tuesday, February
12, 1980.

TWENTIETH DAY

Tuesday, February 12, 1980

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

The Divine Blessing was invoked by Reverend Lawrence Roller of the Pearl Harbor Lutheran Church, after which the Roll was called showing all Senators present, with the exception of Senators George and Ushijima who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 62 and 63) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 62), transmitting a study, entitled: "Hawaiian Islands Aquarium, A Center for Marine Education," prepared by Kramer, Chin and Mayo, Inc., for the Office of the Marine Affairs Coordinator, mandated by Act 214, SLH 1979, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 63), transmitting the Evaluation Report on the Intake Service Center Program (GOV 894), prepared by the Intake Service Center Advisory Board in response to Act 214, SLH 1979, was referred to the Committee on Judiciary.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 13), returning Senate Concurrent Resolution No. 17, which was adopted by the House of Representatives on February 11, 1980, was read by the Clerk and was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 92 to 95) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 92), entitled: "SENATE RESOLUTION CONGRATULATING THE 1980 NARCISSUS FESTIVAL QUEEN RENEE CHARLA WAI SEN QUON, AND HER COURT", was jointly offered by Senators Yee, Hara, Yamasaki, Carroll, Toyofuku, Wong, Kawasaki, Young, Ajifu, Campbell, Kuroda, Anderson, Cobb, George, Carpenter, Mizuguchi, Ushijima, Machida, O'Connor, Soares and Saiki.

On motion by Senator Yee, seconded by Senator Anderson and carried, S.R. No. 92 was adopted.

At this time, Senator Yee rose to introduce to the members of the Senate the 1980 Narcissus Festival Queen Renee Charla Wai Sen Quon and her Court, Princesses Valerie Marie L.H. Au, Willynn L.F. Tong, Janet Wong, and Jasmine K.M. Mau, accompanied by representatives of the Chinese Chamber of Commerce Mr. Bill Lee, President, and Mr. Francis Young, Narcissus Pageant Chairman. The Queen and her Court were presented with the resolution and leis by Senators Carroll, Cobb, Machida, Toyofuku and Yee.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

Narcissus Queen Renee Quon then addressed the members of the Senate and stated as follows:

"Good morning ladies and gentlemen of the Senate.

"My princesses Valerie Au, Willynn Tong, Janet Wong, Jasmine Mau and I are very glad and honored to be here today and to represent the Chinese Chamber of Commerce during this (annual) 31st Narcissus Festival and may this year of the wise and clever monkey bring all of you much love, happiness and success. Thank you and Kung Hee Fat Choy!"

A resolution (S.R. No. 93), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF THE LATE DR. BEATRICE GREEN MARKEY AND EXTENDING DEEPEST CONDOLENCES TO MR. JACK L. MARKEY, HUSBAND, AND MS. ALBERTA M. WILLIAMS, SISTER," was jointly offered by Senators Ushijima, Hara and Carpenter.

On motion by Senator Hara, seconded by Senator Mizuguchi and carried, S.R. No. 93 was adopted.

A resolution (S.R. No. 94), entitled: "SENATE RESOLUTION REQUESTING THE COUNTY OF HAWAII TO DEVELOP A MASTER FLOOD CONTROL AND DRAINAGE PLAN FOR THE THIRD REPRESENTATIVE DISTRICT", was jointly offered by Senators Ushijima, Hara and Carpenter.

By unanimous consent, S.R. No. 94 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 95), entitled: "SENATE RESOLUTION EXTENDING ALOHA AND BEST WISHES TO TADASHI 'TAD' MIURA ON THE OCCASION OF HIS RETIREMENT FROM GOVERNMENT SERVICE", was jointly offered by Senators Toyofuku, Hara, Carpenter, Machida, Cayetano, Chong, Soares, Young, Yamasaki, Campbell and Mizuguchi.

On motion by Senator Toyofuku, seconded by Senator Hara and carried, S.R. No. 95 was adopted.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print, and were placed on the calendar for further consideration on Wednesday, February 13, 1980:

Senate Bills

No. 2766-80 "A Bill for an Act Relating to Privacy."

Introduced by: Senator O'Connor.

No. 2767-80 "A Bill for an Act Relating to Motor Vehicles."

Introduced by: Senator Mizuguchi.

No. 2768-80 "A Bill for an Act Making an Appropriation for a Storage Facility at Kaunakakai Harbor, Molokai."

Introduced by: Senator Mizuguchi.

No. 2769-80 "A Bill for an Act Relating to Waikiki."

Introduced by: Senator Kuroda.

No. 2770-80 "A Bill for an Act Relating to Tourism."

Introduced by: Senators Kuroda and Machida.

No. 2771-80 "A Bill for an Act Relating to Planning."

Introduced by: Senators Kuroda and Machida.

No. 2772-80 "A Bill for an Act Relating to State Parks."

Introduced by: Senator Campbell.

No. 2773-80 "A Bill for an Act Making an Appropriation Relating to Converting Sand Island State Park into a Live-In Park."

Introduced by: Senator Campbell.

No. 2774-80 "A Bill for an Act Making an Appropriation for Alternative Learning Centers."

Introduced by: Senator Campbell.

No. 2775-80 "A Bill for an Act Making an Appropriation for Library Clerks in School Libraries."

Introduced by: Senator Campbell.

No. 2776-80 "A Bill for an Act Making an Appropriation for Heeia Elementary School, Oahu."

Introduced by: Senator Campbell.

No. 2777-80 "A Bill for an Act Making an Appropriation for the Talented and Gifted Program."

Introduced by: Senator Campbell.

No. 2778-80 "A Bill for an Act Making an Appropriation for Student Activities Coordinators."

Introduced by: Senator Campbell.

No. 2779-80 "A Bill for an Act Relating to Making an Appropriation to the Exceptional Child Program Private Agency Classes."

Introduced by: Senator Campbell.

No. 2780-80 "A Bill for an Act Relating to School Attendance."

Introduced by: Senator Campbell, by request.

No. 2784-80 "A Bill for an Act Relating to Motor and Other Vehicles."

Introduced by: Senator Mizuguchi.

No. 2785-80 "A Bill for an Act Relating to Real Property Taxation."

Introduced by: Senator Ajifu.

No. 2786-80 "A Bill for an Act Making an Appropriation for the Kaneohe Senior Citizen Center."

Introduced by: Senator Ajifu.

No. 2787-80 "A Bill for an Act Relating to Real Property Taxation."

Introduced by: Senator Ajifu.

No. 2788-80 "A Bill for an Act Relating to Developmental Disabilities."

Introduced by: Senators Abercrombie,

- Carpenter, Hara, Machida, Yamasaki and Young.
- No. 2789-80 "A Bill for an Act Relating to Mass Transit."
- Introduced by: Senator Abercrombie, by request.
- No. 2790-80 "A Bill for an Act Relating to Construction and Maintenance of Sidewalks and Gutters."
- Introduced by: Senator Abercrombie, by request.
- No. 2791-80 "A Bill for an Act Relating to County Licenses."
- Introduced by: Senator Abercrombie, by request.
- No. 2793-80 "A Bill for an Act Making an Appropriation for Transportation Services for Mobility Impaired Persons."
- Introduced by: Senator Abercrombie.
- No. 2794-80 "A Bill for an Act Relating to Student Activity Fees and Revenues of Chartered Student Organizations of the University of Hawaii System."
- Introduced by: Senators Cayetano and Abercrombie.
- No. 2795-80 "A Bill for an Act Relating to the Budgetary Process."
- Introduced by: Senator Cayetano.
- No. 2796-80 "A Bill for an Act Relating to Income Tax."
- Introduced by: Senator Cayetano.
- No. 2797-80 "A Bill for an Act Relating to Official Expenses."
- Introduced by: Senators Toyofuku, Kuroda, Hara, Machida and Carpenter.
- No. 2798-80 "A Bill for an Act Relating to Employer-Employee Relationships."
- Introduced by: Senators Toyofuku, Kuroda, Hara, Machida and Carpenter.
- No. 2799-80 "A Bill for an Act Relating to Public Officers and Employees."
- Introduced by: Senators Toyofuku, Kuroda, Hara, Carpenter and Machida.
- No. 2800-80 "A Bill for an Act Relating to Public Officers and Employees Excluded from Collective Bargaining."
- Introduced by: Senators Toyofuku, Kuroda, Carpenter and Machida.
- No. 2801-80 "A Bill for an Act Making an Appropriation for the Filipino 75th Anniversary Commission."
- Introduced by: Senators Toyofuku, Kuroda, Hara, Carpenter and Machida.
- No. 2802-80 "A Bill for an Act Relating to Collective Bargaining."
- Introduced by: Senators Toyofuku, Hara, Carpenter and Machida.
- No. 2803-80 "A Bill for an Act Making an Appropriation for the Transportation of the Elderly, Disabled, Handicapped, and Other Disadvantaged Persons, Including Preschool Children on Kauai, Maui, and Hawaii."
- Introduced by: Senators Toyofuku, Kuroda, Hara, Carpenter and Machida.
- No. 2804-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects on Kauai."
- Introduced by: Senators Toyofuku, Hara, Carpenter and Machida.
- No. 2805-80 "A Bill for an Act Relating to the Eligibility of the Elderly for Public Assistance."
- Introduced by: Senators Toyofuku, Hara, Machida and Carpenter.
- No. 2806-80 "A Bill for an Act Relating to Elderly Recipients of Public Assistance."
- Introduced by: Senators Toyofuku, Hara and Carpenter.
- No. 2807-80 "A Bill for an Act Making an Appropriation for Various Community Action Agencies."
- Introduced by: Senators Toyofuku, Hara, Carpenter and Machida.
- No. 2808-80 "A Bill for an Act Relating to the Office of Children and Youth."
- Introduced by: Senators Toyofuku, Hara, Carpenter and Machida.
- No. 2809-80 "A Bill for an Act Relating to Occupational and Career Information."
- Introduced by: Senators Toyofuku, Hara, Carpenter and Machida.
- No. 2810-80 "A Bill for an Act Making an Appropriation for Kalakaua Intermediate School, Oahu."
- Introduced by: Senators Campbell, Kawasaki, Cayetano, Yim and Wong.
- No. 2811-80 "A Bill for an Act Relating

to the Relief of Certain Persons' Claims Against the State and Providing Appropriations Therefor."

Introduced by: Senator Cayetano.

No. 2812-80 "A Bill for an Act Relating to Appropriate Bargaining Units for Collective Bargaining."

Introduced by: Senator Cayetano.

No. 2813-80 "A Bill for an Act Relating to Taxation."

Introduced by: Senators Cayetano, Wong, Carpenter, Hara, Yim, Toyofuku, Ajifu, Mizuguchi, Kawasaki, Abercrombie, Yamasaki, Cobb, Chong, Yee, Campbell, Machida, Kuroda, Ushijima and O'Connor.

No. 2816-80 "A Bill for an Act Making an Appropriation for Planning and Installation of Water Mains and Hydrants in Kaimuki, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2817-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kahala Elementary School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2818-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Aina Haina School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2819-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Aliiolani School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2820-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Hawaii School for Deaf and Blind, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2821-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Anuenue Elementary School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2822-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaimuki High School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2823-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Palolo Elementary School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2824-80 "A Bill for an Act Making an Appropriation for Capital Improvement Project at Niu Valley Intermediate School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2825-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kalani High School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2826-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Hokulani Elementary School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2827-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaiser High School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2828-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Kuliouou Valley Park, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2829-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Koko Head Elementary School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2830-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Jarrett Intermediate School, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2831-80 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaimuki Intermediate School, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2832-80 "A Bill for an Act Making
an Appropriation for Capital Improvement
Projects at Liliuokalani Elementary School,
Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2833-80 "A Bill for an Act Making
an Appropriation for Capital Improvement
Projects for Koko Head District Park,
Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2834-80 "A Bill for an Act Making
an Appropriation for Capital Improvement
Projects for Kanewai Playground, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2835-80 "A Bill for an Act Making
an Appropriation for Installation of 8-
Inch Water Mains and Appurtenances
in Kaimuki, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2836-80 "A Bill for an Act Making
an Appropriation for Kapaolono Park,
Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2837-80 "A Bill for an Act Making
an Appropriation for Nehu Park, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2838-80 "A Bill for an Act Making
an Appropriation for Niu Valley Community
Park, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2839-80 "A Bill for an act Making
an Appropriation for Paki Park, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2840-80 "A Bill for an Act Making
an Appropriation for the Installation
of 8-Inch Water Mains and Appurtenances
in Palolo, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2841-80 "A Bill for an Act Making
an Appropriation for Palolo Playground,

Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2842-80 "A Bill for an Act Making
an Appropriation for Planning and
Construction of a Caretaker's Cottage
at Waahila Ridge State Park, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2843-80 "A Bill for an Act Making
an Appropriation for Wailupe Community
Park, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2844-80 "A Bill for an Act Making
an Appropriation for the Kapahulu
Multipurpose Senior Center, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2845-80 "A Bill for an Act Making
an Appropriation for Capital Improvement
Projects at Liholiho Elementary School,
Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2846-80 "A Bill for an Act Making
an Appropriation for Capital Improvement
Project at Kaiser High School, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2847-80 "A Bill for an Act Making
an Appropriation for Improvements
to Kalaniana'ole Highway, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2848-80 "A Bill for an Act Making
an Appropriation for Capital Improvement
Project at Kaiser High School, Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2849-80 "A Bill for an Act Making
an Appropriation for Capital Improvement
Projects at Kapiolani Community
College Complex at Fort Ruger,
Oahu."

Introduced by: Senators O'Connor,
Cobb, Soares and Saiki.

No. 2850-80 "A Bill for an Act Making
an Appropriation for Kaalakei Park,
Oahu."

Introduced by: Senators O'Connor,

Cobb, Soares and Saiki.

No. 2851-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to Hawaii Kai Communities Council for the Establishment of a Human Services Center in Hawaii Kai, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2852-80 "A Bill for an Act Making an Appropriation for Diamond Head Comfort Station and Site Improvements, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 2853-80 "A Bill for an Act Relating to Elections."

Introduced by: Senator O'Connor.

No. 2854-80 "A Bill for an Act Relating to Insurance."

Introduced by: Senator O'Connor.

No. 2855-80 "A Bill for an Act Relating to the Disbursement of Traffic Fines and Forfeitures."

Introduced by: Senator O'Connor, by request.

No. 2856-80 "A Bill for an Act Relating to Intoxicating Liquor."

Introduced by: Senator O'Connor.

No. 2857-80 "A Bill for an Act Making an Appropriation for the Continued Centralized Subscription to the Hawaii Legal Reporter Service."

Introduced by: Senator O'Connor.

No. 2858-80 "A Bill for an Act Relating to the General Excise Tax."

Introduced by: Senator O'Connor.

No. 2859-80 "A Bill for an Act Relating to Crime."

Introduced by: Senator O'Connor.

No. 2860-80 "A Bill for an Act Relating to Imprisonment."

Introduced by: Senator O'Connor.

No. 2861-80 "A Bill for an Act Relating to Special License Plates for Representatives of Foreign Governments or Territories."

Introduced by: Senator O'Connor.

No. 2862-80 "A Bill for an Act Relating to Obstructing Public Administration."

Introduced by: Senator O'Connor.

No. 2863-80 "A Bill for an Act Relating to Pilotage."

Introduced by: Senator O'Connor.

No. 2864-80 "A Bill for an Act Relating to Action Against Governmental Entities."

Introduced by: Senator O'Connor.

No. 2865-80 "A Bill for an Act Relating to Periodic Payment of Tort Judgments Against Public Entities."

Introduced by: Senator O'Connor.

No. 2866-80 "A Bill for an Act Relating to Payment of Future Damages by Public Entities."

Introduced by: Senator O'Connor.

No. 2867-80 "A Bill for an Act Relating to Liability of Public Entities."

Introduced by: Senator O'Connor.

No. 2868-80 "A Bill for an Act Relating to Evidence."

Introduced by: Senator O'Connor.

No. 2869-80 "A Bill for an Act Relating to Court Expenses."

Introduced by: Senator O'Connor.

No. 2870-80 "A Bill for an Act Relating to Arrests by Police Officers Without Warrant."

Introduced by: Senator O'Connor.

No. 2871-80 "A Bill for an Act Relating to the Repeal of the No Fault Insurance Law for Automobiles."

Introduced by: Senator O'Connor.

No. 2872-80 "A Bill for an Act Relating to Civil Suits."

Introduced by: Senator O'Connor.

No. 2873-80 "A Bill for an Act Proposing an Amendment to Repeal Article XI, Section 7, of the Hawaii Constitution Relating to Water Resources."

Introduced by: Senator O'Connor.

No. 2874-80 "A Bill for an Act Relating to Firearms."

Introduced by: Senator O'Connor.

No. 2875-80 "A Bill for an Act Relating

to Traffic Laws."

Introduced by: Senator O'Connor.

No. 2876-80 "A Bill for an Act Relating to Civil Remedies and Defenses and Special Proceedings, Limitation of Action."

Introduced by: Senator O'Connor.

No. 2877-80 "A Bill for an Act Relating to Sexual Offenses."

Introduced by: Senator O'Connor.

No. 2878-80 "A Bill for an Act Relating to Spouse Abuse."

Introduced by: Senator O'Connor.

No. 2879-80 "A Bill for an Act Relating to Spouse Abuse."

Introduced by: Senator O'Connor.

No. 2880-80 "A Bill for an Act Relating to Spouse Abuse."

Introduced by: Senator O'Connor.

No. 2881-80 "A Bill for an Act Relating to Spouse Abuse."

Introduced by: Senator O'Connor.

No. 2882-80 "A Bill for an Act Relating to Witness Fees."

Introduced by: Senator O'Connor.

No. 2883-80 "A Bill for an Act Relating to Witnesses."

Introduced by: Senator O'Connor.

No. 2884-80 "A Bill for an Act Relating to Family Court Proceedings."

Introduced by: Senator O'Connor.

No. 2885-80 "A Bill for an Act Relating to Spouse Abuse."

Introduced by: Senator O'Connor.

No. 2886-80 "A Bill for an Act Relating to Restraining Orders."

Introduced by: Senator O'Connor.

No. 2887-80 "A Bill for an Act Relating to Marriage."

Introduced by: Senator O'Connor.

No. 2888-80 "A Bill for an Act Relating to Criminal Injuries Compensation."

Introduced by: Senator O'Connor.

No. 2889-80 "A Bill for an Act Relating to Probation Officers."

Introduced by: Senator O'Connor.

No. 2890-80 "A Bill for an Act Relating to Police Officers."

Introduced by: Senator O'Connor.

No. 2891-80 "A Bill for an Act Relating to Government Motor Vehicles."

Introduced by: Senator O'Connor.

No. 2892-80 "A Bill for an Act Relating to Pension and Retirement Systems."

Introduced by: Senator O'Connor.

No. 2893-80 "A Bill for an Act Relating to Privacy."

Introduced by: Senator O'Connor.

No. 2894-80 "A Bill for an Act Relating to Privacy."

Introduced by: Senator O'Connor.

No. 2898-80 "A Bill for an Act Relating to the Department of Agriculture."

Introduced by: Senator Wong, by request.

No. 2899-80 "A Bill for an Act Relating to Liability of the State for Claims Based on Suicide, Attempted Suicide, and Self-Inflicted Intentional Injuries."

Introduced by: Senator Wong, by request.

No. 2900-80 "A Bill for an Act Making an Appropriation for Payment of Settlement between the State of Hawaii and Mark Construction, Inc."

Introduced by: Senator Wong, by request.

No. 2901-80 "A Bill for an Act Making an Appropriation to Provide for Expenditures from the Major Disaster Fund."

Introduced by: Senator Wong, by request.

No. 2902-80 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Wong, by request.

No. 2903-80 "A Bill for an Act Relating to the Hawaii Housing Authority."

- Introduced by: Senator Wong, by request.
- No. 2904-80 "A Bill for an Act Relating to Exemptions from the General Excise and Use Taxes."
- Introduced by: Senator Wong, by request.
- No. 2905-80 "A Bill for an Act Making an Appropriation to Provide for Payment of Claims for Recovery of Escheated Treasury Warrants."
- Introduced by: Senator Wong, by request.
- No. 2906-80 "A Bill for an Act Making Supplemental Appropriation for the Construction of Kula Community Center Complex, Maui."
- Introduced by: Senators Yamasaki and Machida.
- No. 2907-80 "A Bill for an Act Making an Appropriation for the Construction of a Community Center at Pukalani, Maui."
- Introduced by: Senators Yamasaki and Machida.
- No. 2908-80 "A Bill for an Act Making an Appropriation for the Construction of a New Molokai State Office Complex Building at Kaunakakai, Molokai."
- Introduced by: Senators Yamasaki and Machida.
- No. 2909-80 "A Bill for an Act Making an Appropriation for the Reconstruction of Kamalo Bridge on Kamehameha V Highway, Molokai."
- Introduced by: Senators Yamasaki and Machida.
- No. 2910-80 "A Bill for an Act Making an Appropriation for Expansion, Renovation and Improvement of Buildings at J. W. Cameron Center, Wailuku, Maui."
- Introduced by: Senators Yamasaki and Machida.
- No. 2911-80 "A Bill for an Act Making an Appropriation for the 150th Anniversary Celebration of Lahainaluna High School."
- Introduced by: Senators Yamasaki and Machida.
- No. 2912-80 "A Bill for an Act Relating to Bonds."
- Introduced by: Senator Yamasaki, by request.
- No. 2913-80 "A Bill for an Act Relating to the Motor Vehicle Reparatons Law."
- Introduced by: Senators Yamasaki and Machida.
- No. 2914-80 "A Bill for an Act Relating to Workers' Compensation."
- Introduced by: Senators Yamasaki, Machida, Campbell and Yee.
- No. 2915-80 "A Bill for an Act Relating to Vehicle Weights."
- Introduced by: Senators Yamasaki, Machida and Yee.
- No. 2916-80 "A Bill for an Act Relating to General Excise and Use Tax."
- Introduced by: Senators Yamasaki, Machida, Ajifu, Young, Cobb, Saiki, Chong and Yee.
- No. 2917-80 "A Bill for an Act Making an Appropriation for the Development of a New Honokaa Hospital, Hawaii."
- Introduced by: Senators Carpenter, Hara, Saiki, Machida and Young.
- No. 2918-80 "A Bill for an Act Making an Appropriation for the Planning, Construction, and Placement of an Outdoor Warning Siren System for Waipio Valley, Hawaii."
- Introduced by: Senators Carpenter, Hara, Saiki, Machida and Young.
- No. 2919-80 "A Bill for an Act Making an Appropriation for Improvements for Laupahoehoe Boat Ramp, Hawaii County."
- Introduced by: Senators Carpenter, Hara, Saiki, Machida and Young.
- No. 2920-80 "A Bill for an Act Making an Appropriation for Lapakahi North Kohala State Park Complex, Hawaii."
- Introduced by: Senators Carpenter, Hara, Saiki, Machida and Young.
- No. 2921-80 "A Bill for an Act Making an Appropriation for the Kohala Experiment Station, Hawaii."
- Introduced by: Senators Carpenter, Hara, Saiki, Machida and Young.
- No. 2922-80 "A Bill for an Act Making an Appropriation to Establish a Prevocational Training Program for Mentally Handicapped Adults."
- Introduced by: Senators Carpenter, Hara, Saiki, Machida, Young and Campbell.
- No. 2923-80 "A Bill for an Act Relating

to Health."

Introduced by: Senators Carpenter, Campbell, Hara, Machida and Young.

No. 2924-80 "A Bill for an Act Relating to State Purchases by State Hospitals."

Introduced by: Senators Carpenter, Campbell, Machida, Yamasaki and Hara.

No. 2925-80 "A Bill for an Act Relating to Tax Relief."

Introduced by: Senators Carpenter, Hara, Saiki, Machida and Young.

No. 2926-80 "A Bill for an Act Relating to Agricultural Loans."

Introduced by: Senators Carpenter, Hara, Saiki, Machida and Young.

No. 2927-80 "A Bill for an Act Relating to Mental Health."

Introduced by: Senators Carpenter, Campbell, Machida and Yamasaki.

No. 2928-80 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Chong, by request.

No. 2929-80 "A Bill for an Act Making an Appropriation for Orthomolecular Medical Treatment."

Introduced by: Senator Chong.

No. 2930-80 "A Bill for an Act Relating to the Public Utilities Commission."

Introduced by: Senator Chong.

No. 2931-80 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senators Chong, Kuroda, Abercrombie, Ajifu, Young and Yamasaki.

No. 2932-80 "A Bill for an Act Relating to Insanity."

Introduced by: Senators Chong, Cayetano, Machida and Campbell.

No. 2937-80 "A Bill for an Act Proposing an Amendment to Article VI, of the Hawaii Constitution, to Change the Method of Selection and Retention of Justices and Judges."

Introduced by: Senators George, Cobb, Young and Carroll.

No. 2938-80 "A Bill for an Act Relating to Highway Safety."

Introduced by: Senators George, Saiki, Soares, Carroll, Yee, Campbell and

Chong.

No. 2939-80 "A Bill for an Act Relating to Motor Vehicle Accident Reparations."

Introduced by: Senator George.

No. 2940-80 "A Bill for an Act Relating to Hawaii Employment Security Law."

Introduced by: Senators George, Young, Cobb, Campbell, Toyofuku, Kuroda, Saiki, Soares and Machida.

No. 2941-80 "A Bill for an Act Relating to Temporary Disability Insurance."

Introduced by: Senators George, Young, Cobb, Toyofuku, Kuroda, Saiki, Soares and Machida.

No. 2942-80 "A Bill for an Act Relating to an Appropriation for Additional Positions for the Hawaii Institute of Tropical Agriculture and Human Resources."

Introduced by: Senators Machida, Hara and Yamasaki.

No. 2943-80 "A Bill for an Act Making an Appropriation for New and Young Farmer Programs."

Introduced by: Senators Machida, Hara and Yamasaki.

No. 2944-80 "A Bill for an Act Making an Appropriation for Farm Management Skills Development."

Introduced by: Senators Machida, Hara and Yamasaki.

No. 2945-80 "A Bill for an Act Making an Appropriation for the Kula Agricultural Park, Kula, Maui."

Introduced by: Senators Machida, Hara and Yamasaki.

No. 2946-80 "A Bill for an Act Making an Appropriation for a Feasibility Study Relating to Ke-ahole Airport, Hawaii."

Introduced by: Senators Machida, Hara and Yamasaki.

No. 2947-80 "A Bill for an Act Making an Appropriation for Pest Control and Plant Quarantine on Maui."

Introduced by: Senators Machida, Hara and Yamasaki.

No. 2948-80 "A Bill for an Act Making an Appropriation for Research and Development of Disease Resistant Edible Ginger Root."

- Introduced by: Senators Machida, Hara and Yamasaki.
- No. 2949-80 "A Bill for an Act Making an Appropriation for the Marketing and Consumer Services Division, Department of Agriculture, to Continue Consumer Food Price Reporting Services."
- Introduced by: Senators Machida, Hara and Yamasaki.
- No. 2950-80 "A Bill for an Act Relating to Agricultural Loans."
- Introduced by: Senators Machida, Hara and Yamasaki.
- No. 2951-80 "A Bill for an Act Relating to Staffing Needs of the Department of Agriculture."
- Introduced by: Senators Machida, Hara and Yamasaki.
- No. 2952-80 "A Bill for an Act Making an Appropriation for Additional Staffing for the Kona Experiment Station, College of Tropical Agriculture and Human Resources, University of Hawaii, Kona, Hawaii."
- Introduced by: Senators Machida, Hara and Yamasaki.
- No. 2953-80 "A Bill for an Act Making an Appropriation Relating to the Vegetable Research Program at the Kula Branch Station, College of Tropical Agriculture and Human Resources, University of Hawaii, in Maui County."
- Introduced by: Senators Machida, Hara and Yamasaki.
- No. 2954-80 "A Bill for an Act Making an Appropriation for Hawaii's Soil and Water Conservation District."
- Introduced by: Senators Machida and Yamasaki.
- No. 2955-80 "A Bill for an Act Making an Appropriation for the Hilo Land Reclamation Project, Hawaii."
- Introduced by: Senators Machida and Yamasaki.
- No. 2956-80 "A Bill for an Act Relating to the Conversion of Employees in the Milk Control Division, Department of Agriculture, to Civil Service Status."
- Introduced by: Senators Machida and Yamasaki.
- No. 2957-80 "A Bill for an Act Making an Appropriation for Sugar Producers Crop Loans."
- Introduced by: Senators Machida, Hara and Yamasaki.
- No. 2958-80 "A Bill for an Act Making an Appropriation for a Feasibility Study on the Recycling of Solid Livestock and Poultry Wastes."
- Introduced by: Senators Machida, Hara and Yamasaki.
- No. 2959-80 "A Bill for an Act Making an Appropriation for the Kona Experiment Station, College of Tropical Agriculture and Human Resources, University of Hawaii, Kona, Hawaii."
- Introduced by: Senators Machida, Hara and Yamasaki.
- No. 2960-80 "A Bill for an Act Relating to the Employees' Retirement System of the State of Hawaii."
- Introduced by: Senator Machida, by request.
- No. 2961-80 "A Bill for an Act Relating to Pension and Retirement Systems."
- Introduced by: Senators Machida, Yamasaki and Toyofuku.
- No. 2962-80 "A Bill for an Act Relating to Pension and Retirement Systems."
- Introduced by: Senators Machida, Yamasaki and Toyofuku.
- No. 2963-80 "A Bill for an Act Relating to School Health Services."
- Introduced by: Senators Machida, Yamasaki and Toyofuku.
- No. 2964-80 "A Bill for an Act Making an Appropriation for the Design and Construction of Four Classroom Buildings and a Parking Lot at Kaunakakai School, Molokai."
- Introduced by: Senators Machida and Yamasaki.
- No. 2965-80 "A Bill for an Act Relating to Education."
- Introduced by: Senators Machida and Yamasaki.
- No. 2966-80 "A Bill for an Act Relating to Hours of Work."
- Introduced by: Senators Machida, Yamasaki and Toyofuku.
- No. 2967-80 "A Bill for an Act Relating to School Attendance."
- Introduced by: Senators Machida and Yamasaki.

No. 2968-80 "A Bill for an Act Relating to Controlled Substances."

Introduced by: Senators Machida, Yamasaki and Toyofuku.

No. 2969-80 "A Bill for an Act Relating to Drugs."

Introduced by: Senators Machida and Yamasaki.

No. 2971-80 "A Bill for an Act Relating to Milk Control."

Introduced by: Senators Toyofuku, Young, Hara and Machida.

No. 2972-80 "A Bill for an Act Relating to the Compensation of Public Officers and Employees."

Introduced by: Senators Toyofuku, Hara, Mizuguchi, Machida, Soares, Saiki and Abercrombie.

No. 2973-80 "A Bill for an Act Relating to Planning and Development of Kauai."

Introduced by: Senators Toyofuku, Young and Hara.

No. 2974-80 "A Bill for an Act Relating to the Public Employees' Retirement System."

Introduced by: Senators Toyofuku, Young, Soares and Saiki.

No. 2975-80 "A Bill for an Act Relating to the Student Transportation Program."

Introduced by: Senators Toyofuku, Young and Soares.

No. 2976-80 "A Bill for an Act Relating to the Compensation of Public Officers and Employees."

Introduced by: Senators Toyofuku, Hara, Mizuguchi, Machida, Soares, Saiki and Abercrombie.

No. 2977-80 "A Bill for an Act Relating to the Compensation of Public Officers and Employees Covered by Chapter 77, Hawaii Revised Statutes."

Introduced by: Senators Toyofuku, Young, Soares and Saiki.

No. 2978-80 "A Bill for an Act Relating to the Initial Appointment of Civil Service Employees."

Introduced by: Senators Toyofuku, Kuroda and Soares.

No. 2979-80 "A Bill for an Act Relating to the Compensation of Public Officers

and Employees."

Introduced by: Senators Toyofuku, Hara, Mizuguchi, Machida, Soares, Saiki and Abercrombie.

No. 2980-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Sex Abuse Treatment Center."

Introduced by: Senator Wong.

No. 2981-80 "A Bill for an Act Relating to a Voters Pamphlet."

Introduced by: Senator Wong, by request.

No. 2982-80 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Wong, by request.

No. 2983-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Rehabilitation Hospital of the Pacific, Oahu."

Introduced by: Senator Wong.

No. 2984-80 "A Bill for an Act Relating to Special Number Plates."

Introduced by: Senator Wong, by request.

No. 2985-80 "A Bill for an Act Relating to Change of Name."

Introduced by: Senator Wong, by request.

No. 2986-80 "A Bill for an Act Making an Appropriation for the 1981 Reapportionment Commission."

Introduced by: Senator Wong, by request.

No. 2987-80 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Wong, by request.

No. 2988-80 "A Bill for an Act Relating to Primary Elections."

Introduced by: Senator Wong, by request.

No. 2989-80 "A Bill for an Act Relating to Per Diem for Witnesses from Other States."

Introduced by: Senator Wong, by request.

No. 2990-80 "A Bill for an Act Making an Appropriation for the Repair and Maintenance of Public Facilities."

Introduced by: Senator Wong, by request.

No. 2991-80 "A Bill for an Act Making an Appropriation for the Payment of Principal and Interest of General Obligation Bonds."

Introduced by: Senator Wong, by request.

No. 2992-80 "A Bill for an Act Making an Appropriation for Special Payments to Boarding and Care Home Residents."

Introduced by: Senator Wong, by request.

No. 2993-80 "A Bill for an Act Relating to the Hawaii Housing Authority."

Introduced by: Senator Wong, by request.

No. 2994-80 "A Bill for an Act Relating to Health Planning."

Introduced by: Senator Wong, by request.

No. 2995-80 "A Bill for an Act Relating to the Department of Education."

Introduced by: Senator Wong, by request.

No. 2996-80 "A Bill for an Act Making an Appropriation for the Payment of Authorized Claims and Expenditures Pursuant to Chapter 523, Hawaii Revised Statutes, Uniform Disposition of Unclaimed Property Act."

Introduced by: Senator Wong, by request.

No. 2997-80 "A Bill for an Act Relating to the Uniform Controlled Substances Act."

Introduced by: Senator Wong, by request.

No. 2998-80 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Wong, by request.

No. 2999-80 "A Bill for an Act Relating to Motorcycle and Motor Scooter Protective Devices."

Introduced by: Senator Wong, by request.

No. 3000-80 "A Bill for an Act Relating to Harbors."

Introduced by: Senator Wong, by request.

No. 3001-80 "A Bill for an Act Making an Appropriation for a Capital Improvement Project at Pukele Stream."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 3002-80 "A Bill for an Act Making an Appropriation for Kapahulu Avenue Traffic Lights, Oahu."

Introduced by: Senators O'Connor, Cobb, Soares and Saiki.

No. 3003-80 "A Bill for an Act Relating to Medical Torts."

Introduced by: Senator O'Connor.

No. 3004-80 "A Bill for an Act Relating to Campaign Spending."

Introduced by: Senator O'Connor, by request.

No. 3005-80 "A Bill for an Act Relating to Fuel Tax."

Introduced by: Senators O'Connor and Cayetano.

No. 3008-80 "A Bill for an Act Relating to a Department of Corrections."

Introduced by: Senator O'Connor.

No. 3015-80 "A Bill for an Act Making an Appropriation for Repairs to Ukumehama Bridge and Approaches, Honoapiilani Highway, Lahaina, Maui."

Introduced by: Senators Yamasaki and Machida.

No. 3016-80 "A Bill for an Act Making an Appropriation to Establish a Neighbor Island Tourism Promotion Program."

Introduced by: Senators Ushijima, Hara, Carpenter, Toyofuku, Machida and Yamasaki.

No. 3017-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the County of Hawaii for Capital Improvement Projects."

Introduced by: Senators Ushijima, Hara and Carpenter.

No. 3018-80 "A Bill for an Act Making an Appropriation for Plans and Construction for Improvements at Hawaii Belt Road, Ahulua-Pakalana Road Intersection and Hawaii Belt Road, Papaaloa Residential Subdivision Access Road Intersection, Hawaii County."

Introduced by: Senators Ushijima, Hara and Carpenter.

No. 3019-80 "A Bill for an Act Relating to Energy Production Facilities in Agriculture Districts."

Introduced by: Senators Ushijima, Hara, Carpenter and Machida.

No. 3020-80 "A Bill for an Act Making an Appropriation for Agricultural Parks."

Introduced by: Senators Machida, Hara and Yamasaki.

No. 3021-80 "A Bill for an Act Making an Appropriation for Alternate Crops."

Introduced by: Senators Machida, Hara and Yamasaki.

No. 3022-80 "A Bill for an Act Relating to the Transport, Recovery and Reclamation of Agricultural Waste."

Introduced by: Senator Hara.

No. 3023-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid for the Cultural Center, Hilo, Hawaii."

Introduced by: Senator Hara.

No. 3024-80 "A Bill for an Act Relating to Pari-Mutuel Cockfighting, Dog Racing and Horse Racing."

Introduced by: Senator Hara.

No. 3025-80 "A Bill for an Act Making an Appropriation for Kalaniana'ole Elementary and Intermediate School, Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3026-80 "A Bill for an Act Relating to Temporary Disability Insurance."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3027-80 "A Bill for an Act Making an Appropriation for Big Island Interscholastic Federation."

Introduced by: Senators Hara, Ushijima, Carpenter, Toyofuku, Young, Yamasaki, Cayetano Chong and Machida.

No. 3028-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Projects in the 3rd District of the County of Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3029-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid

for Projects in the 2nd District of the County of Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3030-80 "A Bill for an Act Making an Appropriation for Honokaa High and Elementary School, Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3031-80 "A Bill for an Act Making an Appropriation for Laupahoehoe High and Elementary School, Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3032-80 "A Bill for an Act Making an Appropriation for an Electronics Education and Training Program."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3033-80 "A Bill for an Act Making an Making an Appropriation for the Mauna Kea Silversword Restoration Project."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3034-80 "A Bill for an Act Making an Appropriation for Laupahoehoe High and Elementary School, Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3035-80 "A Bill for an Act Making an Appropriation for the Hawaii State Youth Conservation Corps."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3036-80 "A Bill for an Act Making an Appropriation for Paauilo Intermediate and Elementary School, Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3037-80 "A Bill for an Act Making an Appropriation for Kalaniana'ole Intermediate and Elementary School, Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3038-80 "A Bill for an Act Making an Appropriation for Honokaa High and Elementary School, Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3039-80 "A Bill for an Act Making an Appropriation for Kohala High and Elementary School, Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3040-80 "A Bill for an Act Making an Appropriation for Kohala High and Elementary School, Hawaii."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3041-80 "A Bill for an Act Making an Appropriation for an Education Foundation Program."

Introduced by: Senators Hara, Ushijima and Carpenter.

No. 3042-80 "A Bill for an Act Making an Appropriation for Water Development Projects, County of Hawaii."

Introduced by: Senators Hara and Carpenter.

No. 3043-80 "A Bill for an Act Making an Appropriation for Development of the Jojoba Nut Crop."

Introduced by: Senators Hara, Kuroda, Carpenter, Machida, Abercrombie and Cayetano.

No. 3044-80 "A Bill for an Act Making an Appropriation for a Study of Lighter-Than-Air Vehicles."

Introduced by: Senators Hara, Kuroda, Carpenter, Machida, Abercrombie and Cayetano.

No. 3045-80 "A Bill for an Act Making an Appropriation for the Development of the Honey Bee Industry."

Introduced by: Senators Hara, Kuroda, Carpenter, Machida, Abercrombie and Cayetano.

No. 3046-80 "A Bill for an Act Relating to Alternative Crops for Kohala, Hawaii."

Introduced by: Senators Carpenter, Hara, Ushijima, Machida and Young.

No. 3047-80 "A Bill for an Act Relating to the Office of Hawaiian Affairs."

Introduced by: Senators Carpenter, Yim, Wong, Kuroda, Yamasaki, Chong and Young.

No. 3048-80 "A Bill for an Act Establishing a State Medical Examiner Commission, the Positions of Chief Medical Examiner, Assistant Medical Examiner and Deputy Medical Examiners, and Making an Appropriation Therefor."

Introduced by: Senators Carpenter, Yamasaki, Chong and Young.

No. 3049-80 "A Bill for an Act Relating to State Purchases."

Introduced by: Senators Carpenter, Yamasaki, Chong and Young.

No. 3050-80 "A Bill for an Act Relating to Public Land Revenues."

Introduced by: Senators Carpenter, Yim, Wong, Kuroda, Chong and Young.

No. 3051-80 "A Bill for an Act Related to the Escheat of Kuleana Lands."

Introduced by: Senators Carpenter, Yim, Wong, Kuroda, Chong and Young.

No. 3052-80 "A Bill for an Act Relating to Drugs and Poison."

Introduced by: Senator Carpenter.

No. 3053-80 "A Bill for an Act Making an Appropriation for Programs Relating to Health Problems of the Elderly."

Introduced by: Senators Carpenter, Campbell, Toyofuku, Machida, Soares, Young, Abercrombie, Yee and Saiki.

No. 3054-80 "A Bill for an Act Relating to Medical Examiners."

Introduced by: Senators Carpenter, Campbell, Machida, Soares, Abercrombie and Yee.

No. 3055-80 "A Bill for an Act Relating to the Department of Health."

Introduced by: Senators Carpenter, Campbell, Saiki, Machida, Abercrombie, Chong and Yee.

No. 3056-80 "A Bill for an Act Relating to Health Promotion, Prevention of Illness, and Wellness Program and Making an Appropriation Therefor."

Introduced by: Senators Carpenter, Campbell, Machida, Soares, Young, Saiki, Yee, and Abercrombie.

No. 3057-80 "A Bill for an Act Relating to Hawaiian Affairs."

Introduced by: Senators Carpenter, Yim, Wong, Kuroda, Yamasaki, Chong and Young.

No. 3058-80 "A Bill for an Act Relating to the Nomination and Appointment of Members of the Hawaiian Homes

Commission."

Introduced by: Senators Carpenter,
Yim, Wong, Kuroda, Chong and Young.

No. 3059-80 "A Bill for an Act Making
an Appropriation for the Conduct of
an Inventory of State Lands Inclusive
of Classifications for Ceded and Non-
Ceded Lands."

Introduced by: Senators Carpenter,
Yim, Wong, Kuroda, Yamasaki, Young
and Chong.

No. 3060-80 "A Bill for an Act Relating
to the Hawaiian Homes Commission Act."

Introduced by: Senators Carpenter,
Wong, Kuroda, Yim, Yamasaki, Chong
and Young.

No. 3061-80 "A Bill for an Act Relating
to Public Assistance."

Introduced by: Senator Carpenter.

No. 3062-80 "A Bill for an Act Making
an Appropriation for a Grant-In-Aid
for Psychiatric Day Treatment for Children."

Introduced by: Senator Carpenter.

No. 3064-80 "A Bill for an Act Making
an Appropriation of \$2,787,715 to the
State Department of Health."

Introduced by: Senator Abercrombie,
by request.

No. 3065-80 "A Bill for an Act Relating
to the Aquarium and Marine Laboratory
Site."

Introduced by: Senator Abercrombie.

No. 3066-80 "A Bill for an Act Making
an Appropriation to the University of
Hawaii, Manoa Program of Tropical
Medicine and Medical Microbiology."

Introduced by: Senator Abercrombie
and Campbell.

No. 3067-80 "A Bill for an Act Making
an Appropriation for a Grant-In-Aid
to the City and County of Honolulu for
Improvements to Kuhio Avenue, Waikiki,
Oahu."

Introduced by: Senator Abercrombie,
by request.

No. 3068-80 "A Bill for an Act Making
an Appropriation for the College of Tropical
Agriculture and Human Resources, Univer-
sity of Hawaii, Manoa."

Introduced by: Senator Abercrombie.

No. 3069-80 "A Bill for an Act Relating

to Teachers."

Introduced by: Senator Abercrombie.

No. 3070-80 "A Bill for an Act Making
an Appropriation for an Integrated
Industrial Engineering and Power
Machine Operator Training Program
for the Garment Industry."

Introduced by: Senator Abercrombie.

No. 3071-80 "A Bill for an Act Relating
to Public Assistance."

Introduced by: Senators Abercrombie
and Carpenter.

No. 3072-80 "A Bill for an Act Relating
to Procedure When Title of Vehicle
Transferred; Delivery of Certificate
Mandatory."

Introduced by: Senator Abercrombie,
by request.

No. 3073-80 "A Bill for an Act Relating
to Transportation."

Introduced by: Senator Abercrombie,
by request.

No. 3074-80 "A Bill for an Act Relating
to Certificate of Registration; Certificate
of Ownership; Containers."

Introduced by: Senator Abercrombie,
by request.

No. 3080-80 "A Bill for an Act Relating
to the Job Sharing Pilot Project in
the Department of Education."

Introduced by: Senators Kawasaki,
Hara, Toyofuku and Kuroda.

No. 3081-80 "A Bill for an Act Relating
to Earthquakes."

Introduced by: Senators Kawasaki,
Toyofuku and Kuroda.

No. 3082-80 "A Bill for an Act Relating
to Zoning."

Introduced by: Senators Kawasaki,
Toyofuku and Kuroda.

No. 3083-80 "A Bill for an Act Making
an Appropriation for Improving
Foreign Language Instruction in
Hawaii."

Introduced by: Senators Kawasaki,
Hara, Toyofuku, Yamasaki and Kuroda.

No. 3084-80 "A Bill for an Act to
Make and Provide for Payment of
Claims for Repair or Replacement
of Any Building or Other Property,
or the Payment of Claims Found

to be Due Under Chapter 386."

Introduced by: Senator Kawasaki, by request.

No. 3085-80 "A Bill for an Act Relating to Environmental Impact Statements."

Introduced by: Senator Kawasaki.

No. 3086-80 "A Bill for an Act Making an Appropriation for the Preservation and Restoration of the Historic Kamakawiwoole's Church, Laupahoehoe Nui, Laupahoehoe Jodo Mission, Kohala Courthouse, and Paaupau Jodo Mission, Hawaii County."

Introduced by: Senators Ushijima, Carpenter and Hara.

No. 3087-80 "A Bill for an Act Making an Appropriation for Truck Climbing Lanes at Pepeekeo, South Hilo, Hawaii."

Introduced by: Senators Ushijima, Carpenter and Hara.

No. 3088-80 "A Bill for an Act Making an Appropriation for the Replacement of the Kainehe, Kaholalele, Kealakaha, Paaupau School, and East Paaupau Streams Bridges on the Hawaii Belt Road, Hawaii County."

Introduced by: Senators Ushijima, Carpenter and Hara.

No. 3089-80 "A Bill for an Act Making an Appropriation for the General Improvements of the Sixth Senatorial District."

Introduced by: Senator Chong.

No. 3090-80 "A Bill for an Act Making an Appropriation for the Culture Program for Underprivileged Children."

Introduced by: Senator Chong.

No. 3091-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to Ballet Folklorico Latino Classical Hispanic Folk Dance Company."

Introduced by: Senator Chong.

No. 3092-80 "A Bill for an Act Relating to Doctor Martin Luther King, Junior Day."

Introduced by: Senator Chong.

No. 3093-80 "A Bill for an Act Making an Appropriation for the Planning and Construction of the Uncompleted Portion of Mokuola Street, Waipahu, Oahu."

Introduced by: Senators Young, Kuroda, Cayetano and Mizuguchi.

No. 3094-80 "A Bill for an Act Relating

to Credit."

Introduced by: Senators Young and Saiki.

No. 3095-80 "A Bill for an Act Relating to Continuing Education for Women."

Introduced by: Senators Young and Saiki.

No. 3096-80 "A Bill for an Act Relating to Housing."

Introduced by: Senator Young.

No. 3097-80 "A Bill for an Act Relating to Vested Rights."

Introduced by: Senator Young.

No. 3098-80 "A Bill for an Act Relating to Residential Leasehold Conversion."

Introduced by: Senator Young.

No. 3099-80 "A Bill for an Act Relating to Law Enforcement."

Introduced by: Senators Kuroda, Chong, Carpenter, Machida, Mizuguchi, Campbell, Ajifu, Yamasaki, Cobb, Soares, Toyofuku, Hara and Yee.

No. 3100-80 "A Bill for an Act Making an Appropriation for Pearlridge Hospital."

Introduced by: Senators Kuroda, Mizuguchi, Saiki, Soares, Machida, Toyofuku, Ushijima, Yamasaki, Yee, Young, Ajifu, Campbell, Carpenter, Carroll, Cayetano, Cobb and Hara.

No. 3101-80 "A Bill for an Act Making an Appropriation for Exploratory Wells in the Waianae Area."

Introduced by: Senators Kuroda, Young, Cayetano and Mizuguchi.

No. 3102-80 "A Bill for an Act Relating to Public Highways."

Introduced by: Senators Kuroda, Machida, Mizuguchi, Ajifu, Saiki, Carroll, Yamasaki, Cobb, Hara, Cayetano, Soares, Young, Ushijima, Chong, Yee and Carpenter.

No. 3103-80 "A Bill for an Act Making an Appropriation for the Bishop Museum."

Introduced by: Senator Campbell.

No. 3105-80 "A Bill for an Act Relating to Unattended Vehicles Towed from Private Property or Abandoned at Motor Vehicle Repair Shops."

- Introduced by: Senator Ajifu.
- No. 3106-80 "A Bill for an Act Relating to Towing Companies and Repair Businesses."
- Introduced by: Senator Ajifu.
- No. 3107-80 "A Bill for an Act Relating to Price Posting by Liquor Wholesalers."
- Introduced by: Senator Cobb, by request.
- No. 3108-80 "A Bill for an Act Relating to Consumer Protection."
- Introduced by: Senator Cobb, by request.
- No. 3109-80 "A Bill for an Act Relating to Income Taxation."
- Introduced by: Senator Cayetano, by request.
- No. 3110-80 "A Bill for an Act Relating to Income Taxation."
- Introduced by: Senator Cayetano, by request.
- No. 3111-80 "A Bill for an Act Relating to Firearms."
- Introduced by: Senator Cayetano.
- No. 3112-80 "A Bill for an Act Relating to the State Higher Education Loan Fund."
- Introduced by: Senator Ajifu.
- No. 3113-80 "A Bill for an Act Making an Appropriation for Repair and Maintenance of Windward Community College Buildings."
- Introduced by: Senator Ajifu.
- No. 3114-80 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to Castle Memorial Hospital, Oahu."
- Introduced by: Senator Ajifu.
- No. 3115-80 "A Bill for an Act Relating to Mandatory Imprisonment for Use of a Firearm in a Felony."
- Introduced by: Senator Ajifu.
- No. 3116-80 "A Bill for an Act Making an Appropriation for Castle High School."
- Introduced by: Senator Ajifu.
- No. 3117-80 "A Bill for an Act Making an Appropriation for Improvements to Pukele (Palolo) Stream."
- Introduced by: Senator Soares.
- No. 3118-80 "A Bill for an Act Making an Appropriation for the Hawaii Council on Portuguese Heritage."
- Introduced by: Senator Soares.
- No. 3119-80 "A Bill for an Act Relating to Exemption of Adult Education Special Funds."
- Introduced by: Senator Soares.
- No. 3120-80 "A Bill for an Act Relating to Asbestos Ceilings in Certain Public Schools."
- Introduced by: Senator Soares.
- No. 3121-80 "A Bill for an Act Making an Appropriation for Repair and Maintenance of Kahala School."
- Introduced by: Senator Soares.
- No. 3122-80 "A Bill for an Act Making an Appropriation for Improvements to the Hawaii School for the Deaf and Blind."
- Introduced by: Senator Soares.
- No. 3123-80 "A Bill for an Act Establishing a Hawaii Commission on Crime Control and Violence Prevention."
- Introduced by: Senator Soares.
- No. 3124-80 "A Bill for an Act Making an Appropriation for Alternate Learning Centers."
- Introduced by: Senator Soares.
- No. 3125-80 "A Bill for an Act Making an Appropriation to Establish a Hawaii Crime Commission on Crime Control and Violence Prevention."
- Introduced by: Senator Soares.
- No. 3126-80 "A Bill for an Act Making an Appropriation for a Medical Facility in the Hawaii Kai-Kuliouou Area."
- Introduced by: Senator Soares.
- No. 3127-80 "A Bill for an Act Making an Appropriation for Separate Witness Waiting Rooms in the New Courthouse."
- Introduced by: Senator Soares.
- No. 3128-80 "A Bill for an Act Relating to the Release of Convicted Persons Who Have Been Declared Insane."
- Introduced by: Senator Soares.
- No. 3129-80 "A Bill for an Act Making an Appropriation for Bishop Museum."

Introduced by: Senator Soares.

No. 3130-80 "A Bill for an Act Relating to Name Changes by Convicted Persons."

Introduced by: Senator Soares.

No. 3132-80 "A Bill for an Act Relating to Health Insurance for the Elderly."

Introduced by: Senator Soares.

No. 3133-80 "A Bill for an Act Making an Appropriation for a Feasibility Study and Planning for Senior Citizens' Housing in the Kahaluu Area."

Introduced by: Senator Anderson.

No. 3134-80 "A Bill for an Act Making an Appropriation for Tennis Courts for the City and County of Honolulu."

Introduced by: Senator Anderson.

No. 3135-80 "A Bill for an Act Making an Appropriation for a Criminal Investigation and Prosecution Program for Honolulu."

Introduced by: Senator Anderson.

No. 3136-80 "A Bill for an Act Relating to Appropriations for Kalaheo High School Athletic Field."

Introduced by: Senators Anderson and Ajifu.

No. 3137-80 "A Bill for an Act Relating to Establishing a General Excise Tax-Sharing Grant-In-Aid System for the Counties."

Introduced by: Senators Anderson, Soares, Carroll and Saiki.

No. 3138-80 "A Bill for an Act Relating to Employment Security."

Introduced by: Senator Anderson.

No. 3139-80 "A Bill for an Act Making an Appropriation for Children's Hospital, Oahu."

Introduced by: Senators Yee and Machida.

No. 3140-80 "A Bill for an Act Proposing an Amendment to Article III, Section 10, of the Hawaii Constitution, to Abolish the Five Day Legislative Recess."

Introduced by: Senators Yee, Yamasaki and Young.

No. 3141-80 "A Bill for an Act Relating to State and County Fiscal Program and Policy Reform."

Introduced by: Senators Yee and Anderson.

No. 3143-80 "A Bill for an Act Making an Appropriation to Continue the Act 4 Hawaiian Home Lands Education Programs."

Introduced by: Senator Mizuguchi.

No. 3144-80 "A Bill for an Act Relating to Special Facility Revenue Bonds."

Introduced by: Senator Mizuguchi.

No. 3145-80 "A Bill for an Act Relating to Trade Regulation."

Introduced by: Senator O'Connor.

No. 3146-80 "A Bill for an Act Relating to Campaign Spending."

Introduced by: Senator O'Connor.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Wednesday, February 13, 1980:

Senate Bills

No. 2764-80 "A Bill for an Act Relating to Trade Regulation."

Introduced by: Senator O'Connor.

No. 2765-80 "A Bill for an Act Relating to Corporations."

Introduced by: Senator O'Connor.

No. 2781-80 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senator Campbell.

No. 2782-80 "A Bill for an Act Relating to Noise Control Limits."

Introduced by: Senator Campbell, by request.

No. 2783-80 "A Bill for an Act Relating to the General Excise Tax."

Introduced by: Senator Campbell.

No. 2792-80 "A Bill for an Act Relating to Time-Sharing."

Introduced by: Senator Abercrombie.

No. 2814-80 "A Bill for an Act Relating to the Hawaii Community Development Authority."

Introduced by: Senator Cayetano.

No. 2815-80 "A Bill for an Act Relating to Pension and Retirement System."

Introduced by: Senator Cayetano.

No. 2895-80 "A Bill for an Act Relating to Campaign Spending."

Introduced by: Senator O'Connor.

No. 2896-80 "A Bill for an Act Relating to Corporations."

Introduced by: Senator O'Connor.

No. 2897-80 "A Bill for an Act Relating to Guardianship, Civil Commitment, and Protective Services."

Introduced by: Senator O'Connor.

No. 2933-80 "A Bill for an Act Relating to Providing One Ward for Orthomolecular Treatment."

Introduced by: Senator Chong.

No. 2934-80 "A Bill for an Act Relating to Requiring Coverage for Orthomolecular Medicine for Mental Illness."

Introduced by: Senator Chong.

No. 2935-80 "A Bill for an Act Relating to Requiring Insurance."

Introduced by: Senator Chong.

No. 2936-80 "A Bill for an Act Relating to Providing for Nutritional Counseling."

Introduced by: Senator Chong.

No. 2970-80 "A Bill for an Act Relating to Salary Adjustments for Public Officers and Employees."

Introduced by: Senator Machida.

No. 3006-80 "A Bill for an Act Proposing an Amendment to the Constitution of the State of Hawaii."

Introduced by: Senator O'Connor.

No. 3007-80 "A Bill for an Act Proposing an Amendment to the Constitution of the State of Hawaii."

Introduced by: Senator O'Connor.

No. 3009-80 "A Bill for an Act Relating to the Hawaii Rules of Evidence."

Introduced by: Senator O'Connor.

No. 3010-80 "A Bill for an Act Relating to Detention Facilities."

Introduced by: Senator O'Connor.

No. 3011-80 "A Bill for an Act Relating to Real Property of Protected Persons."

Introduced by: Senator O'Connor.

No. 3012-80 "A Bill for an Act Relating to Lobbyists."

Introduced by: Senator O'Connor.

No. 3013-80 "A Bill for an Act Proposing an Amendment to the Constitution of the State of Hawaii."

Introduced by: Senator O'Connor.

No. 3014-80 "A Bill for an Act Proposing an Amendment to the Constitution of the State of Hawaii."

Introduced by: Senator O'Connor.

No. 3063-80 "A Bill for an Act Relating to Health Service Providers."

Introduced by: Senators Carpenter and Abercrombie.

No. 3075-80 "A Bill for an Act Relating to Contractors."

Introduced by: Senator Abercrombie.

No. 3076-80 "A Bill for an Act Relating to Solicitation of Funds from the Public."

Introduced by: Senator Abercrombie.

No. 3077-80 "A Bill for an Act Relating to the Functions of State Agencies in Relationship to the University of Hawaii."

Introduced by: Senator Abercrombie.

No. 3078-80 "A Bill for an Act Relating to a State/County Surface Transportation Fund."

Introduced by: Senator Abercrombie, by request.

No. 3079-80 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senator Abercrombie.

No. 3104-80 "A Bill for an Act Relating to Public Officers and Employees."

Introduced by: Senator Toyofuku.

No. 3131-80 "A Bill for an Act Relating to Mortuaries and Funerals."

Introduced by: Senators Soares.

No. 3142-80 "A Bill for an Act Relating to Land Designation for the Aquarium."

Introduced by: Senators Yee and Machida.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee

on Legislative Management, presented a report (Stand. Com. Rep. No. 23-80) informing the Senate that Senate Concurrent Resolution No. 19, Senate Resolution Nos. 86 to 91, Senate Bill Nos. 2534-80 to 2763-80 and Standing Committee Report No. 22-80 have been printed and are ready for distribution.

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

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 11, 1980:

Senate Bills Referred to:

- | | |
|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| No. 2534-80 Committee on Tourism,
then to the Committee on Judiciary | on Ways and Means |
| No. 2535-80 Committee on Human Resources,
then to the Committee on Ways and Means | No. 2552-80 Committee on Education,
then to the Committee on Ways and
Means |
| No. 2536-80 Committee on Human Resources,
then to the Committee on Ways and Means | No. 2553-80 Committee on Economic
Development, then to the Committee
on Ways and Means |
| No. 2537-80 Committee on Human Resources,
then to the Committee on Ways and Means | No. 2554-80 Committee on Economic
Development, then to the Committee
on Ways and Means |
| No. 2538-80 Committee on Human Resources,
then to the Committee on Ways and Means | No. 2555-80 Committee on Housing
and Hawaiian Homes, then to the
Committee on Consumer Protection
and Commerce |
| No. 2539-80 Committee on Human Resources,
then to the Committee on Ways and Means | No. 2556-80 Committee on Housing
and Hawaiian Homes |
| No. 2540-80 Committee on Transportation | No. 2557-80 Committee on Housing
and Hawaiian Homes, then to the
Committee on Ways and Means |
| No. 2541-80 Committee on Transportation,
then to the Committee on Judiciary | No. 2558-80 Committee on Housing
and Hawaiian Homes |
| No. 2542-80 Committee on Transportation | No. 2559-80 Committee on Housing
and Hawaiian Homes, then to the
Committee on Ways and Means |
| No. 2543-80 Committee on Transportation | No. 2560-80 Committee on Housing
and Hawaiian Homes |
| No. 2544-80 Committee on Transportation | No. 2561-80 Committee on Housing
and Hawaiian Homes |
| No. 2545-80 Committee on Transportation,
then to the Committee on Ways and Means | No. 2562-80 Committee on Housing
and Hawaiian Homes |
| No. 2546-80 Committee on Public Utilities,
then to the Committee on Consumer Protection
and Commerce | No. 2563-80 Committee on Housing
and Hawaiian Homes, then to the
Committee on Judiciary, then to
the Committee on Ways and Means |
| No. 2547-80 Committee on Human Resources | No. 2564-80 Committee on Housing
and Hawaiian Homes |
| No. 2548-80 Committee on Judiciary | No. 2565-80 Committee on Education,
then to the Committee on Ways and
Means |
| No. 2549-80 Committee on Education,
then to the Committee on Ways and Means | No. 2566-80 Committee on Education,
then to the Committee on Ways and
Means |
| No. 2550-80 Committee on Economic
Development | No. 2567-80 Committee on Education,
then to the Committee on Ways and
Means |
| No. 2551-80 Committee on Economic
Development, then to the Committee | No. 2568-80 Committee on Education,
then to the Committee on Ways and
Means |
| | No. 2569-80 Committee on Transportation,
then to the Committee on Ways and
Means |
| | No. 2570-80 Committee on Transportation, |

then to the Committee on Ways and Means

No. 2571-80 Committee on Economic Development

No. 2572-80 Committee on Consumer Protection and Commerce

No. 2573-80 Committee on Intergovernmental Relations, then to the Committee on Economic Development

No. 2574-80 Committee on Judiciary

No. 2575-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2576-80 Committee on Health, then to the Committee on Ways and Means

No. 2577-80 Committee on Transportation, then to the Committee on Ways and Means

No. 2578-80 Committee on Education, then to the Committee on Ways and Means

No. 2579-80 Committee on Ways and Means

No. 2580-80 Committee on Judiciary, then to the Committee on Ways and Means

No. 2581-80 Committee on Judiciary

No. 2582-80 Committee on Human Resources, then to the Committee on Judiciary

No. 2583-80 Committee on Judiciary, then to the Committee on Ways and Means

No. 2584-80 Committee on Education

No. 2585-80 Committee on Human Resources

No. 2586-80 Jointly to the Committee on Economic Development and the Committee on Public Utilities

No. 2587-80 Committee on Economic Development

No. 2588-80 Committee on Education, then to the Committee on Ways and Means

No. 2589-80 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary

No. 2590-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 2591-80 Committee on Ways and Means

No. 2592-80 Committee on Ways and Means

No. 2593-80 Committee on Transportation,

then to the Committee on Ways and Means

No. 2594-80 Committee on Judiciary

No. 2595-80 Committee on Ways and Means

No. 2596-80 Committee on Education, then to the Committee on Ways and Means

No. 2597-80 Committee on Education, then to the Committee on Ways and Means

By unanimous consent, consideration of Senate Bill Nos. 2598-80 to 2763-80 was deferred until Wednesday, February 13, 1980.

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

The Senate reconvened at 11:53 o'clock a.m.

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

"Mr. President, I rise on a point of personal privilege.

"Mr. President, this morning I picked up the Honolulu Advertiser and read an article written by Advertiser reporter Walter Wright. The article is in relation to the State Crime Commission and the title of the article is 'Report Leaked to Curry Favor?'. Mr. President, I'd like to comment on this because I believe that there is much confusion about the Crime Commission and perhaps a lack of appreciation, or maybe understanding, among a few members of the Legislature as to the dilemma in which the Crime Commission finds itself today.

"I would like to preface my remarks by giving a brief history of the Commission.

"As you all know, in 1977 the Commission was enacted into law. At that time, the purpose of the Commission was basically to provide a mechanism for citizen input into governmental activities with regard to crime. However, in 1978 the Legislature decided that it wanted the Commission to do more than that. The bill was amended or the law was amended and the Commission was charged with the duty to, and I quote, '... investigate and collect evidence necessary to study criminal activity or the operation of the criminal justice.' We also gave the Commission the power to hold closed hearings and public hearings. The subpoena powers of the Commission were clarified

and expanded. We charged the agencies of state and county governments to cooperate with the Commission in its performance of its duties.

"Since its inception, the Commission's duties have included reporting to the Legislature, prior to the convening of each session, on its activities of the preceding year, and on its program of action for the coming year. Because the Commission has always been functioning under a limited time span, so to speak, it is apparent that the requirement of the annual report to the Legislature was intended to serve as a means by which we, the Legislature, could review and evaluate the need to continue the Commission.

"I think one of the most important aspects of the Commission, and this I think arose out of a great concern on the part of many legislators, was that the proceedings or the information derived by the Commission through its investigations be held confidential. This power of secrecy which the Legislature gave the Commission, of course, was intended to assure that the Commission would be able to function effectively, rather than be a mere effort of our elected officials to placate public concern with respect to crime. This power, or this mission, or this duty of confidentiality cannot be understated.

"I want to quote from the great lady in the other House. She happens to be a member of the minority party, Representative Kinau Kamalii. From a floor speech that she gave in 1978 expressing her support for a permanent Commission, and I quote, '... Although this is in contradiction to my basic belief in an open and accessible government, in this one particular area it is the criminal element that would most benefit if we were to require the Commission to be completely open for such a requirement would certainly guarantee coercion and intimidation of those who might possess information vital to our efforts in combating crime.'

"Mr. President, criticism has been directed at the Commission for its failure in its annual report to provide more information on the work it has been doing. The ability of the Commission to reveal details of its investigation is limited by the requirement that it maintain confidentiality. However, the failure of the Legislature to draw guidelines as far as the manner in which the Commission would report to us has placed the Commission on the horns of a dilemma of which I think all of us should be a little more appreciative and understanding.

"On the one hand we want the Commission to protect the reputations and lives of the people who are being investigated, and on the other hand we demand the Commission be accountable to us. Now, somewhere

in between we are going to have to define what we want in terms of that accountability because both reports that have been submitted by the Commission have been rejected by the members of the Legislature in great measure because they tend to be vague and very general in terms. In fact, there has been such dissatisfaction with the Commission's report that a bill was introduced by a member of the House to abolish the Commission.

"A few days ago, three members of the Commission came to see me. I was informed that they went to see the Judiciary Chairman of the House and the Judiciary Chairman of the Senate. They expressed their concerns about this dilemma. 'What are we to do?' they asked. 'We cannot disclose the details which will show you the quality of our work because we have to protect the reputations of the people involved.' This is the dilemma that they are in.

"If there is criticism of the Commission, the blame should be placed on our shoulders, here, because we have not told them what to do. We have not written out the procedure which they should follow and so they resorted, in their fight for survival, to really what boils down to old-fashioned lobbying.

"I disagree with comments made in the paper that they violated any degree of confidentiality, incidentally, because if you read the law itself it says that they are authorized to report to the Legislature.

"How can members of the Legislature criticize the Commission if they do not know what it's doing? Statements to the fact that perhaps the Commission should not survive because, if they do, it should be 'as a purely citizens' panel to receive complaints and leads from the general public and check them out or validate them and then pass them on to the proper agencies' are misplaced. Comments such as, 'they have gotten in much deeper than we intended for them,' and 'we have to be more precise about the definition in the law,' are misplaced. They are misplaced, especially about the definition in the law. They are misplaced especially if the critical legislator does not know what the Commission is doing. I think those criticisms lack understanding and lack appreciation of what they did.

"This Advertiser article which says that the 'report leaked to curry favor,' I think, places a cloud over the conduct of the Commission.

"No one argues when members of the HMA or any union or any other organization go to see certain legislators to make their case. Why should we hold this Commission to task for doing that? Indeed, why should we hold this Commission, because there is no possibility of a quid pro quo, if you know what I mean, when the Commission members go in to make their case to certain members of this Legislature about why they should survive.

"Mr. President, I am not a member of the Judiciary Committee; I've had long discussions with the chairman of the Judiciary Committee; I think he has some good ideas about how the status of the Commission should be improved. One of the things that I hope the members of the Judiciary Committee would tackle will be this business about how the Commission is to report to us.

"Now, if you take a look at the federal government, they have or they deal with reports submitted by their agencies which deal with sensitive subject matters by having select committees, for example, made up of certain key members of Congress to oversee their activities. Perhaps that is the kind of procedure we should follow. But the fact of the matter is that we have not done it so those (Commission) members are confused. They don't know where to turn to and before we criticize them we had better understand the dilemma in which we put them.

"Thank you, Mr. President."

Senator Kawasaki also rose on a point of personal privilege and stated as follows:

"Mr. President, I too think that the matter that Senator Cayetano talked about is quite serious. As a matter of fact, serious enough to justify our discussing some points he brought up at length in today's session.

"You, Mr. President, had the foresight to sponsor the bill that created the Crime Commission and for those of us who supported you in this effort, I think we can look back in retrospect and say that the Crime Commission has done a job that no other entity in the legal enforcement agency category has done.

"The Crime Commission is a creature of the Legislature; don't forget that, we all voted for it. We haven't supported it as well as we could; we have limited their funding; we did not give them immunity legislation; we have in many ways, I think, hamstrung their efforts. Notwithstanding that, it is my judgment that they have done a good job under the circumstances and I think they were perfectly justified in coming to us for support.

"I think this is a very interesting community.

Every now and then we have a fad going on. The recent fad is to talk down the efforts of the Crime Commission. I think this is unfortunate; as a matter of fact, I think the previous speaker alluded to some bills to abolish the Crime Commission. I think this is an example of irresponsibility on the part of legislators in this building here when they do not understand some of the reasons for the action on the part of the Crime Commission personnel.

"I've examined the personnel of the Crime Commission -- their credentials -- every single one of these people. I find them with very impressive credentials.

"What I am concerned about is this constant talking down of what they are trying to do is going to demoralize people to a point where they are going to have people leaving that office. I just hate to see this happen. I think we've got to support the Crime Commission much more than we have in the past and really prove to the public that at least the state Senate here does not only talk when we say that we are against crime, because if you would open your mind and examine what they have done to date, as best you can, you would find that we did the public a service in creating this Commission.

"We who have the responsibility, incidentally, of naming the chairman of the Crime Commission by two-thirds vote of both Houses convening jointly, we had better think of attracting some qualified people for this position. We have not as yet started in this endeavor, and I think what's taken place in the way of dialogue in the past few days may discourage the kind of people we are looking for to apply for this position.

"Secondly, if we are not quite happy with the statements made, the conduct of individual members of the Crime Commission, we have nobody else to hold responsible but ourselves because indeed when the Governor sends down names for us to confirm as Crime Commissioners we confirm these people. We had better examine the credentials of the various people we are putting on the Crime Commission. This is all our responsibility; it comes back to 'roost in our own den,' so to speak, so please let's give the Commission the support they need.

"Short of that, I challenge, I challenge any legislator who wants to abolish the Crime Commission to show me as an alternative what they have as an alternative to the abolishment of

the Crime Commission."

Senator Kuroda then added his remarks and stated as follows:

"Mr. President, the point of personal privilege has been raised by the two speakers before me. One stated a point, and the second speaker then commented on the former's remarks. Mr. President, I believe that a Senator has the privilege of speaking to a point of aggrievement, but when a substantive issue is brought up in the process of stating a point, and discussion is permitted on the issue, then a debate ensues. In this particular case where the Crime Commission subject is before the Senate Judiciary Committee, the issue should first be discussed at the Committee public hearings rather than this premature discussion on the Senate floor.

The Chair then made the following observation:

"I think the discussion was on a point of personal privilege by Senator Cayetano.

"The Chair will not allow any further discussion on the matter of the Crime Commission."

The Chair then recognized Senator Saiki.

Senator Saiki then rose to query the ruling of the Chair.

The President clarified the ruling and stated as follows:

"The ruling is that on a point of personal privilege as stated by Senator Cayetano -- discussion that follow, if you have any comments in relationship to Senator Kawasaki's comments you are allowed to proceed."

Senator Saiki then rose to comment as follows:

"Mr. President, I have some comments to make since there were allusions to some of my quotes in the morning paper. I think I should be allowed to respond to that.

"First of all, this is legitimately a hall for debate. This is a place for opinions to be expressed. This is the place for debate to take place and for those of us who have ideas to be given equal opportunity to express ourselves.

"I don't intend to get into a debate today, Mr. President, however, I would like to make a very firm statement that I will stand on all of my comments as expressed in the morning Advertiser article. I respect other people's opinion

as to what they may have to say about the Crime Commission; I don't deny them that; at the same time I would like to be heard.

"As far as lobbying by the Crime Commission is concerned, I don't deny that they have every right to lobby in any hall of this Legislature. At the same time, I would like to question the manner in which the so-called lobbying took place.

"Basically, the Crime Commission was set up in our statutes; I voted in support of it; it was enacted into law. The Commission's functions are pretty well set out in the law; we give them specific duties and responsibilities to fulfill. We even outlined for them the manner in which they are to conduct their business. We allow them to make rules under the Administrative Procedures Act. But we as a Legislature, in creating this Commission, also expressed our concern that a commission of this nature must have infinitely good judgment insofar as their disclosure of possible criminal activities. If they were to go ahead and do their business and conduct research, and then recognizing their limitations, they were to send their evidence out to proper agencies for further investigation, I don't think any of us have any quarrel with it. But before the material is presented publicly by any agency whatsoever, they have got to be charges made and the whole matter should become a public one. In order to protect those who may be accused, in order to protect them from being judged guilty in the eyes of the public without going through proper procedure, our Legislature very wisely enacted a section in the law defining the activities of the Commission. We put penalties in case of unauthorized disclosure.

"Now, yesterday, in the public hearing, and it was very public, Mr. President, the Commission chairman was asked as to whether material involving the 'Cassius' project was released to any legislator. He very carefully defined it and said the procedures under which investigation took place was revealed to a legislator. My question in the Judiciary Committee was whether this was good judgment; whether this was the proper manner in which the Commission should have behaved. I did not ask the question as to whether the chairman was authorized to do so by the rest of the Commission, and perhaps this is an area in which we must move.

"The law is very specific, Mr. President, and it says, 'Any commission member,

including the chairman, staff member or employee, who without authorization of the commission wilfully discloses or disseminates any confidential information or matter acquired by the commission during the course of any study or investigation shall be guilty of a Class C felony, and shall be removed.'

"The law goes on and on and on and it's very, very specific about the penalties involved.

"I remember voting on this, Mr. President, and I supported it because I felt that anyone who was being investigated should not be accused in public before the matter is settled in the correct, either criminal or civil court. No one should be exposed unduly. The penalty section in the law is very specific, Mr. President.

"I don't want to belabor this point, but I do want to point out the seriousness of the actions taken by the Commission chairman when segments of that very confidential project was revealed to a legislator. I have to question as to whether that legislator's support was so important that there would have been a breach of confidentiality.

"Mr. President, I have my own personal ideas as to where this Commission should go, as I am sure 75 other people here also have opinions, and I think we should share them through the legislative process and resolve this problem once and for all. I don't think it's fair to allow the Commission members to have to lobby their efforts and in so doing compromise their ethics.

"Thank you, Mr. President."

Senator O'Connor also rose on a point of personal privilege to state as follows:

"Mr. President, I rise on a point of personal privilege. My point has to do with my public statements on this Commission which have been printed and repeated.

"I believe, Mr. President, that I and the Judiciary Committee will have full knowledge of the activities of the Crime Commission over this past year by the time we have decision-making on this matter on Thursday morning.

"One specific area that we have not gone into is to inquire into the names and the specific charges which have been evidently transmitted to the FBI by the Commission concerning this 'Cassius' project, nor do we intend to go into that, as I have decided the data is an improper area to pursue since it has been referred for prosecution.

"I have specific criticisms of the Crime Commission and its work over the past year. I support the Crime Commission for much of their other areas of work over

the past year. They've done some very fine things. All of this matter have been and will be given to the committee, and we will make decisions on this matter on Thursday morning.

"I will repeat but one specific criticism -- I heavily criticize this Commission because we were supposed to get their annual report and other reports from them before this session began to evaluate their performance and to determine exactly how they should continue and whether or not they require restructuring because of internal strife that was going on in the Commission. We finally got their report under heavy pressure from your Judiciary Committee this last Friday and we have yet to get three or four major reports which we should have had over a month ago. These reports I have seen in rough draft and I will report on those reports to the committee on Thursday morning.

"These are some of the criticisms I have had and I will not withdraw them."

Senator Cayetano then rose to respond to remarks made previously and stated as follows:

"Mr. President, again I rise on a point of personal privilege and I would like to respond to remarks made previously.

"Mr. President, if any senator or legislator believes that the chairman and the members of the Crime Commission who came to see me or the two Judiciary Chairmen violated this section of the law which provides for Class C felony, then I suggest you file charges. If you feel this is a violation of the law, you should file charges against those three men. I will be a witness to what was disclosed. There have been a lot of assumptions about what has been disclosed. It's incredible that no one ever asked about what was disclosed to me. I will tell everyone on this floor right now that I never heard of this 'Cassius' project. It was not disclosed to me.

"What I'm trying to point out is that the Commission is resorting to lobbying because we have placed them in a very difficult situation.

"I respect the views of the senator from Hawaii Kai; I think she articulated them very well, I share those views. I also recognize, Mr. President, that we cannot evaluate the Commission's work until we develop some very stringent procedures as to how we want them to report to us, and right now we have not done that.

"Reference was made to the penalty section of the Act; well, Section 843-5 says among other things, '...the Commission shall have the following functions and shall perform the following duties...' and that includes '...reports to the Legislature prior to the convening of each session on the activities of the preceding year and on a program of action for the coming year.'

"Now, if we don't give these people guidelines maybe one day they will come into a public hearing and disclose all of the reports in detail. It is a vague area that we have to deal with -- that is what I am trying to say. Thank you."

Senator Abercrombie rose to remark as follows:

"Mr. President, just in relation to the proceedings here, I have no commentary on it, and I am not sure even what point to raise, whether it's, probably one of clarification with you."

"I think we lost something in the process here. One of the senators indicated that the subject matter, as such, was before a committee of the Senate and therefore might be appropriate to allay discussion here until such time as that committee may have brought forth a report or bill or resolution, or some such activity. From my point of view, well, that may be true, that it's the case, that the committee has before it a subject matter related to the point of personal privilege raised. Nonetheless, our rules make it quite clear, I believe, and I think this is something we should straighten out here even before we straighten out the Crime Commission."

"...that on the nature of privilege, that ...' and I'm quoting now from Rules of Order by Cushing. 'These questions,' this is the question of privilege, 'these questions are such that although they do not relate to the pending question are of such importance that they take precedence over all other questions and because of that privilege are not debatable...' that is to say that whether someone can make them or not, if you rule, unless it seems to me, rather Mr. President, unless you rule that someone is not entitled to the point of personal privilege upon their statement of it."

"It seems to me that any member based on that kind of definition, that is to say that the person, the member believes that the item is of such importance that they take precedence over other questions, they should be allowed to go on. I think it is imperative that we agree even if there is something in a subject matter committee on it."

"The reason, today, that I think that

it was appropriate to allow discussion to take place back and forth on the basis of the personal privilege entreated to you by each member who has spoken before me is the possibility of felonious conduct by people that we had confirmed in their positions, and even the propriety of conduct of individual members in the Legislature was a legitimate question as a result of public commentaries that have been made. Therefore, I would plead with you that when there is a question raised to you in respect of personal privilege that you allow the widest possible latitude to the individual senator on the basis that that person would not rise arbitrarily or precipitously or as it indicates further in our rules here '...for dilatory, absurd or frivolous motion...' that unless you feel that it is in fact dilatory or absurd or frivolous that we take the time and respect one another sufficiently to listen through it."

"Thank you."

The Chair then made the following observation:

"The Chair would like to make this one observation on the point of personal privilege."

"If a senator feels aggrieved by something that is written or said about him the floor of the Senate is open to him."

"I've always made it a point, from the podium, to allow the greatest degree of latitude in allowing senators to express their opinions pro or con which impugns upon their personal operations here in the state Senate. However, I should have cut this thing off earlier because the Chair has requested from the Crime Commission an explanation of its action taken relative to the releasing of the report which is confidential."

"I have not met with the Crime Commission members, neither have I met with the executive secretary. We have placed calls as of yesterday afternoon; we should be hearing from them this afternoon. I would like to discuss some matters with them pertaining to the subject matter presented on the floor."

"I think at this point that until such time when I receive an adequate explanation of what happened and I will report back to the members of the Senate, there will be no further discussion on this matter."

At this time, Senator Chong rose to comment as follows:

"Mr. President, over a week ago the Public Utilities Commission had scheduled a public hearing with regard to life-line rates here at the State Capitol. It was not a legislative hearing; it was a hearing of that commission itself. I and some other elected officials went down and testified. My testimony was not to the substance of the issue; life-line rates, but to the issue of the procedures of that commission.

"Specifically, the commission had, the previous week, already reached a conclusion on life-line rates in a separate docket. They had stated negative things about it and in effect had said that they were not interested in the people of the State of Hawaii benefiting from that process.

"Life-line rates, for those of you who are not familiar with it, is simply a process whereby the rate payer pays more as he or she uses more electricity beyond a certain amount. It's a very simple, obvious way in which conservation of electrical energy and therefore fossil fuels and any other generating fuels can be achieved.

"The commission made this ruling; it was all over the newspapers; it was on television. The ruling was negative. Yet, the PUC had a simultaneous docket going on life-line rates.

"My testimony before that commission here at the State Capitol in the auditorium was the last possible day on that life-line rate docket, and I simply pointed out to them that in a previous docket they came out publicly and said they didn't want this. So I was pointing out that there was some problems in my mind that the full implications of this issue had not been covered and that the well-over 300 people at the Capital auditorium felt the same way and that they had a right to engage in this debate. The public has the right to debate and participate in the setting of policy.

"One of the previous senators had pointed this out; that this Legislature sets policy and I would like to add that it's not only the Legislature but the entire public, the people of Hawaii that also has a right to participate.

"About two days later, one of our daily newspapers came out with an unauthored article which said something to the effect that issues of public policy are better left to the commission -- almost a direct

quote -- thereby implying that the Legislature had no business getting involved in this issue. What I did, of course, that day, was introduce a bill so that the Legislature could take a look at that particular issue.

"I wrote a letter to the editor pointing out that they had in fact made a statement, a conclusion, that public issues maybe should not be addressed by this legislative body.

"My point is that we, as legislators, certainly do have the right to raise any issues relating to social policy, any kind of policy.

"It's been exactly 10 days since I sent that letter to the papers in reaction to not only their article, but also an editorial published shortly after, which took practically word for word the commission's viewpoint. It's 10 days later so I thought I would just like to bring it before you all.

"The upshot of the whole thing is that we will be having a public hearing, Mr. President, your joint committees on Public Utilities and Economic Development headed by Senator Yim, tomorrow in the State Capitol auditorium at 1:30 p.m..

"There's not been that much advance notice on this because the newspapers have not focused on the issue ... and I support them in their right to publish or not publish letters, and they chose not to publish my letter and that's great. We will be having a joint hearing at the auditorium on this very issue and the bill will be considered.

"The bill simply charges the Public Utilities Commission to use life-line rates. It is a vehicle to stimulate further debate on the issue. Since the ultimate generation of public policy rightly should begin at the legislative level, we will be having hearings, we will be discussing it, and we may have to have further hearings on this issue."

ADJOURNMENT

At 12:34 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 13, 1980.

TWENTY-FIRST DAY

Wednesday, February 13, 1980

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

The Divine Blessing was invoked by the Reverend Giho Machida of the Soto Mission, after which the Roll was called showing all Senators present, with the exception of Senator George who was excused.

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

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

Senator Anderson introduced a group of senior citizens from Makua Alii Club.

Senator Chong then introduced a group of students from Bingham Tract School, with their teachers, Mrs. Burgess and Mrs. Araki and a parent, Mrs. Kobayashi.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 64 to 67) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 64), transmitting a report prepared by the Department of Health in response to Senate Resolution No. 100 (1979) which requested that department to seek funds for the development of a sewage treatment facility in the Honokaa area, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 65), transmitting a report entitled, "Employment of Hawaii's Elderly", prepared by the State Commission on Manpower and Full Employment, pursuant to House Resolution No. 427, H.D. 1, (1979), which requested the Commission to conduct a feasibility study for the employment at minimum wages or better of the elderly in part-time positions created by the State, including assessment of the costs and other legal and other factors, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 66), transmitting a report entitled, "The Problem of Solar Access: An Analysis With Illustrative Legislative Proposals", which was prepared for

the State Energy Office, Department of Planning and Economic Development, dated January 1980, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 67), transmitting the State Water Resources Development Plan, which was prepared in compliance with the requirements of the Hawaii State Planning Act, Chapter 226, Hawaii Revised Statutes and noting that the Plan sets forth guidelines for:

(a) the development of water resources to meet municipal, agricultural and industrial requirements, and the reduction of flood damage;

(b) the preservation and protection of ecological, recreational, and aesthetic values and the quality of water resources for present and future generations; and

(c) the regulation of the use of water to assure adequate supplies for the future,

was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 14), transmitting House Concurrent Resolution No. 53 which was adopted by the House of Representatives on February 12, 1980, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING MINORU HIRABARA AND RECOGNIZING HIS CONTRIBUTIONS TO THE PEOPLE OF HAWAII", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 96 to 103) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 96), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO MR. SHOHACHI AYABE ON THE CELEBRATION OF HIS 100TH BIRTHDAY", was jointly offered by Senators Mizuguchi, Young, Kuroda, Cayetano, Hara, Soares, Campbell, Machida, Ajifu, Yee, Carpenter, Cobb, Saiki, Yamasaki, Toyofuku, Abercrombie, Carroll, Anderson, Chong and Wong.

On motion by Senator Mizuguchi, seconded by Senator Young and carried, S.R. No. 96 was adopted.

A resolution (S.R. No. 97), entitled: "SENATE RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE STATE DEPARTMENT OF DEFENSE TO EXPEDITE THE PLACEMENT AND OPERATION OF THE PLANNED OUTDOOR WARNING SIREN SYSTEM FOR WAIPIO VALLEY ON THE BIG ISLAND", was jointly offered by Senators Carpenter, Hara, Saiki, Machida and Young.

By unanimous consent, S.R. No. 97 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 98), entitled: "SENATE RESOLUTION STRONGLY URGING THE PRESERVATION OF CERTAIN AGRICULTURAL LANDS IN KOHALA, HAWAII, AND THE CONCOMITANT STIMULATION AND REVITALIZATION OF AGRICULTURAL DEVELOPMENT IN THE AREA", was jointly offered by Senators Carpenter, Hara, Ushijima, Yamasaki, Saiki, Machida and Young.

By unanimous consent, S.R. No. 98 was referred to the Committee on Agriculture.

A resolution (S.R. No. 99), entitled: "SENATE RESOLUTION CONCERNING CHANGES IN THE BLOOD QUANTUM REQUIREMENTS FOR LESSEES OF HAWAIIAN HOME LANDS", was jointly offered by Senators Carpenter, Yim, Wong, Kuroda, Chong and Young.

By unanimous consent, S.R. No. 99 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 100), entitled: "SENATE RESOLUTION REQUESTING REVIEW BY THE HAWAII STATE SENATE OF THE FUNCTIONAL PLAN FOR AGRICULTURE AS MANDATED BY ACT 100 OF 1978", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 100 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

A resolution (S.R. No. 101), entitled: "SENATE RESOLUTION URGING EXPEDITIOUS COMPLETION OF THE PANAHEWA AGRICULTURAL PARK IN THE COUNTY OF HAWAII", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 101 was referred to the Committee on Agriculture.

A resolution (S.R. No. 102), entitled: "SENATE RESOLUTION RESPECTFULLY URGING MATSON NAVIGATION COMPANY TO CONSIDER THE NEED FOR A MODIFICATION IN THEIR CONTAINER SHIPPING SCHEDULE

FROM HAWAII TO PORTS OF CALL IN CALIFORNIA", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 102 was referred jointly to the Committee on Transportation and the Committee on Agriculture.

A resolution (S.R. No. 103), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF CONVERTING THE WETLANDS OF THE PEARL HARBOR AREA, OAHU, INTO AN AGRICULTURAL PARK", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 103 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 24-80) informing the Senate that Senate Resolution Nos. 92 to 95 and Senate Bill Nos. 2764-80 to 3146-80 have been printed and are ready for distribution.

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

ORDER OF THE DAY

THIRD READING

Senate Bill No. 1827-80, S.D. 1:

By unanimous consent, consideration of S.B. No. 1827-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE", was deferred until Thursday, February 14, 1980.

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 11, 1980:

Senate Bills Referred to:

No. 2598-80 Committee on Agriculture, then to the Committee on Ways and Means

No. 2599-80 Committee on Human Resources, then to the Committee on Ways and Means

No. 2600-80 Committee on Ways and Means

No. 2601-80 Jointly to the Committee on Economic Development and the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

- No. 2602-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2603-80 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2604-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2605-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2606-80 Committee on Education, then to the Committee on Ways and Means
- No. 2607-80 Committee on Ways and Means
- No. 2608-80 Committee on Ways and Means
- No. 2609-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 2610-80 Committee on Health, then to the Committee on Ways and Means
- No. 2611-80 Committee on Human Resources
- No. 2612-80 Jointly to the Committee on Education and the Committee on Transportation
- No. 2613-80 Committee on Consumer Protection and Commerce
- No. 2614-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2615-80 Committee on Human Resources, then to the Committee on Intergovernmental Relations
- No. 2616-80 Committee on Human Resources, then to the Committee on Judiciary
- No. 2617-80 Committee on Education, then to the Committee on Ways and Means
- No. 2618-80 Committee on Human Resources, then to the Committee on Judiciary
- No. 2619-80 Committee on Human Resources
- No. 2620-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2621-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 2622-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2623-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2624-80 Committee on Health, then to the Committee on Ways and Means
- No. 2625-80 Committee on Health, then to the Committee on Ways and Means
- No. 2626-80 Committee on Education, then to the Committee on Ways and Means
- No. 2627-80 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 2628-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2629-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2630-80 Committee on Health, then to the Committee on Judiciary
- No. 2631-80 Committee on Judiciary
- No. 2632-80 Jointly to the Committee on Transportation and the Committee on Public Utilities
- No. 2633-80 Committee on Transportation
- No. 2634-80 Committee on Transportation
- No. 2635-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2636-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 2637-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2638-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2639-80 Committee on Education, then to the Committee on Ways and Means
- No. 2640-80 Committee on Consumer Protection and Commerce
- No. 2641-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2642-80 Committee on Transportation, then to the Committee on Ways and Means

- No. 2643-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 2644-80 Committee on Education, then to the Committee on Ways and Means
- No. 2645-80 Committee on Education, then to the Committee on Ways and Means
- No. 2646-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2647-80 Jointly to the Committee on Health and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 2648-80 Committee on Education, then to the Committee on Ways and Means
- No. 2649-80 Committee on Health, then to the Committee on Ways and Means
- No. 2650-80 Committee on Human Resources
- No. 2651-80 Committee on Health
- No. 2652-80 Jointly to the Committee on Health and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 2653-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2654-80 Committee on Health, then to the Committee on Ways and Means
- No. 2655-80 Jointly to the Committee on Health and the Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2656-80 Committee on Health, then to the Committee on Ways and Means
- No. 2657-80 Committee on Health, then to the Committee on Ways and Means
- No. 2658-80 Committee on Health, then to the Committee on Ways and Means
- No. 2659-80 Committee on Health, then to the Committee on Ways and Means
- No. 2660-80 Committee on Ways and Means
- No. 2661-80 Committee on Health, then to the Committee on Ways and Means
- No. 2662-80 Committee on Health, then to the Committee on Ways and Means
- No. 2663-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2664-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2665-80 Committee on Health, then to the Committee on Ways and Means
- No. 2666-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2667-80 Committee on Health
- No. 2668-80 Committee on Health
- No. 2669-80 Committee on Health
- No. 2670-80 Committee on Health
- No. 2671-80 Committee on Health
- No. 2672-80 Committee on Health
- No. 2673-80 Committee on Legislative Management
- No. 2674-80 Committee on Consumer Protection and Commerce
- No. 2675-80 Committee on Consumer Protection and Commerce
- No. 2676-80 Committee on Consumer Protection and Commerce
- No. 2677-80 Committee on Judiciary
- No. 2678-80 Committee on Judiciary
- No. 2679-80 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 2680-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 2681-80 Committee on Consumer Protection and Commerce
- No. 2682-80 Committee on Consumer Protection and Commerce
- No. 2683-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2684-80 Committee on Education, then to the Committee on Ways and Means

- No. 2685-80 Committee on Consumer Protection and Commerce
- No. 2686-80 Committee on Consumer Protection and Commerce
- No. 2687-80 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 2688-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2689-80 Committee on Tourism
- No. 2690-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2691-80 Committee on Ecology, Environment and Recreation
- No. 2692-80 Committee on Education
- No. 2693-80 Committee on Education, then to the Committee on Ecology, Environment and Recreation
- No. 2694-80 Committee on Education, then to the Committee on Ways and Means
- No. 2695-80 Committee on Education, then to the Committee on Ways and Means
- No. 2696-80 Committee on Education, then to the Committee on Ways and Means
- No. 2697-80 Committee on Education, then to the Committee on Ways and Means
- No. 2698-80 Committee on Education, then to the Committee on Ways and Means
- No. 2699-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2700-80 Committee on Education, then to the Committee on Ways and Means
- No. 2701-80 Committee on Education, then to the Committee on Ways and Means
- No. 2702-80 Committee on Education, then to the Committee on Ways and Means
- No. 2703-80 Committee on Education, then to the Committee on Ways and Means
- No. 2704-80 Committee on Education, then to the Committee on Ways and Means
- No. 2705-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2706-80 Committee on Education, then to the Committee on Ways and Means
- No. 2707-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 2708-80 Committee on Education, then to the Committee on Ways and Means
- No. 2709-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2710-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2711-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2712-80 Committee on Education, then to the Committee on Ways and Means
- No. 2713-80 Committee on Education, then to the Committee on Ways and Means
- No. 2714-80 Committee on Education, then to the Committee on Ways and Means
- No. 2715-80 Committee on Education, then to the Committee on Ways and Means
- No. 2716-80 Committee on Education, then to the Committee on Ways and Means
- No. 2717-80 Committee on Education, then to the Committee on Ways and Means
- No. 2718-80 Committee on Education, then to the Committee on Ways and Means
- No. 2719-80 Committee on Education
- No. 2720-80 Committee on Education
- No. 2721-80 Committee on Education
- No. 2722-80 Committee on Education
- No. 2723-80 Committee on Education
- No. 2724-80 Committee on Education

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|-------------|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| No. 2725-80 | Committee on Education | No. 2751-80 | Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development, then to the Committee on Ways and Means |
| No. 2726-80 | Committee on Education | No. 2752-80 | Jointly to the Committee on Public Utilities and the Committee on Economic Development, then to the Committee on Ways and Means |
| No. 2727-80 | Committee on Education | No. 2753-80 | Jointly to the Committee on Public Utilities and the Committee on Economic Development |
| No. 2728-80 | Committee on Education | No. 2754-80 | Jointly to the Committee on Public Utilities and the Committee on Economic Development |
| No. 2729-80 | Committee on Education | No. 2755-80 | Committee on Consumer Protection and Commerce |
| No. 2730-80 | Committee on Education | No. 2756-80 | Committee on Public Utilities |
| No. 2731-80 | Committee on Education | No. 2757-80 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 2732-80 | Committee on Education | No. 2758-80 | Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means |
| No. 2733-80 | Committee on Education | No. 2759-80 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 2734-80 | Committee on Higher Education | No. 2760-80 | Committee on Transportation, then to the Committee on Intergovernmental Relations |
| No. 2735-80 | Committee on Education | No. 2761-80 | Committee on Consumer Protection and Commerce |
| No. 2736-80 | Committee on Education | No. 2762-80 | Committee on Transportation, then to the Committee on Ways and Means |
| No. 2737-80 | Committee on Education | No. 2763-80 | Committee on Transportation |
| No. 2738-80 | Jointly to the Committee on Transportation and the Committee on Intergovernmental Relations | The President then made the following committee assignments of bills that were introduced on Tuesday, February 12, 1980: | |
| No. 2739-80 | Committee on Education, then to the Committee on Ways and Means | Senate Bills | Referred to: |
| No. 2740-80 | Committee on Consumer Protection and Commerce | No. 2764-80 | Committee on Judiciary |
| No. 2741-80 | Committee on Judiciary | No. 2765-80 | Committee on Judiciary |
| No. 2742-80 | Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary | No. 2766-80 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2743-80 | Jointly to the Committee on Transportation and the Committee on Intergovernmental Relations | No. 2767-80 | Jointly to the Committee on Government Operations and Efficiency and the Committee on Economic Development |
| No. 2744-80 | Committee on Judiciary | No. 2768-80 | Committee on Transportation, then to the Committee on Ways and Means |
| No. 2745-80 | Committee on Judiciary | | |
| No. 2746-80 | Committee on Consumer Protection and Commerce, then to the Committee on Judiciary | | |
| No. 2747-80 | Committee on Intergovernmental Relations, then to the Committee on Ways and Means | | |
| No. 2748-80 | Committee on Intergovernmental Relations, then to the Committee on Ways and Means | | |
| No. 2749-80 | Committee on Consumer Protection and Commerce, then to the Committee on Judiciary | | |
| No. 2750-80 | Committee on Economic Development, then to the Committee on Judiciary | | |

- No. 2769-80 Committee on Tourism,
then to the Committee on Judiciary
- No. 2770-80 Committee on Tourism
- No. 2771-80 Committee on Economic
Development
- No. 2772-80 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means
- No. 2773-80 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways ad Means
- No. 2774-80 Committee on Education,
then to the Committee on Ways and
Means
- No. 2775-80 Committee on Education,
then to the Committee on Ways and
Means
- No. 2776-80 Committee on Education,
then to the Committee on Ways and
Means
- No. 2777-80 Committee on Education,
then to the Committee on Ways and
Means
- No. 2778-80 Committee on Education,
then to the Committee on Ways and
Means
- No. 2779-80 Committee on Education,
then to the Committee on Ways and
Means
- No. 2780-80 Committee on Education,
then to the Committee on Judiciary
- No. 2781-80 Committee on Consumer
Protection and Commerce
- No. 2782-80 Committee on Education
- No. 2783-80 Committee on Ways and
Means
- No. 2784-80 Committee on Transportation,
then to the Committee on Judiciary
- No. 2785-80 Committee on Economic
Development, then to the Committee
on Ways and Means
- No. 2786-80 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 2787-80 Committee on Economic
Development, then to the Committee
on Ways and Means
- No. 2788-80 Committee on Health
- No. 2789-80 Committee on Transportation,
then to the Committee on Ways and
Means
- No. 2790-80 Committee on Intergovernmental
Relations
- No. 2791-80 Committee on Intergovernmental
Relations, then to the Committee on
Consumer Protection and Commerce
- No. 2792-80 Committee on Consumer
Protection and Commerce
- No. 2793-80 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 2794-80 Committee on Higher Education,
then to the Committee on Ways and
Means
- No. 2795-80 Committee on Ways and
Means
- No. 2796-80 Committee on Ways and
Means
- No. 2797-80 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 2798-80 Committee on Human Resources
- No. 2799-80 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 2800-80 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 2801-80 Committee on Education,
then to the Committee on Ways and
Means
- No. 2802-80 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 2803-80 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 2804-80 Committee on Intergovernmental
Relations, then to the Committee on
Ways and Means
- No. 2805-80 Committee on Human Resources,
then to the Committee on Ways and Means
- No. 2806-80 Committee on Human Resources,
then to the Committee on Ways and Means
- No. 2807-80 Committee on Human Resources,
then to the Committee on Ways and Means
- No. 2808-80 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 2809-80 Committee on Human Resources,
then to the Committee on Ways and Means
- No. 2810-80 Committee on Education,

- then to the Committee on Ways and Means
- No. 2811-80 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2812-80 Committee on Human Resources
- No. 2813-80 Committee on Ways and Means
- No. 2814-80 Committee on Ways and Means
- No. 2815-80 Committee on Ways and Means
- No. 2816-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2817-80 Committee on Education, then to the Committee on Ways and Means
- No. 2818-80 Committee on Education, then to the Committee on Ways and Means
- No. 2819-80 Committee on Education, then to the Committee on Ways and Means
- No. 2820-80 Committee on Education, then to the Committee on Ways and Means
- No. 2821-80 Committee on Education, then to the Committee on Ways and Means
- No. 2822-80 Committee on Education, then to the Committee on Ways and Means
- No. 2823-80 Committee on Education, then to the Committee on Ways and Means
- No. 2824-80 Committee on Education, then to the Committee on Ways and Means
- No. 2825-80 Committee on Education, then to the Committee on Ways and Means
- No. 2826-80 Committee on Education, then to the Committee on Ways and Means
- No. 2827-80 Committee on Education, then to the Committee on Ways and Means
- No. 2828-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2829-80 Committee on Education, then to the Committee on Ways and Means
- No. 2830-80 Committee on Education, then to the Committee on Ways and Means
- No. 2831-80 Committee on Education, then to the Committee on Ways and Means
- No. 2832-80 Committee on Education, then to the Committee on Ways and Means
- No. 2833-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2834-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2835-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2836-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2837-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2838-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2839-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2840-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2841-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2842-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2843-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2844-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2845-80 Committee on Education, then to the Committee on Ways and Means
- No. 2846-80 Committee on Education, then to the Committee on Ways and Means
- No. 2847-80 Committee on Transportation,

then to the Committee on Ways and Means	No. 2869-80 Committee on Judiciary, then to the Committee on Ways and Means
No. 2848-80 Committee on Education, then to the Committee on Ways and Means	No. 2870-80 Committee on Judiciary
No. 2849-80 Committee on Higher Education, then to the Committee on Ways and Means	No. 2871-80 Committee on Consumer Protection and Commerce
No. 2850-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means	No. 2872-80 Committee on Judiciary
No. 2851-80 Committee on Human Resources, then to the Committee on Ways and Means	No. 2873-80 Committee on Economic Development, then to the Committee on Judiciary
No. 2852-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means	No. 2874-80 Committee on Judiciary
No. 2853-80 Committee on Judiciary	No. 2875-80 Committee on Transportation, then to the Committee on Judiciary
No. 2854-80 Committee on Consumer Protection and Commerce	No. 2876-80 Committee on Judiciary
No. 2855-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 2877-80 Committee on Judiciary
No. 2856-80 Committee on Intergovernmental Relations	No. 2878-80 Committee on Judiciary
No. 2857-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 2879-80 Committee on Judiciary
No. 2858-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	No. 2880-80 Committee on Judiciary
No. 2859-80 Committee on Judiciary	No. 2881-80 Committee on Judiciary
No. 2860-80 Committee on Judiciary	No. 2882-80 Committee on Judiciary, then to the Committee on Ways and Means
No. 2861-80 Committee on Intergovernmental Relations	No. 2883-80 Committee on Judiciary, then to the Committee on Ways and Means
No. 2862-80 Committee on Judiciary	No. 2884-80 Committee on Judiciary
No. 2863-80 Committee on Transportation, then to the Committee on Consumer Protection and Commerce	No. 2885-80 Committee on Judiciary
No. 2864-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 2886-80 Committee on Judiciary
No. 2865-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 2887-80 Committee on Health, then to the Committee on Ways and Means
No. 2866-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 2888-80 Committee on Judiciary
No. 2867-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 2889-80 Committee on Judiciary
No. 2868-80 Committee on Judiciary	No. 2890-80 Committee on Judiciary
	No. 2891-80 Committee on Government Operations and Efficiency
	No. 2892-80 Committee on Human Resources
	No. 2893-80 Committee on Judiciary
	No. 2894-80 Committee on Judiciary
	No. 2895-80 Committee on Judiciary
	No. 2896-80 Committee on Judiciary
	No. 2897-80 Committee on Judiciary
	No. 2898-80 Committee on Consumer

Protection and Commerce	No. 2918-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
No. 2899-80 Committee on Judiciary	No. 2919-80 Committee on Transportation, then to the Committee on Ways and Means
No. 2900-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 2920-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
No. 2901-80 Committee on Economic Development, then to the Committee on Ways and Means	No. 2921-80 Committee on Higher Education, then to the Committee on Ways and Means
No. 2902-80 Committee on Economic Development	No. 2922-80 Committee on Health, then to the Committee on Ways and Means
No. 2903-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means	No. 2923-80 Committee on Health, then to the Committee on Consumer Protection and Commerce
No. 2904-80 Committee on Economic Development, then to the Committee on Ways and Means	No. 2924-80 Committee on Health
No. 2905-80 Committee on Ways and Means	No. 2925-80 Committee on Ways and Means
No. 2906-80 Committee on Human Resources, then to the Committee on Ways and Means	No. 2926-80 Committee on Agriculture, then to the Committee on Ways and Means
No. 2907-80 Committee on Human Resources, then to the Committee on Ways and Means	No. 2927-80 Committee on Health
No. 2908-80 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means	No. 2928-80 Committee on Public Utilities
No. 2909-80 Committee on Transportation, then to the Committee on Ways and Means	No. 2929-80 Committee on Health, then to the Committee on Ways and Means
No. 2910-80 Committee on Health, then to the Committee on Ways and Means	No. 2930-80 Committee on Public Utilities
No. 2911-80 Committee on Education, then to the Committee on Ways and Means	No. 2931-80 Committee on Higher Education
No. 2912-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means	No. 2932-80 Committee on Judiciary
No. 2913-80 Committee on Consumer Protection and Commerce	No. 2933-80 Committee on Health
No. 2914-80 Committee on Human Resources, then to the Committee on Ways and Means	No. 2934-80 Committee on Health
No. 2915-80 Committee on Transportation	No. 2935-80 Committee on Consumer Protection and Commerce
No. 2916-80 Committee on Public Utilities, then to the Committee on Ways and Means	No. 2936-80 Committee on Health
No. 2917-80 Committee on Health, then to the Committee on Ways and Means	No. 2937-80 Committee on Judiciary
	No. 2938-80 Committee on Transportation
	No. 2939-80 Committee on Consumer Protection and Commerce
	No. 2940-80 Committee on Human Resources
	No. 2941-80 Committee on Human Resources
	No. 2942-80 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
	No. 2943-80 Committee on Agriculture,

- then to the Committee on Ways and Means
- No. 2944-80 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 2945-80 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2946-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 2947-80 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2948-80 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 2949-80 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2950-80 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2951-80 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2952-80 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 2953-80 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 2954-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2955-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2956-80 Committee on Human Resources
- No. 2957-80 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2958-80 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2959-80 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 2960-80 Committee on Human Resources,
- then to the Committee on Ways and Means
- No. 2961-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2962-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2963-80 Committee on Health
- No. 2964-80 Committee on Education, then to the Committee on Ways and Means
- No. 2965-80 Committee on Education, then to the Committee on Judiciary
- No. 2966-80 Committee on Human Resources
- No. 2967-80 Committee on Education, then to the Committee on Ways and Means
- No. 2968-80 Committee on Health, then to the Committee on Human Resources
- No. 2969-80 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 2970-80 Committee on Human Resources
- No. 2971-80 Committee on Agriculture
- No. 2972-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2973-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2974-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2975-80 Committee on Education, then to the Committee on Ways and Means
- No. 2976-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2977-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2978-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2979-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2980-80 Committee on Health, then to the Committee on Ways and Means

No. 2981-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 3004-80 Committee on Judiciary
No. 2982-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means	No. 3005-80 Committee on Ways and Means
No. 2983-80 Committee on Health, then to the Committee on Ways and Means	No. 3006-80 Committee on Judiciary
No. 2984-80 Committee on Transportation, then to the Committee on Ways and Means	No. 3007-80 Committee on Judiciary
No. 2985-80 Committee on Judiciary	No. 3008-80 Committee on Judiciary
No. 2986-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 3009-80 Committee on Judiciary
No. 2987-80 Committee on Human Resources	No. 3010-80 Committee on Judiciary
No. 2988-80 Committee on Judiciary	No. 3011-80 Committee on Judiciary
No. 2989-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 3012-80 Committee on Judiciary
No. 2990-80 Committee on Ways and Means	No. 3013-80 Committee on Judiciary
No. 2991-80 Committee on Ways and Means	No. 3014-80 Committee on Judiciary
No. 2992-80 Committee on Human Resources, then to the Committee on Ways and Means	No. 3015-80 Committee on Transportation, then to the Committee on Ways and Means
No. 2993-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means	No. 3016-80 Committee on Tourism, then to the Committee on Ways and Means
No. 2994-80 Committee on Health	No. 3017-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
No. 2995-80 Committee on Education, then to the Committee on Ways and Means	No. 3018-80 Committee on Transportation, then to the Committee on Ways and Means
No. 2996-80 Committee on Judiciary, then to the Committee on Ways and Means	No. 3019-80 Committee on Economic Development
No. 2997-80 Committee on Health, then to the Committee on Judiciary	No. 3020-80 Committee on Agriculture, then to the Committee on Ways and Means
No. 2998-80 Committee on Economic Development	No. 3021-80 Committee on Agriculture, then to the Committee on Ways and Means
No. 2999-80 Committee on Transportation	No. 3022-80 Committee on Agriculture, then to the Committee on Ways and Means
No. 3000-80 Committee on Transportation	No. 3023-80 Committee on Education, then to the Committee on Ways and Means
No. 3001-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means	No. 3024-80 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
No. 3002-80 Committee on Transportation, then to the Committee on Ways and Means	No. 3025-80 Committee on Education, then to the Committee on Ways and Means
No. 3003-80 Committee on Judiciary	No. 3026-80 Committee on Human Resources
	No. 3027-80 Committee on Education, then to the Committee on Ways and Means

- No. 3028-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 3029-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 3030-80 Committee on Education, then to the Committee on Ways and Means
- No. 3031-80 Committee on Education, then to the Committee on Ways and Means
- No. 3032-80 Committee on Education, then to the Committee on Ways and Means
- No. 3033-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 3034-80 Committee on Education, then to the Committee on Ways and Means
- No. 3035-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 3036-80 Committee on Education, then to the Committee on Ways and Means
- No. 3037-80 Committee on Education, then to the Committee on Ways and Means
- No. 3038-80 Committee on Education, then to the Committee on Ways and Means
- No. 3039-80 Committee on Education, then to the Committee on Ways and Means
- No. 3040-80 Committee on Education, then to the Committee on Ways and Means
- No. 3041-80 Committee on Education, then to the Committee on Ways and Means
- No. 3042-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 3043-80 Committee on Agriculture, then to the Committee on Ways and Means
- No. 3044-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 3045-80 Committee on Agriculture, then to the Committee on Ways and Means
- No. 3046-80 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 3047-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 3048-80 Jointly to the Committee on Health and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 3049-80 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means
- No. 3050-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 3051-80 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary
- No. 3052-80 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 3053-80 Committee on Health, then to the Committee on Ways and Means
- No. 3054-80 Jointly to the Committee on Health and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 3055-80 Committee on Health, then to the Committee on Human Resources, then to the Committee on Ways and Means
- No. 3056-80 Committee on Health, then to the Committee on Ways and Means
- No. 3057-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 3058-80 Committee on Housing and Hawaiian Homes
- No. 3059-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 3060-80 Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development
- No. 3061-80 Jointly to the Committee on Health and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 3062-80 Committee on Health, then to the Committee on Ways and Means
- No. 3063-80 Committee on Health

- No. 3064-80 Committee on Health, then to the Committee on Ways and Means
- No. 3065-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 3066-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 3067-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 3068-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 3069-80 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Human Resources
- No. 3070-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 3071-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 3072-80 Committee on Transportation
- No. 3073-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 3074-80 Committee on Transportation
- No. 3075-80 Committee on Government Operations and Efficiency
- No. 3076-80 Committee on Consumer Protection and Commerce
- No. 3077-80 Committee on Higher Education
- No. 3078-80 Committee on Transportation
- No. 3079-80 Committee on Higher Education
- No. 3080-80 Committee on Education
- No. 3081-80 Committee on Intergovernmental Relations
- No. 3082-80 Committee on Intergovernmental Relations
- No. 3083-80 Committee on Education, then to the Committee on Ways and Means
- No. 3084-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 3085-80 Committee on Ecology, Environment and Recreation
- No. 3086-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 3087-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 3088-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 3089-80 Committee on Ways and Means
- No. 3090-80 Committee on Education, then to the Committee on Ways and Means
- No. 3091-80 Committee on Education, then to the Committee on Ways and Means
- No. 3092-80 Committee on Judiciary
- No. 3093-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 3094-80 Committee on Consumer Protection and Commerce
- No. 3095-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 3096-80 Committee on Housing and Hawaiian Homes
- No. 3097-80 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 3098-80 Committee on Housing and Hawaiian Homes
- No. 3099-80 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 3100-80 Committee on Health, then to the Committee on Ways and Means
- No. 3101-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 3102-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 3103-80 Committee on Education, then to the Committee on Ways and Means
- No. 3104-80 Committee on Human Resources
- No. 3105-80 Committee on Consumer Protection and Commerce
- No. 3106-80 Committee on Consumer

- Protection and Commerce
- No. 3107-80 Committee on Consumer Protection and Commerce
- No. 3108-80 Committee on Consumer Protection and Commerce
- No. 3109-80 Committee on Ways and Means
- No. 3110-80 Committee on Ways and Means
- No. 3111-80 Committee on Judiciary
- No. 3112-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 3113-80 Committee on Higher Education, then to the Committee on Ways and Means
- No. 3114-80 Committee on Health, then to the Committee on Ways and Means
- No. 3115-80 Committee on Judiciary
- No. 3116-80 Committee on Education, then to the Committee on Ways and Means
- No. 3117-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 3118-80 Committee on Education, then to the Committee on Ways and Means
- No. 3119-80 Committee on Education, then to the Committee on Ways and Means
- No. 3120-80 Committee on Education, then to the Committee on Ways and Means
- No. 3121-80 Committee on Education, then to the Committee on Ways and Means
- No. 3122-80 Committee on Education, then to the Committee on Ways and Means
- No. 3123-80 Committee on Judiciary, then to the Committee on Ways and Means
- No. 3124-80 Committee on Education, then to the Committee on Ways and Means
- No. 3125-80 Committee on Judiciary, then to the Committee on Ways and Means
- No. 3126-80 Committee on Health, then to the Committee on Ways and Means
- No. 3127-80 Committee on Judiciary, then to the Committee on Ways and Means
- No. 3128-80 Committee on Judiciary
- No. 3129-80 Committee on Education, then to the Committee on Ways and Means
- No. 3130-80 Committee on Judiciary
- No. 3131-80 Committee on Consumer Protection and Commerce
- No. 3132-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 3133-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 3134-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 3135-80 Committee on Judiciary, then to the Committee on Ways and Means
- No. 3136-80 Committee on Education, then to the Committee on Ways and Means
- No. 3137-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 3138-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 3139-80 Committee on Health, then to the Committee on Ways and Means
- No. 3140-80 Committee on Judiciary
- No. 3141-80 Committee on Ways and Means
- No. 3142-80 Committee on Ecology, Environment and Recreation
- No. 3143-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 3144-80 Committee on Transportation, then to the Committee on Ways and Means
- No. 3145-80 Committee on Judiciary
- No. 3146-80 Committee on Judiciary

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

ADJOURNMENT

At 11: 55 o'clock a.m., on motion
by Senator Mizuguchi, seconded by
Senator Anderson and carried, the
Senate adjourned until 11: 30 o'clock
a.m., Thursday, February 14, 1980.

TWENTY-SECOND DAY

Thursday, February 14, 1980

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

The Divine Blessing was invoked by Reverend Stanley Kain of the Hawaii Council of Churches, after which the Roll was called showing all Senators present, with the exception of Senators Anderson, George and Saiki who were excused.

At this time, the President, on behalf of the members of the Senate, acknowledged appreciation to Reverend Kain and Ms. Pat Navarro of the Hawaii Council of Churches for the scheduling of ministers for the invocation during this Regular Session of 1980.

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

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

Senator Carroll introduced Mr. Richard Sakamoto, principal of McKinley High School, who was sitting in the gallery.

Senator Soares introduced a visitor from Vancouver, B.C., Mr. Robert Thurston, who who was sitting in the gallery with Mr. Sam Caldwell of Hawaiian Sugar Planters Association.

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

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

Senator Chong then introduced Dr. Mark Tajima who was also sitting in the Senate gallery.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 68 to 73) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 68), transmitting a report prepared by the Board of Massage in response to S.R. No. 115 (1979) which requested the Board of Massage to upgrade and diversify its tests for licensing was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 69), transmitting a report prepared by the Department of Social Services and Housing in response to Act 22, SLH, 1979,

which relates to the cost estimates to update the profiles on which reimbursement to professional providers (physicians, dentists, etc.) are based, was referred jointly to the Committee on Human Resources and the Committee on Health.

A message from the Governor (Gov. Msg. No. 70), transmitting the Annual Report, 1977-1978, of the Hawaii Foundation for History and the Humanities was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 71), transmitting the Annual Report, 1976-1977, of the Hawaii Foundation for History and the Humanities was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 72), submitting for consideration and consent to the Intermediate Appellate Court, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, the nomination of Yoshimi Hayashi, Chief Judge, for a term of ten years, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 73), submitting for consideration and consent to the Intermediate Appellate Court, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, the nomination of Frank D. Padgett, Associate Judge, for a term of ten years, was referred to the Committee on Judiciary.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 5 and 6) were read by the Clerk and were disposed of as follows:

A communication from the Department of Planning and Economic Development (Dept. Com. No. 5), transmitting copies of comments of the members of the State Plan Policy Council on the State Agriculture Plan, pursuant to Section 226-54(c), Hawaii Revised Statutes, was referred jointly to the Committee on Agriculture and the Committee on Economic Development.

A communication from the Department of Planning and Economic Development (Dept. Com. No. 6), transmitting copies of comments of the members of the State Plan Policy Council on the State Water Resources Development Plan, pursuant to Section 226-54(c), Hawaii Revised Statutes, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 15 to 22) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 15), transmitting House Bill No. 2074-80, which passed Third Reading in the House of Representatives on February 13, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.B. No. 2074-80, entitled: "A BILL FOR AN ACT RELATING TO SIGNING AND FILING OF RETURNS FOR TAXATION PURPOSES", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 16), transmitting House Bill No. 2131-80, which passed Third Reading in the House of Representatives on February 13, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.B. No. 2131-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 17), transmitting House Bill No. 2132-80, which passed Third Reading in the House of Representatives on February 13, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.B. No. 2132-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 18), transmitting House Bill No. 2133-80, which passed Third Reading in the House of Representatives on February 13, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.B. No. 2133-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 19), transmitting House Bill No. 2134-80, which passed Third Reading in the House of Representatives on February 13, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried,

H.B. No. 2134-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 20), transmitting House Bill No. 2135-80, which passed Third Reading in the House of Representatives on February 13, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.B. No. 2135-80, entitled: "A BILL FOR AN ACT RELATING TO COPIES OF TAX RETURNS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 21), transmitting House Bill No. 2137-80, which passed Third Reading in the House of Representatives on February 13, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.B. No. 2137-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 22), transmitting House Concurrent Resolution No. 58, which was adopted by the House of Representatives on February 13, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS TO JOSHUA C. AGSALUD FOR OUTSTANDING PUBLIC SERVICE AND FOR BEING NAMED THE RECIPIENT OF THE OUTSTANDING FILIPINO OVERSEAS IN THE FIELD OF PUBLIC SERVICE FOR 1979", was adopted.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 20), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF NEIGHBORHOOD JUSTICE CENTERS IN HAWAII", was jointly offered by Senators Chong, Carpenter, Yim and O'Connor, and was read by the Clerk.

By unanimous consent, S.C.R. No. 20 was referred to the Committee on Judiciary.

At 11:45 o'clock a.m., the Senate stood

in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 104 to 106) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 104), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE AS ONE OF ITS PRIORITIES THE DEVELOPMENT OF AN ACCURATE LAND INVENTORY THAT INCLUDES A CATEGORIZATION OF CEDED AND NON-CEDED PUBLIC LANDS", was jointly offered by Senators Carpenter, Yim, Wong, Kuroda, Yamasaki, Chong and Young.

By unanimous consent, S.R. No. 104 was referred to the Committee on Economic Development.

A resolution (S.R. No. 105), entitled: "SENATE RESOLUTION CONGRATULATING THE 1980 MISS MCKINLEY-CARNIVAL QUEEN ALICE KAEHUAEEA AND HER COURT", was jointly offered by Senators Yee, Carroll, Chong, Young, Yamasaki, Machida, Ajifu, Yim, Mizuguchi, Ushijima, Anderson, Saiki, Campbell, Kawasaki, Soares, Abercrombie and Carpenter.

On motion by Senator Yee, seconded by Senator Carroll and carried, S.R. No. 105 was adopted.

At this time, Senator Yee, on behalf of the Senators from the 5th and 6th Senatorial Districts, introduced to the members of the Senate the 1980 Miss McKinley-Carnival Queen Alice Kaehuaee and her Court: Miss Valerie Siu, first runner-up; Miss Tame Marksbury, second runner-up; Miss Diedre Suenaka, third runner-up; and Miss Wendy Koo, fourth runner-up, who were accompanied by Toby the (McKinley) Tiger, Miss Gayle Sykes, faculty advisor, and principal Richard Sakamoto.

A resolution (S.R. No. 106), entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR AND THE NATIONAL GUARD TO REFRAIN FROM CONDUCTING ANOTHER OPERATION GREEN HARVEST", was jointly offered by Senators Chong and Abercrombie.

By unanimous consent, S.R. No. 106 was referred to the Committee on Judiciary.

At this time, Senator Chong rose to state as follows:

"Mr. President, I thought that we were going to adopt this wonderful resolution today but, unfortunately, Senator Soares saw fit to have it referred so I go along

with it."

Senator Soares then rose on a point of personal privilege and stated as follows:

"Mr. President, I speak on a point of personal privilege. My point is that S.R. No. 106 makes certain statements which raise some serious doubts as to whether or not the introducers of the resolution speak for themselves when they say that 'many look toward the legalization of marijuana; that individuals should be free to cultivate or smoke marijuana; and that the law is desperate in its treatment of marijuana and alcohol.'

"These are reasons which I question and that is why I raise the point now about having it referred to the wastebasket."

Senator Chong then rose to state that he does not wish to debate the issue but would like to point out that "the word is disparate, not desperate."

Senator Soares again rose on a point of personal privilege and stated as follows:

"Mr. President, I had planned to rise later on but looking at my competitor's brand package on our desks which says 'I like you' with sugar-coated hearts, I think it's very appropriate at this time to recognize the attire of our Senate Sergeant-at-Arms this morning. And, on behalf of the women senators, Senator Saiki who is not here but I think she is the one that brought my competitor's package, Senator George and Senator Young who also are not here ... on behalf of all of us to all of the staff, our girlfriends on the floor, 'Happy Valentine's Day!'"

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 25-80) informing the Senate that Senate Resolution Nos. 96 to 103 have been printed and are ready for distribution.

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

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 26-80) recommending that House Bill No. 687, H.D. 1, as amended in S.D. 1, pass Second Reading and

be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 687, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 15, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 687, H.D. 1, S.D. 1.

ORDER OF THE DAY

MATTER DEFERRED FROM FEBRUARY 13, 1980

Senate Bill No. 1827-80, S.D. 1:

Senator O'Connor moved that S.B. No. 1827-80, S.D. 1, having been read through-out, pass Third Reading, seconded by Senator Cobb.

At this time, Senator Abercrombie rose to speak in favor of the bill and stated as follows:

"Mr. President, I would like to speak in favor of this measure prior to the explanation by the chairman.

"Just for this comment. I am sure I'm not the only one that has questions, and I've spoken with the chairman about it, and he has assured us that he wants to take these questions into consideration and that there would be a conference circumstance evolve out of this. Rather than bring up these matters now I would like to indicate that I am in favor of this measure but I do have questions which I would like to pass along to the committee as it goes forward with its deliberations."

Senator O'Connor then rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak in favor of Senate Bill 1827-80, S.D. 1, which codifies a set of rules of evidence for Hawaii. This codification of rules of evidence is one which was initiated some 10 years ago by the Supreme Court of the United States.

"The Supreme Court put together a set of rules of evidence and forwarded them to Congress which acted upon them about five years ago and codified Federal Rules of Evidence. Because the Federal Rules of Evidence were enacted, this body asked

the Judicial Council of the State of Hawaii if the Judicial Council would put together a subcommittee to look at a codification of rules of evidence for Hawaii. Such a subcommittee was put together and Judge Masato Doi, now retired Judge Masato Doi of the First Circuit Court, acted as its chairman. They retained Professor Addison Bowman of the University of Hawaii Law School, Professor of Evidence, as the reporter for the committee and worked for a period of a year on their first draft of a proposal of Rules of Evidence.

"After that subcommittee had submitted their proposal through the Judicial Council to the Legislature, this body last year enacted a resolution establishing a committee of both the House and the Senate, in the interim, to work on that proposal. Your interim committee report was submitted to this Chamber approximately two weeks ago and that interim committee which met some twelve or more times over the course of the summer and the fall suggested a certain measure to be introduced in both Houses this year.

"After introduction, your Judiciary Committee continued work on the measure and the product, which is today on the desk of the members, is the final product based upon the work of all of these individuals over a very long period of time.

"I would like to acknowledge, in particular, the effort and work which was done by Judge Masato Doi and his committee and the work done by Professor Addison Bowman who acted not only as the reporter of the initial committee but as reporter and chief scribe for the interim committee of the House and the Senate. His work in these areas has been monumental and he is still working on a set of comments and commentary which will go finally with this bill in its final form. Because of this effort and because of the work put into this particular code, we feel that it is, at this juncture, the most appropriate code of evidence that could be presented for this state.

"I will admit there are certain areas that still need some discussion, some analysis, and we anticipate that our brethren in the House will give this measure the analysis in those areas that are necessary. We are moving this bill very early in this session so that people in the community, attorneys, judges, laymen, and industries that the bill might affect, will have opportunity

to know that we are acting on this this year and provide additional input if they feel it necessary.

"The bill, as it stands today, is an excellent measure. It can be improved and certainly will be improved -- it's not just in this session but in the future as this code of evidence is used in the state.

"The obvious purpose for having codification in the rules of evidence is first to end long and useless argument in the courts concerning evidence, to shorten trial, to make decisions of attorneys and their clients easier as to whether or not litigation should be commenced or should continue, and, in general, to simplify our criminal and civil trial situation.

"I would urge all members of this body to vote in favor of this measure."

Senator Carroll also rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak briefly in favor of the measure.

"First of all, I'd like to compliment the chairman of the Judiciary Committee for really doing an excellent job and for having undertaken an arduous task not only since the session began, but actually since the middle of last summer. I would also like to publicly acknowledge Professor Bowman and Judge Doi, as well as the other attorneys who came and offered their time to us with respect to this measure.

"There are several items, Mr. President, which I would like to note that are not in the bill and which I believe will be addressed, I hope, when this returns to us in the form of a conference draft. One is the area of the privilege for a newsman which is absent in this measure. I feel that that shield, that privilege which will allow investigation into the area of crime which we do not have at this time, will be included and it would appear in the final conference draft and become law in this state.

"Another area which is mentioned in the area of privileges with respect to Rule 503, (d), (6), is that which has to do with the client-attorney privilege and particularly how that relates to the privilege which exists between the officer or employee of the state and the state Attorney General's office, and particularly with the attorney who is representing him. In this particular measure, we are virtually eliminating that privilege to those individuals and I think that that's an extremely sticky problem. It portends constitutional problems, and I think it's something we must pay very careful attention to.

"Again, I think an excellent job is being

done, even with the defects that I have mentioned. I feel that the bill, even in its present form, should be voted for and become law."

Senator Cayetano then added his remarks in favor of the measure and stated as follows:

"Mr. President, I would like to say a few words in favor of this bill. I join the previous speakers' remarks with respect to the overall job done on this bill.

"I think attorneys understand, especially, how important the rules of evidence are to parties who are engaged in litigation. If the rules are unfair or weigh to one side that will influence the outcome in court.

"Generally speaking, I think the commission and the committee on evidence did a very good job. However, there is one section on page 8 of the report, and I refer to Rule 407, where the Judiciary Committee did not accept the recommendation of the committee on evidence and instead reverted to the old common law rule of evidence regarding the admissibility of evidence of subsequent remedial measures which could be admitted as evidence of negligence in negligence cases.

"Generally speaking, Mr. President, Rule 407, as embodied in this document or in this bill, shows the footsteps of a defense lawyer. I hope that when we go into conference, if we ever do go into conference on this measure, that we would strongly reconsider the committee's original recommendation because I believe that the original recommendation was excellent."

The motion was put by the Chair and carried, and S.B. No. 1827-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Anderson, George, Saiki, Ushijima and Young).

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

The Senate reconvened at 12:09 o'clock a.m.

At this time, Senator Kuroda introduced to the members of the Senate a former University of Hawaii classmate and baseball star Bob Kagamida, and Mrs. Kagamida who were sitting in the

Senate gallery.

RE-REFERRAL OF
SENATE BILLS

The President made the following re-referral of bills that were introduced on Thursday, February 7, 1980:

Senate Bills Referred to:

No. 2391-80 Jointly to the Committee on Health and the Committee on Human Resources, then to the Committee on Ways and Means

No. 2406-80 Committee on Consumer Protection and Commerce

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

Senate Bills Referred to:

No. 2683-80 Committee on Ways and Means

No. 2693-80 Committee on Education, then to the Committee on Ways and Means

No. 2738-80 Committee on Human Resources

RE-REFERRAL OF
A GOVERNOR'S MESSAGE

The President made the following re-referral of a Governor's Message that was received on Friday, February 8, 1980:

Governor's
Message Referred to:

No. 58 Jointly to the Committee on Health and the Committee on Education

ADJOURNMENT

At 12:12 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, February 15, 1980.

TWENTY-THIRD DAY

Friday, February 15, 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 Francis Shimono, Associate Pastor of Holy Trinity Church, after which the Roll was called showing all Senators present, with the exception of Senators Abercrombie, Carpenter, Cayetano and Chong, who were excused.

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

At this time, Senator Yee spoke as follows:

"Mr. President, we have several guests here that I would like to introduce to you, but before I do, I'd like to explain the reasons for their presence today.

"On Sunday, the Pacific Basin Development Conference begins out at the Kuilima Hotel and the purpose of it is to build a five-year plan for the economic development of Hawaii, Guam, American Samoa, and the Northern Marianas. This group will also be attending the Western Pacific Regional Fishery Management Council meeting to be held in the Capitol today.

"We are very pleased that key members from Washington are here to attend both meetings because it is important not only to Hawaii, but to our neighboring island communities, and there is no question that fishing will be one of the top items on the agenda for the Fisheries Council as well as for the Pacific Basin meetings.

"These gentlemen have flown many long miles to learn of our problems and to assist us in every way they can, because they control the purse strings in Washington."

Senator Yee then proceeded to introduce to the members of the Senate, the following: Mr. Richard Frank, Administrator, National Oceanic and Atmospheric Administration (NOAA), Department of Commerce; Mr. Terry Leitzell, Assistant Administrator for Fisheries, Office of Fisheries, NOAA; Ms. Martha Blaxall, Director of Utilization and Development, National Marine Fisheries Service (NMFS); Mr. Jim Wolf, Special Assistant to the Administrator of NOAA; Dr. Izadore Barrett, Director, Southwest Fisheries Center, NMFS; and Dr. Richard Shomura, Director of the Honolulu

Laboratory, Southwest Fisheries Center, NMFS.

Senator Anderson introduced to the members of the Senate forty members of the Hui Lokahi O Aina Haina, a senior citizens group.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 74 to 76) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 74), transmitting the Annual Report of the Director of Personnel Services to the Legislature as to the manner in which State positions assigned to Salary Ranges SC-1, SC-2 and SC-3 are being used; the report being prepared in accordance with Section 77-13, sub-section (f), as amended, Hawaii Revised Statutes, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 75), transmitting a report prepared by the Department of Health in response to Senate Resolution No. 265, S.D. 2, (1979), entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT AND FORMULATION OF PATIENT'S RIGHTS STANDARDS", was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 76), submitting for consideration and consent to the Intermediate Appellate Court, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, the nomination of James S. Burns as Associate Judge, for a term of ten (10) years, was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 23 and 24) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 23), returning Senate Bill No. 1946-80 which passed Third Reading in the House of Representatives on February 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 24), returning Senate Bill No. 1947-80 which passed Third Reading in the House of Representatives on February 14, 1980, was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 21 to 24) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 21), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE AS ONE OF ITS PRIORITIES THE DEVELOPMENT OF AN ACCURATE LAND INVENTORY THAT INCLUDES A CATEGORIZATION OF CEDED AND NON-CEDED PUBLIC LANDS", was jointly offered by Senators Carpenter, Kuroda, Soares, Yamasaki, Ushijima, Chong, Campbell, Cayetano, Cobb and Machida.

By unanimous consent, S.C.R. No. 21 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 22), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO AMEND CHAPTER 12 B OF PUBLIC HEALTH REGULATIONS RELATING TO CARE HOMES, TO ALLOW 6 RESIDENTS UNRELATED TO THE FAMILY TO RESIDE IN A CARE HOME", was jointly offered by Senators Yamasaki, Chong, Ajifu, Ushijima, Soares, Machida, Young, Toyofuku, Cobb, Mizuguchi, Kuroda, Hara, Campbell, Carroll, George, Saiki, Carpenter, Cayetano, Kawasaki, Abercrombie, Wong and O'Connor.

By unanimous consent, S.C.R. No. 22 was referred to the Committee on Health.

At 11:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:15 o'clock a.m.,

A concurrent resolution (S.C.R. No. 23), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO TRANSFER STATE AND COUNTY HOSPITALS TO PRIVATE AGENCIES", was jointly offered by Senators Carpenter, Abercrombie, Campbell, Kuroda and Cobb.

By unanimous consent, S.C.R. No. 23 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 24), entitled: "SENATE CONCURRENT RESOLUTION COMMENDING THE CONVENING OF THE PACIFIC BASIN DEVELOPMENT CONFERENCE IN HAWAII", was jointly offered by Senators Kuroda, Cobb, George, Ushijima, O'Connor, Carroll, Yamasaki, Young, Campbell, Ajifu, Machida and Yim.

On motion by Senator Kuroda, seconded by Senator Cobb and carried, S.C.R. No. 24 was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 107 to 114) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 107), entitled: "SENATE RESOLUTION RELATING TO THE CONVERSION OF UNDERUTILIZED HEALTH CARE FACILITIES", was jointly offered by Senators Carpenter, Kuroda, Soares, Chong, Campbell, Yamasaki, Ushijima, Cayetano, Cobb, Toyofuku and Machida.

By unanimous consent, S.R. No. 107 was referred to the Committee on Health.

A resolution (S.R. No. 108), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY AND COST OF AN ELEVATED EXERCISE AREA CONSTRUCTED OVER THE PARKING LOT AT THE OAHU COMMUNITY CORRECTIONAL CENTER", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 108 was referred to the Committee on Judiciary.

A resolution (S.R. No. 109), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FUTURE PRISON CAPACITY NEEDS OF THE STATE OF HAWAII", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 109 was referred to the Committee on Judiciary.

A resolution (S.R. No. 110), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO AMEND CHAPTER 12 B OF PUBLIC HEALTH REGULATIONS RELATING TO CARE HOMES, TO ALLOW 6 RESIDENTS UNRELATED TO THE FAMILY TO RESIDE IN A CARE HOME", was jointly offered by Senators Yamasaki, Machida, Hara, Kawasaki, Ushijima, Carroll, George, Young, Saiki, Toyofuku, Cayetano, Ajifu, Yee, Kuroda, Mizuguchi, Wong, Chong, Campbell, Soares, Carpenter, Abercrombie and O'Connor.

By unanimous consent, S.R. No. 110 was referred to the Committee on Health.

At 11:17 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:19 o'clock a.m.

A resolution (S.R. No. 111), entitled: "SENATE RESOLUTION RESPECTFULLY URGING THE PRESIDENT OF THE UNITED STATES, UNITED STATES CONGRESS AND UNITED STATES DEPARTMENT OF ENERGY TO GIVE FAVORABLE CONSIDERATION TO MOLOKAI AND ITS APPLICATION FOR THE SMALL COMMUNITY SOLAR

THERMAL POWER EXPERIMENT: SITE PARTICIPATION, PRDA DE-RAO4-80ET21063", was jointly offered by Senators Yamasaki, Machida, Kuroda, Cobb, Mizuguchi, Ajifu, Yim, Chong, Wong, Anderson, Ushijima, Hara, Kawasaki, Carroll, George, Campbell, Toyofuku, Young, Saiki, Cayetano, Soares, Carpenter, O'Connor and Abercrombie.

By unanimous consent, S.R. No. 111 was referred to the Committee on Economic Development.

A resolution (S.R. No. 112), entitled: "SENATE RESOLUTION CONGRATULATING THE LEAGUE OF WOMEN VOTERS ON ITS 60th ANNIVERSARY", was jointly offered by Senators George, Saiki, Young, Cobb, Hara, Yamasaki, Abercrombie, Campbell, Machida, Chong and O'Connor.

On motion by Senator George, seconded by Senator Saiki and carried, S.R. No. 112 was adopted.

Senator George then rose and spoke as follows:

"Mr. President, this is a real treat for me to have been able to introduce and achieve the passage of this resolution commending the League of Women Voters on their 60th anniversary. It isn't often that women like to be congratulated on being 60 but in this case, it represents 60 years of hard work, of very productive work, and of work we can all be proud of, men as well as women.

"These are women who are not only hard-working, they are selfless. As you can see by the resolution, they have done a lot of things that make us proud and I am sure they should be proud.

"It's interesting to me that the League was founded not so much to achieve the passage of what was then called 'female suffrage', but on the basis that once female suffrage was a fact, somebody had to get together and tell the women to get off their franchises, which is basically what the League has been doing ever since.

"They promote informed citizen participation in government and, while sometimes some of us think that maybe there's a little too much citizen participation in government, nevertheless, it's a noble and notable thing that they are doing."

Senator George then proceeded to introduce to the members of the Senate, the following: Pat Shutt, the President of the State League of Women Voters; Marguerite Simson, a past State President;

Carol Whitesell, a past President of the Honolulu League of Women Voters; Marion Saunders, one of the founders of the League of Women Voters of Hawaii and of Honolulu; Jerry Hess a past State President, and Jean Ko, the current President of the Honolulu League of Women Voters.

A resolution (S.R. No. 113), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO TRANSFER STATE AND COUNTY HOSPITALS TO PRIVATE AGENCIES", was jointly offered by Senators Carpenter, Abercrombie, Campbell, Kuroda and Cobb.

By unanimous consent, S.R. No. 113 was referred to the Committee on Health.

A resolution (S.R. No. 114), entitled: "SENATE RESOLUTION RECOGNIZING AND SUPPORTING THE FIRST PACIFIC RIM INVITATIONAL JUDO CHAMPIONSHIP TO BE HELD AT THE NEAL BLAISDELL CENTER ARENA ON FEBRUARY 17-18, 1980", was jointly offered by Senators Wong, Yim, Yamasaki, Ushijima, Mizuguchi, Machida, Toyofuku, Yee, Hara, Chong, Kuroda, Young, Campbell, Carroll, Kawasaki, Abercrombie, Carpenter, Ajifu, Soares, Cobb, Cayetano and O'Connor.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.R. No. 114 was adopted.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 27-80) informing the Senate that Senate Concurrent Resolution No. 20, Senate Resolution Nos. 104 to 106 and Standing Committee Report No. 26-80 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.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of bills that had been introduced on Friday, February 8, 1980:

Senate Bills	Referred to:
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No. 2464-80	Jointly to the Committee on Health and the Committee on Human Resources, then to the Committee on Ways and Means
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No. 2481-80	Committee on Agriculture, then to the Committee on Judiciary
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The President then made the following

re-referral of a bill that had been introduced on Monday, February 11, 1980:

Senate Bill Referred to:

No. 2707-80 Committee on Education,
then to the Committee on Ways and
Means

MISCELLANEOUS COMMUNICATION

A communication from the Office of the Honorable Spark M. Matsunaga, United States Senator, (Misc. Com. No. 4), acknowledging receipt of Senate Concurrent Resolution No. 1 (1980), was read by the Clerk and was placed on file.

At 11:25 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 25), specifying the dates of the mandatory recess for the Regular Session of 1980 pursuant to Article III, Section 10 of the Constitution of the State of Hawaii, to be the 19th, 20th, 21st, 22nd and the 25th days of February, 1980, was jointly offered by Senators Wong and Yee and was read by the Clerk.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.C.R. No. 25 was adopted.

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

"Mr. President, I'm aggrieved today for myself and I rise on that point. I am aggrieved for my fellow senators and most of all, I am aggrieved for the citizenry of this State.

"You have already received copies of the letter which the Chairman of the House Transportation Committee (Representative Robert D. Dods) sent to me and then my reply to him. Now you must agree that his remarks are out of hand and an insult to the Senate as a whole.

"His comments reflect the tendency to blame, rather than a willingness to look at the problem objectively. They reflect a marked rigidity in stance as opposed to an attitude of flexibility and compromise.

"As to his accusation that I am responsible for holding up decision-making on a reliever

airport site, Lord, I wish that that were true, because if I had that kind of influence, Mr. President, I assure you that we would already be doing take-offs and landings at Waipio.

"Now, I'm sure that you would agree that his remarks should not go unanswered and I would therefore like to take this opportunity to publicly respond to them briefly.

"I have already delivered to the Clerk of the Senate a copy of his letter to me as well as my written reply to him and ask that these be entered in total in the Journal.

"The crux of the letter states that he 'too is deeply concerned about the urgent need for a reliever airport,' and 'with the Governor and the House of Representatives agreeing that Poamoho is the most reasonable site, I think the Senate's task is to come to agreement so that construction can begin before some major accident takes place.'

"He writes, 'isn't your idea favoring the Waipio area, while the majority' (and I'm not really sure who he means by that now) 'seems to favor the Poamoho site, merely adding to the "self-imposed paralysis" of the State's legislators? If anyone is trying to turn this general aviation airport into partisan politics, I think it is you and the Senators, not the Administration nor the House. I also feel that as a pilot, you are representing how they feel as a group without looking at the political realities of the situation.'

"In my reply to him, I've stated that I have tried to work out solutions with everyone from former Governor John A. Burns to Senator Ben Cayetano, Senator Norman Mizuguchi, Senator Dennis O'Connor and others for the past nine years.

"I have repeatedly stressed both to the public and to the administration, the urgency of the general aviation problem. I have been met with deaf ears and inaction, and now nearly a decade later, a representative of those legislators who would have the power to instigate action in this matter, accuses me of blocking a solution to the reliever airport situation. If the impact were not tragic, the charge would be really quite humorous. Only when it is politically popular have the Administration, the key legislators and the members of the Majority spoken up in favor of a site for the general aviation airport.'

"He states that I have not considered the political realities of the situation and I answer him that 'my feeling for these past many years is that politics is exactly what has caused inaction and paralysis on the part of the Administration and the legislature in this issue.

"The so-called leaders in our community are afraid to do what is necessary and right. At first they equivocated on the situation; now when time, and I might add editorial comments, is pressing, they are trying to force a ridiculous and foolish decision down our throats.

"Although the communities affected should be able to give feedback, shouldn't the main consideration be the site's usefulness to those who are going to be utilizing it? It is hard to justify building a house when it is built on sand; likewise an airport that for many reasons would not be suitable for flying is unjustifiable.

"I fail to see the logic behind the expenditure of hundreds of thousands of dollars on studies to recommend an appropriate site followed by the Administration's, and—I stated the legislature's, but I mean the House's—rejection of that recommendation.

"It might be added that, of the thirty busiest airports in the United States, only three—Honolulu, Denver and Philadelphia—have a near equal mix of jet and prop-driven aircraft. All the others have predominantly either jet or prop-driven activity. Denver and Philadelphia traffic controllers have 360 degree use of air space around the airport. Honolulu, the only airport in the entire country in this category, is limited to only half of that space."

"Now the traffic controllers do an excellent job, as do the pilots, but it is simply not safe as has been mentioned times innumerable.

"I ask the good Representative (Dods), 'are you willing to pay the price for a decision that is unwise and unsafe?' I am not, and I am certain that he is not.

"Now 'the responsibility for a major mid-air disaster will forever lie with those who make a foolish commitment, thinking that it is the easy way out.'

"I am very happy, Mr. President, that the Senate has not fallen prey to the exhortation of the Administration and those House leaders seeking an easy way out.

"When I first came to this legislature, a person told me, 'when faced with a difficult decision, do what is right, and if you do, you will please some and amaze the rest', so I urge this Honorable Body, the Administration and the House to be an amazing legislature when it comes to the general aviation airport.

"Thank you, Mr. President."

Senator Mizuguchi then rose on a point of personal privilege in response thereto and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, the problem of a reliever airport has remained unresolved and has been a problem before the legislature long before I took the chairmanship of the Senate Transportation Committee, but I will not waste my colleagues' time today to criticize or to blame past administrations or past chairmen for this particular problem.

"Mr. President, I firmly believe that each legislator here in the Senate as well as in the House have certain rights and those rights extend to introducing, supporting and defending, and also disagreeing on any specific legislation before a respective House.

"Because I believe in these rights, Mr. President, I also believe that agencies, such as the newspapers, and other legislators should respect the rights and positions of individual legislators and the people that they represent.

"Mr. President, we still have 36 days in this legislative session. There are many proposals put forth by the Minority as well as the Majority that attempt to resolve this lingering problem of a reliever airport on Oahu.

"I am optimistic, Mr. President, with the help of the Minority and the Majority that we will fashion legislation that will address this issue.

"Thank you, Mr. President."

(Pursuant to the request of Senator Carroll, the two letters referred to earlier read as follows:

"HOUSE OF REPRESENTATIVES
THE TENTH LEGISLATURE
State of Hawaii
State Capitol
Honolulu, Hawaii 96813

February 7, (1980)

Senator John S. Carroll
Room 218
State Capitol
Honolulu, Hawaii 96813

Dear Senator Carroll:

In reference to your recent letter to Governor Ariyoshi regarding the general aviation airport, I would like to make some comments. As you know, I favor the Poamoho site because it seems the most logical choice

at this point in time. Funds have already been appropriated for planning an airport at Poamoho and studies have been done which do not agree with your idea that this site is infeasible. While joint use of an existing military airfield would be an easier and logical solution--at present that option is not available and something must be done now!

You have been in the State Legislature both in the House and Senate long enough to have proposed a solution to the problem of site selection long ago. As you pointed out in your speech to the Daedalians, each year the amount of traffic at HIA increases. I, too, am deeply concerned about the urgent need for a reliever airport. With the Governor and the House of Representatives agreeing that Poamoho is the most reasonable site, I think the Senate's task is to come to agreement so that construction can begin before some major accident takes place.

Isn't your idea of favoring the Waipio area while the majority seems to favor the Poamoho site merely adding to the 'self-imposed paralysis' of the State's Legislators?

If anyone is trying to turn this general aviation airport into partisan politics, I think it is you and the Senators, not the Administration, nor the House.

I also feel that as a pilot you are representing how they feel as a group without looking at the political realities of the situation. I feel that the site selection of a reliever airport should have input from everyone and not be decided by one group.

The reliever airport has been discussed for too long now--approaching 18 years. If an agreement cannot be reached this year, with or without your help--something still has to be done about the conditions at H.I.A. Are you ready to make that choice now because we seem to be heading into another year of inaction.

What are the pilots willing to do? Cut the number of flights coming into H.I.A. by 10 per cent! Raise the landing fees and wipe out general aviation! --Break up the master lease agreement!

Again, I feel very strongly that we need a reliever airport now. Also we have to look at the consequences our inactivity will cause and determine if we are willing to pay that price.

Sincerely,

/s/ Bob

Robert D. Dods
Transportation Chairman

RDD/dr"

"THE SENATE
THE TENTH LEGISLATURE
of the
STATE OF HAWAII

Honolulu, Hawaii

February 14, 1980

The Honorable Robert D. Dods
Chairman
House Transportation Committee
State Capitol, Room 311
Honolulu, Hawaii 96813

Dear Representative Dods:

In reply to your letter of February 7, I feel your perception of the general aviation situation is both maligned and naive.

An accusation of partisan politics is only used by someone who is trying to avoid blame. For your information, I have been introducing legislation to establish a general aviation reliever airport since 1971. I have tried to work out solutions with everyone from the former Governor John A. Burns, to Senators Ben Cayetano, Norman Mizuguchi and Dennis O'Connor. For the past nine years, I have repeatedly stressed--both to the public and to the Administration--the urgency of the general aviation problem. I have been met with deaf ears and inaction. Now, nearly a decade later, a representative of those legislators who would have the power to instigate action in this matter, accuses me of blocking a solution to the reliever airport situation. If the impact were not tragic, the charge would be quite humorous.

Only now, while it is politically popular, have the Administration, the key legislators, and members of the Majority spoken up in favor of a site for a general aviation airport. Of course, since the action itself is one of political cowardice, rather than courage, the current 'popular' choice is one that is politically safe. However, it is not, as you say, 'logical.' The site at Poamoho--although it would have minimal impact on the nearby communities--is infeasible as the location for a viable reliever airport. It is situated on the windward slope of Wahiawa plateau in a depression, between two hummocks. This geography produces adverse wind and weather conditions, thus making air approach both difficult and limited. This would not only pose safety hazards for those pilots and passengers using the site, but would also render it little less than appropriate for student use. Wind tests

for the site were not started until two or three weeks ago, according to information that I have received.

There is no existing runway built there. Construction costs for runways and traffic facilities would be outrageous, and a waste of the taxpayers' money. Additionally, construction would destroy prime agricultural land. Hawaii cannot afford to lose any more greenery to concrete slabs.

The time it would take to construct an airport there is also a problem. I do not feel we have five to six years to waste waiting for a reliever airport to be constructed. We need one now, before a major disaster occurs.

Lastly, Poamoho's location is less than desirable. It is not close enough to town to induce general aviation operations away from Honolulu International. One might as well use Dillingham if Poamoho is chosen.

On the contrary, Waipio is relatively close to Honolulu International Airport. Airport operations would cause very little noise in the vicinity of Waipahu, it would have minimal environmental impact, the wind and weather conditions are amenable to air traffic, and development costs would be small.

It is for these reasons that I call the proposed site at Poamoho totally infeasible.

You say that 'the political realities of the situation' should be taken into account. My feeling for these many years (and this I have said repeatedly) is that politics is exactly what has caused inaction and paralysis on the part of the Administration and the Legislature in this issue. The so-called leaders of our community are afraid to do what is necessary and right. At first, they equivocated on the situation. Now, when time is pressing, they are trying to force a ridiculous and foolish decision down our throats.

Although the communities affected should be able to give feedback, shouldn't the main consideration be the site's usefulness to those who are going to be utilizing it? It is hard to justify building a house, when it is built on sand. Likewise, an airport that for many reasons would not be suitable for flying, is unjustifiable.

I suggest you study more closely my letter to the Governor, and my speech to the Order of the Daedalians, as they both articulate in more detail my thoughts on the subject.

It is also suggested that you educate yourself by studying the Kentron Study of 1977. This was the culmination of 18 previous studies, on which over a quarter of a million dollars were spent. It is comprehensive and takes into account the overall public good. The study evaluated 16 possible sites against eight major factors. Its first recommendation was the site at Waipio Peninsula.

I fail to see the logic behind the expenditure of hundreds of thousands of dollars on studies to recommend an appropriate site, followed by the Administration's and the Legislature's rejection of the recommendation.

It might be added that, of the 30 busiest airports in the U.S., only three--Honolulu, Denver, and Philadelphia--have a near equal mix of jet and prop-driven aircraft. All the others have predominantly either jet or prop-driven activity. Denver and Philadelphia traffic controllers have full use of 360 degrees of airspace and radar coverage. Honolulu's airspace is limited to 180 degrees by a mountain range within five miles of the airport. Although the traffic controllers do an excellent job, there are still numerous ground delays and off-course vectors causing consumption of hundreds of thousands of pounds of fuel. Honolulu International Airport is simply not efficient, nor is it safe.

You mention several times in your letter the immediate need for a general aviation airport. I would like to emphasize my own feeling of urgency at this time and to ask you a similar question to the one you asked me. Are you willing to pay the price for procrastination on this decision? Are you willing to pay the price for a decision that is unwise and unsafe? I am not. I am certain that you are not!

The responsibility for a major midair disaster will forever lie with those who make a foolish commitment, thinking it is the easy way out.

Yours truly,

/s/ John

JOHN S. CARROLL
Senator, Sixth District

JSC/ca")

ADJOURNMENT

At 12:07 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned and will remain in recess until 11:30 o'clock a.m., on Tuesday, February 26, 1980.

TWENTY-FOURTH DAY

Tuesday, February 26, 1980

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

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

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

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

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

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

MESSAGES FROM THE GOVERNOR

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

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

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

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

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

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

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

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

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

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

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

was placed on file.

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

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

to the Committee on Transportation.

DEPARTMENTAL COMMUNICATIONS

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

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

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

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

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

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

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

A communication from the Office of the

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

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

HOUSE COMMUNICATIONS

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

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

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

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

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

SENATE CONCURRENT RESOLUTIONS

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

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

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

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

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

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

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

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

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

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

SENATE RESOLUTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Yee, Kuroda, Abercrombie and Kawasaki.

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

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

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

STANDING COMMITTEE REPORTS

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

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

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

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

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

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

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

On motion by Senator Toyofuku,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28, 1980.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

be referred to the Committee on Ways and Means.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ORDER OF THE DAY

THIRD READING

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

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 687, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", having been

read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

RE-REFERRAL OF SENATE BILLS

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

Senate Bill Referred to:

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

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

Senate Bill Referred to:

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

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

Senate Bill Referred to:

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

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

Senate Bill Referred to:

No. 2517-80 Committee on Consumer Protection and Commerce

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

Senate Bills Referred to:

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

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

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

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

Senate Bills Referred to:

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

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

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

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

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

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

MISCELLANEOUS COMMUNICATION

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

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

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

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

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

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

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

tomorrow for decision-making.

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

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

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

"Thank you, Mr. President."

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

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

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

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

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

"Thank you."

Senator Yee added his remarks as follows:

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

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

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

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

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

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

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

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

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

"Thank you."

ADJOURNMENT

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

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

TWENTY-FIFTH DAY

Wednesday, February 27, 1980

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

The Divine Blessing was invoked by the Reverend Shoten Kudo of the Soto Mission of Hawaii, after with the Roll was called showing all Senators present with the exception of Senators Chong, Cobb, Hara and O'Connor, who were excused.

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

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

MESSAGES FROM THE GOVERNOR

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

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

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

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

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

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

DEPARTMENTAL COMMUNICATIONS

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

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

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

HOUSE COMMUNICATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A communication from the House (Hse.

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

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

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

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

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

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

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

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

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

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

and Commerce.

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

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

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

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

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

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

SENATE RESOLUTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STANDING COMMITTEE REPORTS

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

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

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

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1951-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1951-80, S.D. 1.

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

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

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

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1991-80, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM SECURITIES ACT (MODIFIED)", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1991-80.

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

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

S.B. No. 2104-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2104-80, S.D. 1.

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

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

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

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

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

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1993-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1993-80, S.D. 1.

Senator Cobb, for the majority of

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

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the majority of the Committee was adopted and S.B. No. 2066-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2066-80, S.D. 1.

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

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2119-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2119-80, S.D. 1.

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

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2121-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2121-80, S.D. 1.

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

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2157-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2157-80, S.D. 1.

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

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

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

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

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

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

Senator Cobb, for the majority of

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

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the majority of the Committee was adopted and S.B. No. 2215-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES", passed Second Reading and was referred to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 83-80) recommending that Senate Bill No. 1851-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 1851-80, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE SYSTEM", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 84-80) recommending that Senate Bill No. 2379-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2379-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STAY STRAIGHT PROGRAM, YOUTH AWARENESS PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 85-80) recommending that Senate Bill No. 2580-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2580-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING AND CONSTRUCTION AT THE COMMUNITY CORRECTIONAL CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand.

Com. Rep. No. 86-80) recommending that Senate Bill No. 2764-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

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

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 87-80) recommending that Senate Bill No. 3012-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

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

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 88-80) recommending that Senate Bill No. 2246-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2246-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE DEBT LIMIT", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2246-80, S.D. 1.

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

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

Senator Cayetano, for the Committee

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

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

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

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

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

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2003-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2003-80, S.D. 1.

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

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2006-80, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAYS", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2006-80.

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

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

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2007-80, entitled: "A BILL FOR AN ACT RELATING TO VENDING FROM STATE HIGHWAYS", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 29, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2007-80.

ORDER OF THE DAY

RE-REFERRAL OF A SENATE BILL

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

Senate Bill Referred to:

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

MATTERS DEFERRED FROM FEBRUARY 26, 1980

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

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

Senator Mizuguchi then moved that the Senate consent to the nomination of Yoshimi Hayashi as Chief Judge of the Intermediate Appellate Court, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Anderson.

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

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

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

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

Senator Mizuguchi moved that Stand.

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

Senator Mizuguchi then moved that the Senate consent to the nomination of Frank D. Padgett as Associate Judge of the Intermediate Appellate Court, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Anderson.

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

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

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

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

Senator Mizuguchi then moved that the Senate consent to the nomination of James S. Burns as Associate Judge of the Intermediate Appellate Court, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Anderson.

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

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

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

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

MISCELLANEOUS COMMUNICATION

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

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

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

ADJOURNMENT

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

TWENTY-SIXTH DAY

Thursday, February 28, 1980

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

The Divine Blessing was invoked by Reverend Raymond Stumpf of the Kapahulu Bible Church, after which the Roll was called showing all Senators present, with the exception of Senator Yee, who was excused.

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

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

Senator Soares, on behalf of the Senators from the 7th Senatorial District, introduced 62 students from the Hawaii Kai Baptist Pre-School who were accompanied by their teachers: Fran Ho, Elaine Imamura, Sharlene Sato, Margaret Strekow and Jasmine Yamauchi.

Senator O'Connor, on behalf of the Senators from the 7th Senatorial District, introduced a group of 120 students from the Star of the Sea School, accompanied by their teachers: Ms. Shari Townsend, Miss Louise Souza, Miss Pat Kormick, Mr. Charles Gillow and Miss Judy Townsend.

Senator Saiki, also on behalf of the Senators from the 7th Senatorial District, introduced a group of 65 fifth grade students from Kahala Elementary School and their teachers: Carol Campbell, Sharon Inamine, Carol Maehara and Carol Wolley.

Senator Kuroda then introduced, on behalf of the Senators from the 4th Senatorial District, 30 sixth grade students from Pearl City Highlands Elementary School and their teachers: Mr. Wayne Sakai and Mrs. Julie Shimonishi.

Senator Anderson then introduced a group of 50 members of the Kahuku Hauoli Senior Citizens Club.

Senator Carpenter, on behalf of the Senators from the 1st Senatorial District, then introduced former county supervisor and representative Mr. Wing Kong Chong.

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

The Senate reconvened at 11:47 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor

(Gov. Msg. Nos. 91 to 96) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 91), transmitting a report in response to S.R. No. 98 (1979) which requested a study of the feasibility of establishing Hawaiian Homesteads on lands presently not within the jurisdiction of the Department of Hawaiian Home Lands and S.R. No. 163 (1979) which requested the Department of Hawaiian Home Lands to submit suggestions as to methods for generating income, prepared by the Department of Hawaiian Home Lands, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 92), submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of James H. Wakatsuki, 4th Judge, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 93), submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of Wendell K. Huddy, 6th Judge, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 94), submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of Simeon R. Acoba, Jr., 12th Judge, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 95), submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of Philip T. Chun, 14th Judge, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 96), submitting for consideration and consent the Circuit Court of the First Circuit, the nomination of Ronald B. Greig, 15th Judge, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

DEPARTMENTAL COMMUNICATION

A communication from the Judiciary, Office of the Administrative Director of the Courts (Dept. Com. No. 17), transmitting copies of a study on Community Service Sentencing in Hawaii, December 1979, in response to H.R. No. 140 (1978), was read by the Clerk and was referred to the Committee on Judiciary.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 46), transmitting House Concurrent Resolution No. 42, H.D. 1, which was adopted by the House of Representatives on February 27, 1980, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 42, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE U.S. SECRETARY OF ENERGY AND HAWAII'S CONGRESSIONAL DELEGATION TO GIVE FAVORABLE CONSIDERATION TO MOLOKAI AND ITS APPLICATION FOR THE SMALL COMMUNITY SOLAR THERMAL POWER EXPERIMENT: SITE PARTICIPATION, PRDA DE-RAO4-80ET21063", was referred to the Committee on Economic Development.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 30), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING MARCH 1, 1980 AS BIKINI ISLAND DAY, IN MEMORY OF THE 1954 HYDROGEN BOMB TESTING ON THAT ISLAND", was jointly offered by Senators Chong, Carpenter, Abercrombie and Campbell, and was read by the Clerk.

By unanimous consent, action on S.C.R. No. 30 was deferred until Friday, February 29, 1980.

SENATE RESOLUTIONS

The following resolutions (S.R. No. 132 to 145) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 132), entitled: "SENATE RESOLUTION RECOGNIZING MARCH 1, 1980 AS BIKINI ISLAND DAY, IN MEMORY OF THE 1954 HYDROGEN BOMB TESTING ON THAT ISLAND", was jointly offered by Senators Chong, Carpenter, Abercrombie and Campbell.

By unanimous consent, action on S.R. No. 132 was deferred until Friday, February 29, 1980.

A resolution (S.R. No. 133), entitled: "SENATE RESOLUTION CONCERNING THE IMPLEMENTATION OF PRESIDENT CARTER'S NATIONAL ENERGY ACT", was jointly offered by Senators Chong, Campbell, Yamasaki, Ushijimi and Carpenter.

By unanimous consent, S.R. No. 133 was referred jointly to the Committee on Economic Development and the Committee on Public Utilities.

A resolution (S.R. No. 134), entitled: "SENATE RESOLUTION URGING LIMITED HEARINGS ON ALL AUTOMATIC FUEL ADJUSTMENT CHARGES BY THE STATE'S PUBLIC UTILITIES COMMISSION", was jointly offered by Senators Chong, Campbell, Yamasaki and Carpenter.

By unanimous consent, S.R. No. 134 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 135), entitled: "SENATE RESOLUTION URGING THE CONSIDERATION OF AN ELECTRICAL INTERISLAND CABLE SYSTEM", was jointly offered by Senators Chong, Campbell, Ushijima and Carpenter.

By unanimous consent, S.R. No. 135 was referred jointly to the Committee on Economic Development and the Committee on Public Utilities.

A resolution (S.R. No. 136), entitled: "SENATE RESOLUTION HONORING REUBEN TAM FOR HIS ACCOMPLISHMENTS IN THE VISUAL AND LITERARY ARTISTIC MEDIA", was jointly offered by Senators Chong, Yee, Campbell, Carroll, Hara, Yamasaki, Ushijima and Carpenter.

On motion by Senator Chong, seconded by Senator Anderson and carried, S.R. No. 136 was adopted.

A resolution (S.R. No. 137), entitled: "SENATE RESOLUTION RELATING TO AGRICULTURE DAY", was offered by Senator Ajifu.

On motion by Senator Ajifu, seconded by Senator Soares and carried, S.R. No. 137 was adopted.

A resolution (S.R. No. 138), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON CONTINUING EDUCATION IN COSMETOLOGY", was jointly offered by Senators Abercrombie, Kawasaki, Kuroda, Cayetano, Campbell, Hara, Toyofuku, Machida, Yim, Cobb, Carpenter and Mizuguchi.

By unanimous consent, S.R. No. 138 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 139), entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE STATUS OF THE FEASIBILITY STUDY CONCERNING THE HILO LAND RECLAMATION PROJECT", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 139 was referred to the Committee on Agriculture.

A resolution (S.R. No. 140), entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXPEDITE THE LEASING OF FARM LOTS IN THE PANAWEA FARM LOTS, HAWAII", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 140 was referred to the Committee on Agriculture.

A resolution (S.R. No. 141), entitled: "SENATE RESOLUTION URGING CREATION OF A MANAGEMENT CONSULTANT TEAM TO ADVISE AND ASSIST NEW AND FLEDGLING AGRICULTURAL COOPERATIVE ASSOCIATIONS", was jointly offered by Senators Machida, Yamasaki and Hara.

By unanimous consent, S.R. No. 141 was referred to the Committee on Agriculture.

A resolution (S.R. No. 142), entitled: "SENATE RESOLUTION REQUESTING A HEARING BY THE HAWAII STATE SENATE CONCERNING THE LEASING OF LANDS FOR AGRICULTURAL PURPOSES", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 142 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

A resolution (S.R. No. 143), entitled: "SENATE RESOLUTION RESPECTFULLY URGING HAWAII'S DELEGATION TO THE CONGRESS OF THE UNITED STATES TO SPONSOR AND ACTIVELY SUPPORT THE PASSAGE OF LEGISLATION RELATING TO EDIBLE FRESH GINGER-SPICE ROOTS, ZINGIBER OFFICIANALE", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 143 was referred to the Committee on Agriculture.

A resolution (S.R. No. 144), entitled: "SENATE RESOLUTION REQUESTING ADOPTION OF A STATEWIDE POLICY TO ASSURE THE PRESERVATION OF STATE LANDS UNIQUELY SUITED FOR THE CULTIVATION OF TARO AND OTHER WETLAND CROPS", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 144 was referred to the Committee on Agriculture.

A resolution (S.R. No. 145), entitled: "SENATE RESOLUTION EXPRESSING CONCERN ABOUT THE FEDERAL OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA) AND THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY (EPA) AND REQUESTING APPROPRIATE ACTIONS AS MAY SERVE TO ALLEVIATE UNWARRANTED HARDSHIPS AND INCONVENIENCES TO HAWAII'S FARMERS", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 145 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

CONFERENCE COMMITTEE REPORTS

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1494, H.D. 1, presented a report (Conf. Com. No. 1-80) recommending that H.B. No. 1494, H.D. 1, S.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 the Final Reading of H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1703, S.D. 1, presented a report (Conf. Com. No. 2-80) recommending that S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1, as amended in C.D. 2, 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 the Final Reading of S.B. No. 1703, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS".

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 95-80) informing the Senate that Senate Resolution Nos. 128 to 131 and Standing Committee Report Nos. 68-80 to 94-80 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 Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 96-80), recommending that Senate Bill No. 43 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 43, entitled: "A BILL FOR AN ACT RELATING TO STATE BOUNDARIES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV, SECTION 1)", was referred to the Committee on Judiciary.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 97-80) recommending that Senate Bill No. 2170-80 be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2170-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 98-80) recommending that Senate Bill No. 2211-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Carpenter and carried, the report of the Committee was adopted and S.B. No. 2211-80, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE OFFICE OF THE ASSISTANT REGISTRAR OF THE LAND COURT IN THE STATE BUREAU OF CONVEYANCES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 99-80) recommending that Senate Bill No. 2212-80 be referred to the Committee on Judiciary.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2212-80, entitled: "A BILL FOR AN ACT RELATING TO DAMS AND RESERVOIRS", was referred to the Committee on Judiciary.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 100-80) recommending that Senate Bill No. 2450-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2450-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS GENERAL EXCISE TAX EXEMPTIONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 101-80) recommending that Senate Bill No. 2785-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2785-80, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 102-80) recommending that Senate Bill No. 2973-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2973-80, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 103-80) recommending that Senate Bill No. 2046-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2046-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR PROGRAM SUPPORT FOR THE ELDERLY AT A HAWAII GERONTOLOGY CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 104-80) recommending that Senate Bill No. 2056-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2056-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR GRANTS-IN-AID TO THE WELFARE RECIPIENT ADVISORY COUNCIL FOR THEIR NEIGHBOR ISLAND PROGRAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 105-80) recommending that Senate Bill No. 2070-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 2070-80, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 106-80) recommending that Senate Bill No. 2199-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2199-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PROGRAM VIOLATIONS AND PENALTIES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 107-80) recommending that Senate Bill No. 2390-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2390-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFANT AND CHILD DEVELOPMENT SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 108-80) recommending that Senate Bill No. 2393-80 pass Second Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 2393-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE VARIETY CLUB SCHOOL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 109-80) recommending that Senate Bill No. 2397-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2397-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESPITE SERVICES FOR THE DEVELOPMENTALLY DISABLED", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 110-80) recommending that Senate Bill No. 1171, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE", passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 111-80) recommending that Senate Bill No. 1996-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1996-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 112-80) recommending that Senate Bill No. 2079-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2079-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 3, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2079-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 113-80) recommending that Senate Bill No. 2133-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2133-80, entitled: "A BILL FOR AN ACT RELATING TO BENEFIT SOCIETIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 3, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2133-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 114-80) recommending that Senate Bill No. 2740-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2740-80, entitled: "A BILL FOR AN ACT RELATING TO SHARES WITHOUT PAR VALUE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 3, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2740-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 115-80) recommending that Senate Bill No. 2746-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2746-80, entitled: "A BILL FOR AN ACT RELATING TO PRODUCT LIABILITY", passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 1834-80:

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

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

Senate Bill No. 1836-80:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1836-80, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2030-80, S.D. 1:

Senator O'Connor moved that S.B. No. 2030-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", be recommitted to the Committee on Judiciary, and the President, noting that there was no objection, so ordered.

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

On motion by Senator O'Connor, seconded by Senator Chong and carried, S.B. No. 1831-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

The Senate reconvened at 12:09 o'clock p.m.

Senate Bill No. 2000-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Chong and carried, S.B. No. 2000-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 12:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senate Bill No. 2109-80:

Senator O'Connor moved that S.B. No. 2109-80, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS", be recommitted to the Committee on Judiciary, and the President, noting that there was no objection, so ordered.

Senate Bill No. 2110-80:

On motion by Senator O'Connor, seconded by Senator Chong and carried, S.B. No. 2110-80, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PROPERTY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2156-80:

Senator O'Connor moved that S.B. No. 2156-80, having been read throughout, pass Third Reading, seconded by Senator Cobb.

At this time, Senator Abercrombie inquired of the chairman of the Judiciary Committee as follows:

"Senator O'Connor, I am concerned, on page 3, line 9, '...all proceeds traceable to such an exchange ...' is there a process in law now which determines what the word traceable means? My concern is that it may be that family or someone associated with the person who is involved in this activity might find themselves or their goods, I should say goods, treasure, or whatever associated with the word traceable -- that there would not be due process in terms of what was actually involved.

"In the earlier part of the section, it says 'All moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance.' Who makes that determination and is there something in law which sets precedence for determining it?"

Senator O'Connor replied as follows:

"Mr. President, there is a matter in law which sets precedence. The wording used is from the Comprehensive Drug Abuse Prevention and Control Act of 1978, a federal act which has been interpreted and for which there have been committee reports and interpretations written.

"The matters which are set forth on page 3 of Senate Bill No. 2156 are those matters which the federal government believes should be forfeited in drug arrest cases and we have patterned our laws precisely after the federal law because we were seeking exactly what the good Senator from Manoa would have and, that is, precedent and information concerning the definition of those words."

Senator Abercrombie then rose to speak against the measure and stated as follows:

"Mr. President, I rise to speak in opposition to passage of this bill.

"I don't believe that we should put into law language of such a vague nature which may have very specific complications and implications for individuals who may be involved in circumstances over which they have little or no control, while they may in fact be the commission of a crime involving a controlled substance. To make such a comprehensive statement as 'all moneys, negotiable instruments' etc., which I quoted in my question to the chairman of the Judiciary, would seem to me to leave to the arresting authorities or to the prosecuting authorities such leeway that it could amount to almost a command of goods -- other things of value furnished or intended to be furnished in exchange. That could be almost anything that the arresting officer or, as I say, the prosecutors intended it to mean, whether on an objective basis or not, is not determinable by the bill, and if I take the explanation of the chairman correctly this is something that is being worked out and practiced which may or may not be due process in my eyes in terms of what the Constitution protects us with.

"My point is that while I have no objection in principle to this kind of a punishment involved in the commission of a crime or rather as a penalty involved in the commission of crimes as outlined here, without having it specifically designated or at the very least definitions established as to what in fact is involved in exchange in the commission of a crime ...

"It leaves wide open the discretion, if you will, of the prosecutorial or the arresting authorities in a way which I think is anathema to constitutional process."

Senator O'Connor then rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak in

favor of this measure.

"The obvious purpose of this bill is to aid in the stamping out of drug traffic in this jurisdiction by allowing a forfeiture of the moneys or other matters of value which are utilized in the trafficking of drugs. It is obvious from the measure itself that the proceeds which would be forfeited must be traceable to the exchange of the drugs and further, to alleviate the problems raised by the Senator from Manoa, I might point out that there is a provision in this section which states specifically that where the owner of the proceeds of the money, or of whatever we are talking about, does not have knowledge of the crime or the crime did not proceed with the consent of that person, then that particular matter or money or whatever it is cannot be forfeited.

"Therefore, in order to further our fight against drugs and the drug crimes in this community, I would urge all to vote for Senate Bill No. 2156-80."

The motion was put by the Chair and carried, and S.B. No. 2156-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 46-80 (H.B. No. 1060, S.D. 2):

Senator Kuroda moved that Stand. Com. Rep. No. 46-80 be adopted and H.B. No. 1060, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

At this time, Senator Kuroda rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak in favor of this bill by briefly stating that the amendment made by the Senate Ways and Means Committee is a fair one. It puts the act to sleep after four years, providing some time to test out the effectiveness of this measure.

"Thank you very much."

Senator Abercrombie also rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak in favor of the bill.

"As the Senators may know, I signed it 'WR' and I do want to speak in favor of it with the caveat that where tuition waivers are concerned with the University

of Hawaii, I do think that kind of approach, in terms of encouraging the capacity for people to attend the University, is in order.

"We have discussed this very thoroughly and I hope that in future, when tuition waivers are brought before this body for various groups, that we will keep in mind the passage of this particular bill on the basis that a distinct social purpose was served by its passage and that a special interest, as such, was not the criterion upon which it was passed. It was rather that the particular interest of the group nonetheless was meritorious, sufficiently, to pass the test of the public purpose, and it may well be that other individuals or groups will likewise come before the body under the same circumstances, and I hope we will grant them the same kind of hearing and courtesy and attention in respect of whether the public purpose is being served."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 46-80 was adopted and H.B. No. 1060, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS", having been read throughout passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 47-80 (S.B. No. 1370):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 47-80 was adopted and S.B. No. 1370, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2531-80:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2531-80, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 12:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 o'clock p.m.

Senate Bill No. 2029-80, S.D. 1:

Senator O'Connor moved that S.B. No. 2029-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", be recommitted to the Committee on Judiciary, and the President, noting that there was no objection, so ordered.

Senate Bill No. 2035-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2035-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2120-80:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2120-80, entitled: "A BILL FOR AN ACT RELATING TO MINORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1835-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1835-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERMINATION OF PARENTAL RIGHTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2034-80:

By unanimous consent, action on S.B. No. 2034-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", was deferred until Friday, February 29, 1980.

Senate Bill No. 2129-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2129-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At this time, Senator O'Connor rose to introduce to the members of the Senate his mother Mrs. Virginia O'Connor Vilmaire, her friend Mrs. George Bayliss, President General of the National Society of the Daughters of the American Revolution, and a group of members of the Society.

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:27 o'clock p.m.

ADJOURNMENT

At 12:29 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 29, 1980.

TWENTY-SEVENTH DAY

Friday, February 29, 1980

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

The Divine Blessing was invoked by the Reverend James R. Habenicht, M.M., Associate Pastor of Sacred Heart Church, after which the Roll was called showing all Senators present with the exception of Senators Hara and O'Connor, who were excused.

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

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

Senator Kuroda introduced a group of 80 students from the sixth grade at Makakilo Elementary School with their teachers, Mrs. Sandy Whittenberg, Mrs. Keiko Rennie and Mrs. Pat Takatani and a parent, Mrs. Carol Bowles.

Senator Kuroda then introduced Mr. James Kaina, Regional Director of the Hawaii Visitors Bureau in New York, who arrived in Honolulu on the inaugural flight of World Airways.

Senator Yee then introduced twenty-eight students from the first grade at Kuhio School with their teacher, Mrs. Barbara Matsuoka and a parent, Mrs. Gwendolyn Felix.

Senator Anderson introduced fifty members from the Aiea Lani Senior Citizen Club.

Senator Chong then introduced Mr. Tony Oldshield Peters from Fort Worth, Texas.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 97 and 98) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 97), transmitting a report prepared by the Department of Health in response to Senate Resolution No. 418, S.D. 1 (1979) which related to residential treatment facilities for mental health and/or substance abuse patients, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 98), transmitting a report prepared by the Department of Transportation in response to Section 15 of

Act 214 (1979), the General Appropriations Act which requested the Director of Transportation to review the problem of large numbers of project funded personnel in the Department of Transportation, was referred to the Committee on Transportation.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 18), transmitting a report entitled, "Sunset Evaluation Report - Veterinary Medicine, Chapter 471, Hawaii Revised Statutes", was read by the Clerk and was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 47 to 70) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 47), transmitting House Bill No. 1804-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1804-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 48), transmitting House Bill No. 1986-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1986-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 49), transmitting House Bill No. 1989-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1989-80, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse.

Com. No. 50), transmitting House Bill No. 1993-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1993-80, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY LAW", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 51), transmitting House Bill No. 2056-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2056-80, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 52), transmitting House Bill No. 2061-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2061-80, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 53), transmitting House Bill No. 2062-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2062-80, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 54), transmitting House Bill No. 2162-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2162-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 55), transmitting House Bill No. 2164-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2164-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 56), transmitting House Bill No. 2166-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 57), transmitting House Bill No. 2174-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2174-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPUNGEMENT OF ARREST RECORDS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 58), transmitting House Bill No. 2532-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2532-80, entitled: "A BILL FOR AN ACT AUTHORIZING THE PLACEMENT OF THE SCULPTURE 'THE SPIRIT OF LILUOKALANI' AT THE STATE CAPITOL COMPLEX", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 59), transmitting House Bill No. 2265-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried,

H.B. No. 2265-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STRIKING NAMES OF DISQUALIFIED VOTERS FROM THE REGISTER", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 60), transmitting House Bill No. 1831-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1831-80, entitled: "A BILL FOR AN ACT RELATING TO NUMBER AND GENDER", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 61), transmitting House Bill No. 1880-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1880-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 62), transmitting House Bill No. 1918-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1918-80, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 63), transmitting House Bill No. 1969-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1969-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 64), transmitting

House Bill No. 1975-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1975-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", passed First Reading by title and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 65), transmitting House Bill No. 1980-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1980-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 66), transmitting House Bill No. 2097-80, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2097-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 67), transmitting House Bill No. 2172-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2172-80, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE", passed First Reading by title and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 68), transmitting House Bill No. 2259-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse.

Com. No. 69), transmitting House Bill No. 2292-80, H.D. 1 which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2292-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 70), transmitting House Bill No. 2357-80, which passed Third Reading in the House of Representatives on February 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2357-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 146 to 155) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 146), entitled: "SENATE RESOLUTION COMMENDING UNITED STATES SENATOR SPARK M. MATSUNAGA FOR HIS NATIONAL LEADERSHIP ON RENEWABLE ALTERNATIVE ENERGY LEGISLATION", was jointly offered by Senators Yim, Carpenter, Kuroda, Mizuguchi, Cobb, Ajifu, Yamasaki, Wong, Hara, Chong, Ushijima, Cayetano, Machida, Toyofuku, Kawasaki, Saiki, Anderson, Campbell, Carroll, Young, George, Soares, Abercrombie and O'Connor.

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.R. No. 146 was adopted.

Senator Yim then introduced to the members of the Senate the Honorable Spark M. Matsunaga, United States Senator. Senator Carpenter presented Senator Matsunaga with a certified copy of the resolution just adopted and Senator George presented him with a lei.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

The President then introduced Senator Spark M. Matsunaga to the members of the Senate and Senator Matsunaga addressed the Senate as follows:

"Thank you very much, President Wong. I really find myself searching for words for you, who serve as public servants, know the biggest honor which can be bestowed upon a public servant is recognition by his colleagues, by his peers, and I accept this resolution with that deep sense of honor.

"I was supposed to have been completely surprised with this, I am told, but on the way here a little bird told me something like this was going to happen. I wish I had been given a little more advance notice so I might have prepared a half-hour speech for you.

"But in accepting this resolution, I must congratulate you, the members of this body particularly the Energy Committee headed by Senator Yim, for the initiative that you have taken. Had it not been for the kind of support you have given me here, it would have been quite difficult for me to push the programs at the Federal level.

"We do, as you know, have a commitment from President Carter that he will help Hawaii to become the first state in the Union to become energy self-sufficient, and he said by 1990, although he thought he might be sticking his neck out a bit.

"Some of you will recall that he made the statement while on his way back to Washington from the Energy International Summit Conference over in Tokyo. I happened to accompany him, and on the way back he asked me what the people of Hawaii wanted most. I told him that if he told the people that he would help them to attain energy self-sufficiency by 1990, I think he would be a hero. He said, '1990? Sparky, would I be sticking my neck out?' I said, 'Mr. President, we went to the moon in eight years. Certainly we can do it here on earth when we already have the technology.' Then he said, 'Okay, Sparky, for you I'll stick my neck out.' Now, every time I have problems with the Department of Energy, I quote the President, and we almost immediately get a good response.

"We are fortunate in that we now have a new Secretary of Energy who does not take the same attitude as the previous Secretary of Energy. I recall when Secretary Schlessinger made his final appearance before the Finance Committee and we were questioning him about tax credit for energy conservation and development of alternate sources of energy. At that time I asked him, 'Mr. Secretary,

I've been told by the president of a solar photovoltaic manufacturing company that in my lifetime, I will be driving an electric motor vehicle powered by solar photovoltaic cells. What do you think?'

"And, without hesitation he said to me, 'Senator, I think he was wishing you a long life.' I responded by saying, 'Mr. Secretary, you are a pessimist; I am an optimist, and in the not too distant future when you go to Hawaii on vacation, I am going to take you for a ride in my photovoltaic car.'

"The colloquy appeared in the Wall Street Journal and two days later, I received a call from the Lawrence Livermore Laboratory in California and Mr. Bill Fleming told me, 'Senator, we already have such a car, and we want you to stop by on one of your trips home to Hawaii and we'll have you drive that car.' I then asked him if he had a good photographer and he answered, 'Yes, we do and we'll have him ready for you.' At that time I thought I'd have a picture taken of myself driving that solar car and would send an autographed copy to ex-Secretary Schlessinger. That's exactly what I did.

"Now I tell you this story because in the area of energy, particularly with reference to pursuing alternative sources of energy development, we have got to be bold and imaginative, and in this respect I think you here at the State Legislature can provide an example to the rest of the nation, because too many of us in the Congress today and in the White House and the Administration, are not bold enough to take steps that are necessary to resolve our energy crisis.

"Today, the energy crisis confronts us as one of the worst enemies we have had. The principal cause of inflation, we know, is the high price of oil today. The price of oil in the last eight years has risen not once, not twice, but sixteen times. A barrel of oil which used to sell for \$2.40 in 1973, today sells for \$36.00, and on the open market, it sells for \$50.00 a barrel.

"I don't want to take too much time-- when I get steamed up about energy, I keep going on and on, and Senator Yim says I could take ten minutes-- but I'd like to leave this word with you. The windfall profits tax which was reported out of the conference committee provides many, many incentives for alternative sources of energy development. I know that I can depend upon the Senate and the House of Representatives of

the State Legislature to support the efforts at the Federal level in pursuing the opportunities which will be presented by the windfall profits tax act.

"I again want to thank you for honoring me as you have. It will provide me, believe you me, with great encouragement to carry on the work which you have initiated here in the State. That geothermal well in Puna to which you appropriated \$200,000 will stand as a memorial to you and the State Legislature, and many other projects which are now in the mill, will definitely make Hawaii the first state in the Union to become energy self-sufficient. Then I will once again be able to say that which I said when I was elected to the Senate, that an American dream had come true when Hawaii becomes that state in the Union to become the first energy self-sufficient state. Thank you very much."

Senator Kawasaki then spoke as follows:

"Mr. President, I think that it's rather appropriate at this time for us to remind this body that while Senator Matsunaga did not mention this fact, that he is also to be commended for his initiative in making it possible for Dr. Mary Bitterman to be appointed to that high national position as Director of the Office of the Voice of America.

"Senator Matsunaga is an old friend and I do appreciate his efforts in making Dr. Bitterman's appointment possible. Her leaving is a great loss to Hawaii but undoubtedly, it's a great gain to the national government.

"To balance things off, Senator Matsunaga has been the sponsor of some federal legislation that Senator Abercrombie, Senator Cobb and I have some jaundiced views on, but we'll excuse him for his efforts because of Dr. Bitterman's appointment."

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

A resolution (S.R. No. 147), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND COMMENDING THE CHARGERS OF PEARL CITY HIGH SCHOOL GIRL'S SOFTBALL TEAM ON THE OCCASION OF THEIR WINNING THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION STATE CHAMPIONSHIP", was jointly offered by Senators Young, Kuroda, Cayetano, Chong, Toyofuku, Carroll, Carpenter, Ushijima, Yamasaki, Machida, Anderson, O'Connor, Hara, Campbell, Kawasaki, Ajifu, Cobb, Soares, Abercrombie, Yim, Yee, Mizuguchi, Saiki and George.

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 147 was adopted.

A resolution (S.R. No. 148), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO JOSHUA C. AGSALUD FOR BEING NAMED OUTSTANDING FILIPINO OVERSEAS IN THE FIELD OF PUBLIC SERVICE FOR 1979", was jointly offered by Senators Toyofuku, Kuroda, Carpenter, Hara, Machida, Cayetano, Chong, Soares, Young, Yamasaki, Mizuguchi, Saiki, Yim, Carroll, Campbell, Wong, Abercrombie, Yee, Anderson, O'Connor, Cobb, George, Ajifu, Ushijima and Kawasaki.

On motion by Senator Toyofuku, seconded by Senator Kuroda and carried, S.R. No. 148 was adopted.

A resolution (S.R. No. 149), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO IDENTIFY OBSTACLES TO THE SAFE FLOW OF TRAFFIC ON HALEAKALA HIGHWAY, COUNTY OF MAUI, AND MAKE RECOMMENDATIONS FOR IMPROVEMENTS", was jointly offered by Senators Yamasaki, Machida, Ushijima, Wong, Kuroda, Young, Cayetano, Chong, Saiki, Carroll, Hara, Carpenter, Kawasaki, Yim, Cobb, Abercrombie, Soares, Ajifu, George, Toyofuku and Mizuguchi.

By unanimous consent, S.R. No. 149 was referred to the Committee on Transportation.

A resolution (S.R. No. 150), entitled: "SENATE RESOLUTION RECOGNIZING THE ACHIEVEMENTS OF MYER C. SYMONDS", was jointly offered by Senators Yamasaki, Machida, Ushijima, Wong, Kuroda, Young, Cayetano, Chong, Ajifu, Saiki, Abercrombie, Hara, Carpenter, Carroll, Kawasaki, Cobb, Soares, George, Toyofuku and Yim.

Senator Yamasaki moved that S.R. No. 150 be adopted, seconded by Senator Machida.

Senator Yamasaki then spoke in favor of the resolution as follows:

"Mr. President, it gives me great pleasure to speak on behalf of this resolution recognizing the achievements of Myer C. Symonds.

"Sy, as he is known to his friends and in fact to practically all who know him, is a distinguished lawyer who has been practicing law in Hawaii for the past thirty-three years. He is a respected member of the Hawaii Bar and I would say a dean of that Bar.

"All his professional career in Hawaii, he has been a lawyer for the ILWU and others and has fought to uphold the rights of labor and of working men and women, and even more than that, he has fought to uphold the democratic and legal rights of all the many and different clients he has represented.

"He has been most recently recognized by the Hawaii ACLU which honored him, as well as his long-time partner, Harriet Bouslog, with that organization's Allan F. Saunders award for significant contributions to civil liberties in Hawaii.

"I could say very much more, but all I will say now is, 'Sy, you certainly deserve that award and you certainly deserve recognition from the people of Hawaii for all the positive and progressive things you have done for them in your long career.'

"I'd like to urge this body to support this resolution. Thank you, Mr. President."

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

"Mr. President, I rise to speak in favor of this motion. It really is a tremendous pleasure for me to see both Myer and Mrs. Bouslog here today.

"In years past, Myer and I had what I would call some serious philosophical discussions regarding a number of issues ranging from the Vietnam War to labor law.

"I recognized him as a senior, and a very eloquent and forceful member of the Bar. I must say that because of his contemplative, kindly, and humane approach to numerous questions, and because of his taking time to, I guess in a sense, educate someone much less learned than himself, I have learned to cherish our friendship and I join with pleasure in the adoption of this measure.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and S.R. No. 150 was adopted.

A resolution (S.R. No. 151), entitled: "SENATE RESOLUTION RECOGNIZING THE ACHIEVEMENTS OF HARRIET BOUSLOG", was jointly offered by Senators Yamasaki, Machida, Ushijima, Wong, Kuroda, Young, Cayetano, Chong, Carpenter, Saiki, Toyofuku, Abercrombie, Hara, Soares, Kawasaki, Cobb, Ajifu, Campbell, George, Carroll and Yim.

Senator Yamasaki moved that S.R. No. 151 be adopted, seconded by Senator Machida.

Senator Yamasaki then spoke for the adoption of the resolution as follows:

"Mr. President, it gives me great pleasure to speak on behalf of this resolution recognizing the achievements of Harriet Bouslog.

"Harriet has been practicing law here for many years and started out as the first lawyer for the ILWU back when things were tough, I mean really tough, for the working people and their unions.

"She pioneered the legal attack on many of the laws of the then Territory of Hawaii, which were used to suppress and penalize the aspirations and struggles of the sugar and pineapple workers for a better life. As a result of her efforts, those laws were written off our books.

"In those early years, she also defended people like Aiko and John Reinecke, whom this Legislature only recently recognized had been unfairly treated and removed from their teaching positions because of their beliefs. Harriet also defended and saved from execution Majors and Palakiko, in a case which led to the abolition of capital punishment in Hawaii by the Legislature.

"Harriet's achievements in fighting for and defending the democratic rights of people have been most recently recognized by the Hawaii ACLU which has honored her, as well as her long-time partner, Myer Symonds, with that organization's Allan F. Saunders award for significant contributions to civil liberties in Hawaii.

"I could go on to say much more in behalf of Harriet, but all I will say right now is, 'Harriet, you certainly deserve that award and you certainly deserve recognition from the people of Hawaii for all the positive and progressive things you have done for them in your life as a lawyer.

"Mr. President and members of the Senate, I would like to urge your unanimous support for this resolution. Thank you."

The motion was then put by the Chair and carried, and S.R. No. 151 was adopted.

Senator Yamasaki then introduced to the members of the Senate Mr. Myer Symonds and Mrs. Harriet Bouslog, the honorees of the two resolutions just adopted. Senator Yamasaki then presented each of them with a certified copy of the resolution adopted in their honor and then presented a lei to Mrs. Bouslog.

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

The Senate reconvened at 12:17 o'clock p.m.

A resolution (S.R. No. 152), entitled: "SENATE RESOLUTION COMMENDING THE TWENTY-THIRD HAWAIIAN SCIENCE AND ENGINEERING FAIR", was jointly offered by Senators Kuroda, Carpenter, Cayetano, Ushijima, Mizuguchi, Toyofuku, Carroll, Yamasaki, George, Machida, Cobb, Yee, Anderson, Campbell, Hara, Young, Chong, O'Connor, Saiki, Soares, Kawasaki, Ajifu, Wong, Abercrombie and Yim.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, S.R. No. 152 was adopted.

A resolution (S.R. No. 153), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO KUAKINI MEDICAL CENTER FOR ITS DEDICATION OF THE HALE PULAMA MAU (PROGRESSIVE HEALTH CARE CENTER FOR THE ELDERLY)", was jointly offered by Senators Wong, Yim, Ajifu, Hara, Yamasaki, Cayetano, Kuroda, Ushijima, Chong, Toyofuku, Machida, George, Soares, Saiki, Carpenter, Young, Cobb, Kawasaki, Anderson, Mizuguchi, Campbell, O'Connor, Carroll and Abercrombie.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.R. No. 153 was adopted.

A resolution (S.R. No. 154), entitled: "SENATE RESOLUTION REQUESTING THE HIGHWAYS DIVISION, DEPARTMENT OF TRANSPORTATION, STATE OF HAWAII, TO CONSERVE ENERGY BY REPLACING EXISTING INCANDESCENT AND MERCURY VAPOR STREET LIGHTS WITH HIGH EFFICIENCY LOW WATTAGE HIGH AND LOW PRESSURE SODIUM LAMPS ON STATE HIGHWAYS", was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 154 was referred to the Committee on Transportation.

A resolution (S.R. No. 155), entitled: "SENATE RESOLUTION HONORING KENNETH K. FUJII, M.D., A DOC FOR ALL SEASONS", was jointly offered by Senators Toyofuku, Cobb, Cayetano, Young, Kawasaki, Yee, Ajifu, Mizuguchi, Yim, Machida and Hara.

On motion by Senator Toyofuku, seconded by Senator Cobb and carried, S.R. No. 155 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee

on Legislative Management, presented a report (Stand. Com. Rep. No. 116-80) informing the Senate that Senate Concurrent Resolution No. 30, Senate Resolution Nos. 132 to 145, Conference Committee Report Nos. 1 and 2 and Standing Committee Report Nos. 96-80 to 115-80 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 Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 117-80) recommending that Senate Bill No. 2197-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, the report of the Committee was adopted and S.B. No. 2197-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 3, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2197-80, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 118-80) recommending that Senate Bill No. 398 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 398, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF PROPHYLACTICS IN VENDING MACHINES", passed Second Reading and was referred to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 119-80) recommending that Senate Bill No. 1860-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1860-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 120-80) recommending that Senate Bill No. 1974-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1974-80, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 121-80) recommending that Senate Bill No. 2882-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2882-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 122-80) recommending that Senate Bill No. 2986-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2986-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 1981 REAPPORTIONMENT COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a bill that had been introduced on Tuesday, February 13, 1979:

Senate Bill	Referred to:
No. 1560	Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

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

Senate Bill	Referred to:
No. 2525-80	Committee on Tourism,

then to the Committee on Judiciary

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

Senate Bills Referred to:

No. 2544-80 Committee on Transportation,
then to the Committee on Ways and
Means

No. 2689-80 Committee on Tourism,
then to the Committee on Ways and
Means

No. 2753-80 Committee on Transportation,
then to the Committee on Ways and
Means

MATTERS DEFERRED FROM FEBRUARY 28, 1980

Senate Concurrent Resolution No. 30:

By unanimous consent, S.C.R.
No. 30, entitled: "SENATE CONCURRENT
RESOLUTION RECOGNIZING MARCH
1, 1980 AS BIKINI ISLAND DAY, IN
MEMORY OF THE 1954 HYDROGEN BOMB
TESTING ON THAT ISLAND", was
referred to the Committee on Ecology,
Environment and Recreation.

Senate Resolution No. 132:

By unanimous consent, S.R. No. 132,
entitled: "SENATE RESOLUTION RECOG-
NIZING MARCH 1, 1980 AS BIKINI
ISLAND DAY, IN MEMORY OF THE 1954
HYDROGEN BOMB TESTING ON THAT
ISLAND", was referred to the Committee
on Ecology, Environment and Recreation.

Senate Bill No. 2034-80:

By unanimous consent, consideration
of S.B. No. 2034-80, entitled: "A
BILL FOR AN ACT RELATING TO ELECTIONS",
was deferred until Monday, March
3, 1980.

THIRD READING

Senate Bill No. 1951-80, S.D. 1:

On motion by Senator Cobb, seconded
by Senator Chong and carried, S.B.
No. 1951-80, S.D. 1, entitled: "A
BILL FOR AN ACT RELATING TO INTOXI-
CATING LIQUOR", having been read
throughout, passed Third Reading
on the following showing of Ayes and
Noes:

Ayes, 23. Noes, none. Excused,
2 (Hara and O'Connor).

Senate Bill No. 1991-80:

On motion by Senator Cobb, seconded

by Senator Chong and carried, S.B.
No. 1991-80, entitled: "A BILL FOR AN
ACT RELATING TO UNIFORM SECURITIES
ACT (MODIFIED)", having been read through-
out, passed Third Reading on the following
showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Hara and O'Connor).

Senate Bill No. 2104-80, S.D. 1:

By unanimous consent, S.B. No. 2104-
80, S.D. 1, entitled: "A BILL FOR AN
ACT RELATING TO PARTNERSHIPS",
was recommitted to the Committee on
Consumer Protection and Commerce.

Senate Bill No. 1993-80, S.D. 1:

By unanimous consent, S.B. No. 1993-
80, S.D. 1, entitled: "A BILL FOR
AN ACT RELATING TO PRACTICING
PSYCHOLOGISTS", was recommitted
to the Committee on Consumer Protection
and Commerce.

Senate Bill No. 2066-80, S.D. 1:

By unanimous consent, consideration
of S.B. No. 2066-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
LIQUOR", was deferred until Monday,
March 3, 1980.

Senate Bill No. 2119-80, S.D. 1:

By unanimous consent, S.B. No. 2119-
80, S.D. 1, entitled: "A BILL FOR AN
ACT RELATING TO THE BANK EXAMINER",
was recommitted to the Committee on
Consumer Protection and Commerce.

Senate Bill No. 2121-80, S.D. 1:

On motion by Senator Cobb, seconded
by Senator Chong and carried, S.B.
No. 2121-80, S.D. 1, entitled: "A BILL
FOR AN ACT RELATING TO THE HAWAII
INSURANCE LAW", having been read through-
out, passed Third Reading on the following
showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Hara and O'Connor).

Senate Bill No. 2157-80, S.D. 1:

On motion by Senator Cobb, seconded
by Senator Chong and carried, S.B.
No. 2157-80, S.D. 1, entitled: "A BILL
FOR AN ACT RELATING TO THE UNIFORM
CONTROLLED SUBSTANCES ACT", having
been read throughout, passed Third
Reading on the following showing of
Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Hara and O'Connor).

Senate Bill No. 2246-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2246-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE DEBT LIMIT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hara and O'Connor).

Standing Committee Report No. 90-80 (H.B. No. 18, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 90-80 was adopted and H.B. No. 18, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A COUNCIL ON REVENUES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hara and O'Connor).

Senate Bill No. 2003-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2003-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hara and O'Connor).

Senate Bill No. 2006-80:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2006-80, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAYS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hara and O'Connor).

Senate Bill No. 2007-80:

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

Ayes, 23. Noes, none. Excused, 2 (Hara and O'Connor).

ADJOURNMENT

At 12:27 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 5:00 o'clock p.m., Monday, March 3, 1980.

TWENTY-EIGHTH DAY

Monday, March 3, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 5:25 o'clock p.m., with the President in the Chair.

The Divine Blessing was invoked by Sister Hannah B. Harris, Executive Secretary of Ke Alauala Oka Malamala Church, after which the Roll was called showing all Senators present, with the exception of Senators Abercrombie, Chong, Kawasaki, and Machida who were excused.

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

At 5:30 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 10:00 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 10:00 o'clock p.m., with all Senators present, with the exception of Senators Chong, Hara and Toyofuku who were excused.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 19), transmitting a report entitled, "Sunset Evaluation Report - Private Investigators and Guards, Chapter 463, Hawaii Revised Statutes", was read by the Clerk and was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 71 to 82) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 71), transmitting House Bill No. 1762-80, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1762-80, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 72), transmitting House Bill No. 1871-80, H.D. 1, which passed Third Reading in the House of Representatives

on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1871-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 73), transmitting House Bill No. 1915-80, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1915-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 74), transmitting House Bill No. 2005-80, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2005-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENT THROUGH PRIVATE DEVELOPER", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 75), transmitting House Bill No. 2064-80, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 76), transmitting House Bill No. 2067-80, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2067-80, entitled: "A BILL FOR AN ACT RELATING TO

THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 77), transmitting House Bill No. 2091-80, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2091-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT PROCEEDINGS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 78), transmitting House Bill No. 2139-80, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2139-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 79), transmitting House Bill No. 2263-80, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2263-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED PARTNERSHIPS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 80), transmitting House Bill No. 2284-80, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2284-80, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 81), transmitting House Bill No. 2716-80, which passed Third Reading in the House of Representatives on March 3, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2716-80, entitled: "A BILL FOR AN

ACT RELATING TO THE BUDGET", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 82), transmitting House Concurrent Resolution No. 13, H.D. 1, which was adopted by the House of Representatives on March 3, 1980, was placed on file.

By unanimous consent, H.C.R. No. 13, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REJECTING ANY PLANS TO STORE OR DISPOSE OF NUCLEAR MATERIALS IN THE PACIFIC BASIN", was referred to the Committee on Ecology, Environment and Recreation.

At 10:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:03 o'clock p.m.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 31), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO AN ENERGY FUNCTIONAL PLAN", was offered by Senator Wong, by request, and was read by the Clerk.

By unanimous consent, S.C.R. No. 31 was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE RESOLUTION

A resolution (S.R. No. 156), entitled: "SENATE RESOLUTION DECLARING THE INTENT OF THE STATE OF HAWAII TO BE THE SITE FOR THE CONSTRUCTION AND OPERATION OF THE DEPARTMENT OF ENERGY'S ANNOUNCED OCEAN THERMAL ENERGY CONVERSION PILOT PLANT", was jointly offered by Senators Yim, Carpenter, Kuroda, Chong, Mizuguchi, Cobb, Ajifu, Ushijima, Machida, O'Connor, Carroll, Anderson, Abercrombie, Toyofuku, Soares, Hara, Young, George, Saiki, Campbell, Kawasaki, Cayetano, Yamasaki, Wong and Yee, and was read by the Clerk.

By unanimous consent, S.R. No. 156 was referred to the Committee on Economic Development.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 123-80) informing the Senate that Senate Resolution Nos. 146 to 155 and Standing Committee Report Nos. 117-80 to 122-80 have been printed and are ready

for distribution.

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

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 124-80) recommending that Senate Bill No. 2098-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2098-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2098-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 125-80) recommending that Senate Bill No. 2175-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2175-80, entitled: "A BILL FOR AN ACT RELATING TO SIGNING AND FILING OF RETURNS FOR TAXATION PURPOSES", was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 126-80) recommending that Senate Bill No. 2188-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2188-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARTICLES OF INCORPORATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2188-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 127-80) recommending that Senate Bill No. 3094-

80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 3094-80, entitled: "A BILL FOR AN ACT RELATING TO CREDIT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3094-80.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 128-80) recommending that Senate Bill Nos. 2243-80, 2244-80, 2288-80, 2289-80, 2338-80, 2475-80, 2476-80, 2477-80, 2479-80, 2480-80, 2510-80, 2511-80, 2565-80, 2566-80, 2567-80, 2568-80, 2596-80 and 2597-80 pass Second Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 2243-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL CONSTRUCTION AND EQUIPMENT";

S.B. No. 2244-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE OF CERTAIN SCHOOLS";

S.B. No. 2288-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAHAINALUNA HIGH SCHOOL, MAUI";

S.B. No. 2289-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AND/OR RENOVATIONS TO DORMITORY FACILITIES AT LAHAINALUNA HIGH SCHOOL, MAUI";

S.B. No. 2338-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL PROJECTS LOCATED IN THE MAUI SCHOOL DISTRICT";

S.B. No. 2475-80, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR MILILANI-UKA ELEMENTARY AND WAIALUA HIGH SCHOOLS";

S.B. No. 2476-80, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR MILILANI HIGH AND HALEIWA ELEMENTARY SCHOOLS";

S.B. No. 2477-80, entitled: "A BILL

FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENTS FOR MILILANI HIGH AND MILILANI UKA ELEMENTARY SCHOOLS";

S.B. No. 2479-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPAIR AND MAINTENANCE OF WAIPAHU HIGH SCHOOL TENNIS COURTS";

S.B. No. 2480-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN AND CONSTRUCTION OF A GYMNASIUM AT MILILANI HIGH SCHOOL";

S.B. No. 2510-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE OF CERTAIN SCHOOLS";

S.B. No. 2511-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL CONSTRUCTION AND EQUIPMENT";

S.B. No. 2565-80, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR WAIPAHU INTERMEDIATE AND POHAKEA ELEMENTARY SCHOOLS";

S.B. No. 2566-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENTS FOR CAMPBELL HIGH, AND LEEWARD SEVERELY MENTAL HEALTH CENTER";

S.B. No. 2567-80, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR WAIANAE HIGH AND PEARL CITY HIGH SCHOOLS";

S.B. No. 2568-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENTS FOR PEARL CITY HIGH, EWA ELEMENTARY, AND HIGHLANDS INTERMEDIATE SCHOOLS";

S.B. No. 2596-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE OF CERTAIN SCHOOLS"; and

S.B. No. 2597-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL CONSTRUCTION AND EQUIPMENT";

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 129-80) recommending that Senate Bill Nos. 2336-80 and 2395-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded

by Senator Young and carried, the report of the Committee was adopted and

S.B. No. 2336-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF LIBRARY SERVICES"; and

S.B. No. 2395-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HILO LIBRARY, HAWAII",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 130-80) recommending that Senate Bill No. 2626-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2626-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE LIBRARY SERVICES AT KIHAI COMMUNITY PUBLIC LIBRARY, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 131-80) recommending that Senate Bill Nos. 2136-80, as amended in S.D. 1, 2137-80, as amended in S.D. 1, 2138-80, as amended in S.D. 1, 2139-80, as amended in S.D. 1, 2140-80, as amended in S.D. 1, 2141-80, as amended in S.D. 1, 2142-80, as amended in S.D. 1, 2224-80, as amended in S.D. 1, and 2506-80, as amended in S.D. 1, be referred to the Committee on Ways and Means.

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

S.B. No. 2136-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAVING MOKAPU ELEMENTARY SCHOOL PLAYCOURT";

S.B. No. 2137-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KALAHEO HIGH SCHOOL ATHLETIC FIELD";

S.B. No. 2138-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AIKAHI ELEMENTARY SCHOOL FENCING";

S.B. No. 2139-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOKAPU ELEMENTARY SCHOOL LIBRARY";

S.B. No. 2140-80, S.D. 1, entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LANIKAI ELEMENTARY SCHOOL PLAYCOURT EXTENSION AND IMPROVEMENT";

S.B. No. 2141-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAINALU ELEMENTARY SCHOOL PARKING LOT EXTENSION AND IMPROVEMENT";

S.B. NO. 2142-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOKAPU ELEMENTARY SCHOOL PARKING LOT EXTENSION AND IMPROVEMENT";

S.B. No. 2224-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FENCING FOR KAILUA ELEMENTARY SCHOOL"; and

S.B. No. 2506-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPANSION OF THE KAILUA LIBRARY",

were referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 132-80) recommending that Senate Bill No. 2319-80 be placed on the calendar for Third 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. 2319-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 133-80) recommending that Senate Bill No. 2081-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2081-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2081-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 134-80) recommending that Senate Bill No. 2214-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2214-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2214-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 135-80) recommending that Senate Bill No. 1988-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1988-80, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF SICK LEAVE CREDITS WITH WORKERS' COMPENSATION BENEFITS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 136-80) recommending that Senate Bill No. 2048-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 2048-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 137-80) recommending that Senate Bill No. 2055-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2055-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHORE SERVICES FOR THE ELDERLY AND HANDICAPPED AT MAUI REHABILITATION CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 138-80) recommending that Senate Bill No. 2103-80, as amended in S.D. 1, pass Second Reading and

be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2103-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE HILO ASSOCIATION TO HELP RETARDED CITIZENS FOR GROUP-HOME TREATMENT OF DEAF-BLIND MULTI-HANDICAPPED CHILDREN", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 139-80) recommending that Senate Bill No. 2165-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2165-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 140-80) recommending that Senate Bill No. 2172-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2172-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 141-80) recommending that Senate Bill No. 2240-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2240-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 142-80) recommending

that Senate Bill No. 2241-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2241-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE FOR PUBLIC EMPLOYEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 143-80) recommending that Senate Bill No. 2398-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2398-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF PRE-VOCATIONAL DAY ACTIVITY TRAINING PROGRAMS FOR 'DEVELOPMENTALLY' DISABLED ADULTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 144-80) recommending that Senate Bill No. 2101-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2101-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INSULATION OF THE CEILING FOR THE HILO VOCATIONAL REHABILITATION CENTER AT HILO, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 145-80) recommending that Senate Bill No. 2234-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2234-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the majority

of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 146-80) recommending that Senate Bill No. 2375-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 2375-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR VETERANS CEMETERIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 147-80) recommending that Senate Bill No. 2538-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2538-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO COMPLETE CONSTRUCTION OF AN EXTENDED SHELTERED WORKSHOP THROUGH GOODWILL INDUSTRIES OF HONOLULU AT SHAFTER FLATS IN MAPUNAPUNA ON THE ISLAND OF OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 148-80) recommending that Senate Bill No. 2605-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2605-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING AND CONSTRUCTION OF THE KANEOHE MULTI-PURPOSE SENIOR CITIZENS' CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 149-80) recommending that Senate Bill No. 2809-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2809-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 150-80) recommending that Senate Bill No. 2844-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2844-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPAHULU MULTIPURPOSE SENIOR CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 151-80) recommending that Senate Bill No. 2329-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2329-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2329-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 152-80) recommending that Senate Bill No. 2865-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2865-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERIODIC PAYMENT OF TORT JUDGMENTS AGAINST PUBLIC ENTITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 153-80) recommending that Senate Bill No. 2716-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2716-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR SECURITY ATTENDANTS FOR PUBLIC LIBRARIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 154-80) recommending that Senate Bill No. 1933-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1933-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROUBLED STUDENTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 155-80) recommending that Senate Bill No. 2002-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2002-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOST AND FOUND MONEY OR PROPERTY AT AIRPORTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2002-80, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 156-80) recommending that Senate Bill No. 2004-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2004-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2004-80, S.D. 1.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand.

Com. Rep. No. 157-80) recommending that Senate Bill No. 2152-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the majority of the Committee was adopted and S.B. No. 2152-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME-SHARING", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Yim and Kawasaki, for the Committee on Economic Development and the Committee on Government Operations and Efficiency, presented a joint report (Stand. Com. Rep. No. 158-80) recommending that Senate Bill No. 1885-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Kawasaki and carried, the joint report of the Committees was adopted and S.B. No. 1885-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RULES AND REGULATIONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1885-80, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 159-80) recommending that Senate Bill No. 1887-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1887-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN INTEGRATED INDUSTRIAL ENGINEERING AND POWER MACHINE OPERATOR TRAINING PROGRAM FOR THE GARMENT INDUSTRY", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Yim and Kawasaki, for the Committee on Economic Development and the Committee on Government Operations and Efficiency, presented a joint report (Stand. Com. Rep. No. 160-80) recommending that Senate Bill No. 1888-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Kawasaki and carried, the joint report of the Committees was adopted

and S.B. No. 1888-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION IN PUBLIC BUILDINGS AND FACILITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 161-80) recommending that Senate Bill No. 1889-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1889-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Yim and Chong, for the Committee on Economic Development and the Committee on Public Utilities, presented a joint report (Stand. Com. Rep. No. 162-80) recommending that Senate Bill No. 1899-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Mizuguchi and carried, the joint report of the Committees was adopted and S.B. No. 1899-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF NON-FOSSIL FUEL GENERATED ELECTRICITY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 163-80) recommending that Senate Bill No. 1906-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1906-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOHOL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 164-80) recommending that Senate Bill No. 1912-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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

and S.B. No. 1912-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR ENERGY CONSERVATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 165-80) recommending that Senate Bill No. 1924-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1924-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 166-80) recommending that Senate Bill No. 1925-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1925-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR RESEARCH, DEVELOPMENT, DEMONSTRATION, AND UTILIZATION OF RENEWABLE ALTERNATE ENERGY SOURCES FOR HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Yim and Kawasaki, for the Committee on Economic Development and the Committee on Government Operations and Efficiency, presented a joint report (Stand. Com. Rep. No. 167-80) recommending that Senate Bill No. 1945-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Kawasaki and carried, the joint report of the Committees was adopted and S.B. No. 1945-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY WATER HEATING SYSTEMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 168-80) recommending that Senate Bill No. 2551-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2551-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORMULATION OF A STATE WATER CODE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 169-80) recommending that Senate Bill No. 2901-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2901-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR EXPENDITURES FROM THE MAJOR DISASTER FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 170-80) recommending that House Bill No. 278, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 278, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT TAX CREDITS", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Yim and Cobb, for the Committee on Economic Development and the Committee on Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 171-80) recommending that Senate Resolution No. 20 be adopted.

On motion by Senator Yim, seconded by Senator Cobb and carried, the joint report of the Committees was adopted and S.R. No. 20, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF SOLAR ENERGY SYSTEM STANDARDS AND OTHER RELATED CONSUMER PROTECTION CONCERNS", was adopted.

Senators Yim and Kawasaki, for the Committee on Economic Development and the Committee on Government Operations and Efficiency, presented a joint report (Stand. Com. Rep. No. 172-80) recommending that Senate Resolution No. 23, as amended in S.D. 1, be adopted.

On motion by Senator Yim, seconded by Senator Kawasaki and carried, the joint report of the Committees was adopted

and S.R. No. 23, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF AN ENERGY CONSERVATION PLAN FOR ALL STATE FACILITIES", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 173-80) recommending that Senate Bill No. 2954-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2954-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII'S SOIL AND WATER CONSERVATION DISTRICT", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Yim and Kawasaki, for the Committee on Economic Development and the Committee on Government Operations and Efficiency, presented a joint report (Stand. Com. Rep. No. 174-80) recommending that Senate Bill No. 1920-80, S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Kawasaki and carried, the joint report of the Committees was adopted and S.B. No. 1920-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT MOTOR VEHICLES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 175-80) recommending that Senate Bill No. 67, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 67, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE TRANSPORTATION SYSTEMS FOR HAWAIIAN AGRICULTURAL COMMODITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 176-80) recommending that Senate Bill No. 73, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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

and S.B. No. 73, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NURSERY AND FLORAL PRODUCTS INDUSTRIES IN HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 177-80) recommending that Senate Bill No. 2335-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2335-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUGARCANE INDUSTRY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 178-80) recommending that Senate Bill No. 2598-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2598-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF THE 'TRI-FLY' AND THE MANGO WEEVIL, THE THREAT THEY POSE, AND MEANS FOR THEIR CONTROL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 179-80) recommending that Senate Bill No. 2943-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2943-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NEW AND YOUNG FARMER PROGRAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 180-80) recommending that Senate Bill No. 2945-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the

report of the Committee was adopted and S.B. No. 2945-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KULA AGRICULTURAL PARK, KULA, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 181-80) recommending that Senate Bill No. 2947-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2947-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PEST CONTROL AND PLANT QUARANTINE ON MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 182-80) recommending that Senate Bill No. 2949-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2949-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MARKETING AND CONSUMER SERVICES DIVISION, DEPARTMENT OF AGRICULTURE, TO CONTINUE CONSUMER FOOD PRICE REPORTING SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 183-80) recommending that Senate Bill No. 2958-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2958-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY ON THE RECYCLING OF SOLID LIVESTOCK AND POULTRY WASTES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 184-80) recommending that Senate Bill No. 3021-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 3021-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALTERNATE CROPS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 185-80) recommending that Senate Bill No. 3022-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 3022-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORT, RECOVERY AND RECLAMATION OF AGRICULTURAL WASTE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 186-80) recommending that Senate Bill No. 3043-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 3043-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF THE JOJOBA NUT CROP", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 187-80) recommending that Senate Bill No. 3045-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 3045-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF THE HONEY BEE INDUSTRY", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Machida and Abercrombie, for the Committee on Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 188-80) recommending that Senate Bill No. 2942-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the joint report of the Committees was adopted and S.B. No. 2942-80, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR ADDITIONAL POSITIONS FOR THE HAWAII INSTITUTE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Machida and Abercrombie, for the Committee on Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 189-80) recommending that Senate Bill No. 2944-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the joint report of the Committees was adopted and S.B. No. 2944-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FARM MANAGEMENT SKILLS DEVELOPMENT", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Machida and Abercrombie, for the Committee on Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 190-80) recommending that Senate Bill No. 2948-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the joint report of the Committees was adopted and S.B. No. 2948-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH AND DEVELOPMENT OF DISEASE RESISTANT EDIBLE GINGER ROOT", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Machida and Abercrombie, for the Committee on Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 191-80) recommending that Senate Bill No. 2952-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the joint report of the Committees was adopted and S.B. No. 2952-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL STAFFING FOR THE KONA EXPERIMENT STATION, COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, UNIVERSITY OF HAWAII,

KONA, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Machida and Abercrombie, for the Committee on Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 192-80) recommending that Senate Bill No. 2959-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the joint report of the Committee was adopted and S.B. No. 2959-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KONA EXPERIMENT STATION, COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, UNIVERSITY OF HAWAII, KONA, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Machida and Abercrombie, for the majority of the Committee on Agriculture and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 193-80) recommending that Senate Bill No. 3046-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie, the joint report of the majority of the Committees was adopted and S.B. No. 3046-80, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE CROPS FOR KOHALA, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Campbell, Abercrombie and Cayetano, for the Committee on Education, the Committee on Higher Education and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 194-80) recommending that Senate Bill No. 2355-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, the joint report of the Committees was adopted and S.B. No. 2355-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2355-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 195-80) recommending that Senate Bill No. 2883-80, as

amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2883-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 196-80) recommending that Senate Bill No. 2869-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2869-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES."

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 197-80) recommending that Senate Bill No. 128, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 128, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 198-80) recommending that Senate Bill No. 132, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 199-80) recommending that Senate Bill Nos. 955, as amended in S.D. 1, 1875-80, as amended in S.D. 1, 1969-80, as amended in S.D. 1, 2021-80, as amended in S.D. 1, 2303-80, as amended in S.D. 1, 2610-80, as amended in S.D. 1, 2658-80, as amended in S.D. 1, 2662-80, as amended in S.D. 1, 2980-80, as amended in S.D. 1, and 3062-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 955, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE VARIETY CLUB SCHOOL";

S.B. No. 1875-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE YWCA'S WOMEN CENTER SEXUAL ASSAULT SUPPORT SYSTEM FOR THE COUNTY OF HAWAII";

S.B. No. 1969-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OPERATION OF A STATEWIDE POISON INFORMATION SERVICE";

S.B. No. 2021-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUPPORT OF MENTAL HEALTH-RELATED PROGRAMS";

S.B. No. 2303-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HALE OPIO KAUAI, INCORPORATED";

S.B. No. 2610-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR A DEMONSTRATION PROJECT IN ORTHOMOLECULAR MEDICINE AT HAWAII STATE HOSPITAL";

S.B. No. 2658-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALCOHOLISM PROGRAMS";

S.B. No. 2662-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE HEMOPHILIA FOUNDATION OF HAWAII";

S.B. No. 2980-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE SEX ABUSE TREATMENT CENTER"; and

S.B. No. 3062-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR PSYCHIATRIC DAY TREATMENT FOR CHILDREN";

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 200-80) recommending that Senate Bill No. 1084, as amended in S.D. 1, pass Second Reading and

be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1084, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1084, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 201-80) recommending that Senate Bill No. 1971-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1971-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 202-80) recommending that Senate Bill No. 1982-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Health.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1982-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 203-80) recommending that Senate Bill Nos. 2019-80, 2039-80 and 2389-80 pass Second Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 2019-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMPROVEMENT AND RENOVATION OF THE OCCUPATIONAL THERAPY AND PHYSICAL THERAPY FACILITIES AT KAU HOSPITAL, COUNTY OF HAWAII";

S.B. No. 2039-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR CAPITAL IMPROVEMENTS FOR THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, OAHU"; and

S.B. No. 2389-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII MEDICAL LIBRARY, OAHU",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 204-80) recommending that Senate Bill Nos. 2025-80, 2040-80, 2396-80, 2442-80, 2656-80 and 3053-80 pass Second Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 2025-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENTALLY DISABLED";

S.B. No. 2040-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER";

S.B. No. 2396-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE HAWAII MEDICAL LIBRARY, OAHU";

S.B. No. 2442-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BRANTLEY CENTER, INC.";

S.B. No. 2656-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ARTHRITIS"; and

S.B. No. 3053-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PROGRAMS RELATING TO HEALTH PROBLEMS OF THE ELDERLY",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 205-80) recommending that Senate Bill Nos. 2026-80, as amended in S.D. 1, 2060-80, as amended in S.D. 1, 2344-80, as amended in S.D. 1, 2352-80, as amended in S.D. 1, 2576-80, as amended in S.D. 1, 2624-80, as amended in S.D. 1, 2625-80, as amended in S.D. 1, 2910-80, as amended in S.D. 1, 3100-80, as amended in S.D. 1, and 3114-80, as amended in S.D. 1, pass Second

Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 2026-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO ST. FRANCIS HOSPITAL";

S.B. No. 2060-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR VETERANS CEMETERIES";

S.B. No. 2344-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MODERNIZATION AND RENOVATION OF KULA HOSPITAL, MAUI";

S.B. No. 2352-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING SUPPLEMENTAL APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL SUBSIDY";

S.B. No. 2576-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO KUAKINI MEDICAL CENTER, OAHU";

S.B. No. 2624-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSTRUCTION OF A WATER TANK AT KALAUPAPA SETTLEMENT, MOLOKAI";

S.B. No. 2625-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF IMPROVEMENTS TO WATER SYSTEM AT KALAUPAPA SETTLEMENT, MOLOKAI";

S.B. No. 2910-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPANSION, RENOVATION AND IMPROVEMENT OF BUILDINGS AT J.W. CAMERON CENTER, WAILUKU, MAUI";

S.B. No. 3100-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PEARLRIDGE HOSPITAL"; and

S.B. No. 3114-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO CASTLE MEMORIAL HOSPITAL, OAHU",

passed Second Reading and were referred to the Committee on Ways and Means.

Senators Yim and Chong, for the Committee on Economic Development and the Committee

on Public Utilities, presented a joint report (Stand. Com. Rep. No. 206-80) recommending that Senate Bill No. 1895-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the joint report of the Committees was adopted and S.B. No. 1895-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 207-80) recommending that Senate Bill No. 2409-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2409-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRILLING GROUNDWATER EXPLORATORY WELLS, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 208-80) recommending that Senate Bill No. 2554-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2554-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SELF-SUFFICIENCY FUEL FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 209-80) recommending that Senate Bill No. 2635-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2635-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR INDUSTRIAL ENTERPRISES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 210-80)

recommending that Senate Bill No. 2356-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2356-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND FIRE PROTECTION LAW", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 211-80) recommending that Senate Bill No. 2447-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 2447-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SOCIAL IMPACT ANALYSIS OF THE TOURISM INDUSTRY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 212-80) recommending that Senate Bill No. 3016-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Machida and carried, the report of the majority of the Committee was adopted and S.B. No. 3016-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A NEIGHBOR ISLAND TOURISM PROMOTION PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 213-80) recommending that Senate Bill Nos. 2185-80, as amended in S.D. 1, 2287-80, as amended in S.D. 1, 2343-80, as amended in S.D. 1, 2452-80, as amended in S.D. 1, 2503-80, as amended in S.D. 1, 2569-80, as amended in S.D. 1, 2768-80, as amended in S.D. 1, 2909-80, as amended in S.D. 1, 3015-80, as amended in S.D. 1, 3044-80, as amended in S.D. 1, and 3067-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and

S.B. No. 2185-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR A GRANT-IN-
AID TO THE CITY AND COUNTY OF
HONOLULU FOR IMPROVEMENTS TO
GOVERNMENT ROADS IN WAIANAE";

S.B. No. 2287-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR RESURFACING
OF MAUNALOA HIGHWAY, MOLOKAI";

S.B. No. 2343-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR CONSTRUCTION
OF HONOAPIILANI HIGHWAY, LAHAINA,
MAUI";

S.B. No. 2452-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR A GRANT-IN-
AID TO THE CITY AND COUNTY OF
HONOLULU FOR IMPROVEMENTS TO
HAMAKUA DRIVE, KAILUA, OAHU";

S.B. No. 2503-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR HAMAKUA DRIVE";

S.B. No. 2569-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE WIDENING OF KUHIO AVENUE
IN WAIKIKI";

S.B. No. 2768-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR A STORAGE
FACILITY AT KAUNAKAKAI HARBOR,
MOLOKAI";

S.B. No. 2909-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR THE RECONSTRUC-
TION OF KAMALO BRIDGE ON KAMEHAMEHA
V HIGHWAY, MOLOKAI";

S.B. No. 3015-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR REPAIRS TO
UKUMEHAMA BRIDGE AND APPROACHES,
HONOAPIILANI HIGHWAY, LAHAINA,
MAUI";

S.B. No. 3044-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR A STUDY OF
LIGHTER-THAN-AIR VEHICLES";
and

S.B. No. 3067-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR A GRANT-IN-
AID TO THE CITY AND COUNTY OF
HONOLULU FOR IMPROVEMENTS TO
KUHIO AVENUE, WAIKIKI, OAHU",

passed Second Reading and were referred
to the Committee on Ways and Means.

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

(Stand. Com. Rep. No. 214-80) recommending
that Senate Bill No. 570, as amended
in S.D. 1, pass Second Reading and
be referred to the Committee on Ways
and Means.

On motion by Senator Mizuguchi,
seconded by Senator Yim and carried,
the report of the Committee was adopted
and S.B. No. 570, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
TAXATION", passed Second Reading
and was referred to the Committee on
Ways and Means.

Senator Mizuguchi, for the Committee
on Transportation, presented a report
(Stand. Com. Rep. No. 215-80) recommending
that Senate Bill No. 1863-80 pass Second
Reading and be referred to the Committee
on Ways and Means.

On motion by Senator Mizuguchi,
seconded by Senator Yim and carried,
the report of the Committee was adopted
and S.B. No. 1863-80, entitled: "A
BILL FOR AN ACT RELATING TO TRANSPORTA-
TION", passed Second Reading and was
referred to the Committee on Ways and
Means.

Senator Mizuguchi, for the Committee
on Transportation, presented a report
(Stand. Com. Rep. No. 216-80) recommending
that Senate Bill No. 2223-80, as amended
in S.D. 1, pass Second Reading and
be referred to the Committee on Ways
and Means.

On motion by Senator Mizuguchi,
seconded by Senator Yim and carried,
the report of the Committee was adopted
and S.B. No. 2223-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
VEHICLE SIZE AND WEIGHT", passed
Second Reading and was referred to
the Committee on Ways and Means.

Senator Mizuguchi, for the Committee
on Transportation, presented a report
(Stand. Com. Rep. No. 217-80) recommending
that Senate Bill No. 2347-80, as amended
in S.D. 1, pass Second Reading and
be referred to the Committee on Ways
and Means.

On motion by Senator Mizuguchi,
seconded by Senator Yim and carried,
the report of the Committee was adopted
and S.B. No. 2347-80, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN APPROPRI-
ATION FOR THE REALIGNMENT OF HANA
HIGHWAY FROM THE VICINITY OF KUAU
TOWARD HOOKIPA PARK, MAUI", passed
Second Reading and was referred to
the Committee on Ways and Means.

Senator Mizuguchi, for the Committee
on Transportation, presented a report
(Stand. Com. Rep. No. 218-80) recommending
that Senate Bill No. 2435-80, as amended

in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2435-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFETY IMPROVEMENTS AT HONOKEANA COVE AND KAHANA SUNSET ON HONOAPIILANI HIGHWAY, LAHAINA, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 219-80) recommending that Senate Bill No. 2436-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2436-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS ON KAAHUMANU AVENUE, KAHULUI, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 220-80) recommending that Senate Bill No. 2507-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2507-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPLETING H-3 TO KAM HIGHWAY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 221-80) recommending that Senate Bill No. 2577-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the majority of the Committee was adopted and S.B. No. 2577-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MASS TRANSIT", passed Second Reading and was referred to the Committee on Ways and Means.

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

(Stand. Com. Rep. No. 222-80) recommending that Senate Bill No. 2636-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2636-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF A SECOND ACCESS ROAD TO LEEWARD COMMUNITY COLLEGE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 223-80) recommending that Senate Bill No. 2642-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2642-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF AN INTERCHANGE ON INTERSTATE ROUTE H-2 IN THE VICINITY OF THE MILILANI MEMORIAL ROAD", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 224-80) recommending that Senate Bill No. 2643-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the majority of the Committee was adopted and S.B. No. 2643-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVEMENTS AT HONOLULU INTERNATIONAL AIRPORT AND GENERAL AVIATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 225-80) recommending that Senate Bill No. 2789-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the majority of the Committee was adopted and S.B. No. 2789-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT", passed Second Reading and was referred to

the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 226-80) recommending that Senate Bill No. 2984-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2984-80, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 227-80) recommending that Senate Bill No. 3002-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 3002-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAPAHULU AVENUE TRAFFIC LIGHTS, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 228-80) recommending that Senate Bill No. 3018-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 3018-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR IMPROVEMENTS AT HAWAII BELT ROAD, AHULOA-PAKALANA ROAD INTERSECTION AND HAWAII BELT ROAD, PAPAALOA RESIDENTIAL SUBDIVISION ACCESS ROAD INTERSECTION, HAWAII COUNTY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 229-80) recommending that Senate Bill No. 3073-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the majority of the Committee was adopted and S.B. No. 3073-80, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION", passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 230-80) recommending that Senate Bill No. 2544-80, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2544-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 231-80) recommending that Senate Bill No. 2863-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2863-80, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 232-80) recommending that Senate Bill No. 2221-80 be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2221-80, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 233-80) recommending that Senate Bill No. 1978-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1978-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 234-80) recommending that Senate Bill No. 2037-80, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2037-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NEW HOME LOANS FOR HAWAIIAN HOME LANDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 235-80) recommending that Senate Bill No. 2041-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2041-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SITE DEVELOPMENT FOR RESIDENCES ON HAWAIIAN HOME LANDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 236-80) recommending that Senate Bill No. 2168-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2168-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 237-80) recommending that Senate Bill No. 2173-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2173-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 238-80) recommending that Senate Bill No. 2216-80, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2216-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USURY", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 239-80) recommending that Senate Bill No. 2264-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2264-80, entitled: "A BILL FOR AN ACT RELATING TO DEFINING DEVELOPER LIABILITIES", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 240-80) recommending that Senate Bill No. 2284-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2284-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED, SECTION 213, HAWAIIAN HOME EDUCATION FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 241-80) recommending that Senate Bill No. 2327-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2327-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 242-80) recommending that Senate Bill No. 2328-80 pass Second Reading and be

referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2328-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAIIAN LOAN GUARANTEE FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 243-80) recommending that Senate Bill No. 2342-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2342-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF RESIDENTIAL SUBDIVISION AT PAUKUKALO, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 244-80) recommending that Senate Bill No. 2353-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2353-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI WATER SYSTEM IMPROVEMENT, MOLOKAI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 245-80) recommending that Senate Bill No. 2469-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2469-80, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF CERTAIN SALES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 246-80) recommending that Senate Bill No. 2470-80 pass Second Reading and be referred

to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2470-80, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF CERTAIN ACTIVITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 247-80) recommending that Senate Bill No. 2490-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2490-80, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 248-80) recommending that Senate Bill Nos. 2496-80, 2497-80 and 2498-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

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

S.B. No. 2496-80, entitled: "A BILL FOR AN ACT RELATING TO LANDLORDS AND TENANTS";

S.B. No. 2497-80, entitled: "A BILL FOR AN ACT RELATING TO LANDLORD-TENANT CODE"; and

S.B. No. 2498-80, entitled: "A BILL FOR AN ACT RELATING TO SECURITY DEPOSITS",

passed Second Reading and were referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 249-80) recommending that Senate Bill No. 2504-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2504-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR ELDERLY HOUSING IN SENATORIAL DISTRICT NUMBER THREE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 250-80) recommending that Senate Bill No. 2555-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2555-80, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 251-80) recommending that Senate Bill No. 2557-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2557-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING AND LOAN PROGRAMS, CHAPTER 356, HAWAII REVISED STATUTES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 252-80) recommending that Senate Bill No. 2559-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2559-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 253-80) recommending that Senate Bill No. 2589-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2589-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVICTION", passed Second Reading

and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 254-80) recommending that Senate Bill No. 2590-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2590-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 255-80) recommending that Senate Bill No. 2604-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2604-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO SMALL GROUP HOMES; HOUSING FOR THE ELDERLY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 256-80) recommending that Senate Bill No. 2621-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2621-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 257-80) recommending that Senate Bill No. 2679-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2679-80, entitled: "A BILL FOR AN ACT RELATING TO RENTAL

UNITS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 258-80) recommending that Senate Bill No. 2688-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2688-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF HAWAIIAN AFFAIRS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 259-80) recommending that Senate Bill No. 2690-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2690-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONGREGATE SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 260-80) recommending that Senate Bill No. 2758-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2758-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO ALU LIKE, INC. FOR NATIVE HAWAIIANS UNDER NATIVE AMERICAN PROGRAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 261-80) recommending that Senate Bill No. 2903-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2903-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY",

passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 262-80) recommending that Senate Bill No. 3057-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 3057-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 263-80) recommending that Senate Bill No. 3133-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 3133-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY AND PLANNING FOR SENIOR CITIZENS' HOUSING IN THE KAHALUU AREA", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 264-80) recommending that Senate Bill No. 1878-80, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 1878-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND", passed First Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 265-80) recommending that Senate Bill No. 1873-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 1873-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY

OF HAWAII FROM EXTRAMURAL FUNDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 266-80) recommending that Senate Bill No. 1874-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 1874-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STUDY THE FEASIBILITY OF AN EDUCATIONAL SERVICE CENTER IN THE WAIANAE-NANAKULI AREA", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 267-80) recommending that Senate Bill No. 1870-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 1870-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 268-80) recommending that Senate Bill No. 1967-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 1967-80, entitled: "A BILL FOR AN ACT RELATING TO ACT 214, SESSION LAWS OF HAWAII, 1979", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 269-80) recommending that Senate Bill No. 2794-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 2794-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT ACTIVITY FEES AND REVENUES OF CHARTERED STUDENT ORGANIZATIONS

OF THE UNIVERSITY OF HAWAII SYSTEM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 270-80) recommending that Senate Bill No. 3079-80 pass First Reading by title and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 3079-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed First Reading by title and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 271-80) recommending that Senate Bill No. 3112-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 3112-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 272-80) recommending that Senate Bill No. 1965-80, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the majority of the Committee was adopted and S.B. No. 1965-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN REGIONAL EDUCATION COMPACT", passed First Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 273-80) recommending that Senate Bill No. 2201-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2201-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES", passed Second Reading and was referred to the Committee on Judiciary.

Senators Carpenter and Hara, for the Committee on Health and the Committee on Ecology, Environment and Recreation, presented a joint report (Stand. Com. Rep. No. 274-80) recommending that Senate Bill No. 2377-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Abercrombie and carried, the joint report of the Committees was adopted and S.B. No. 2377-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MONITORING OF RADIOACTIVITY IN AND AROUND CIVILIAN POPULATED AREAS IN THE VICINITY OF PEARL HARBOR", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 275-80) recommending that Senate Bill No. 2887-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2887-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Carpenter and Ushijima, for the majority of the Committee on Health and the Committee on Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 276-80) recommending that Senate Bill No. 2655-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Ushijima and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2655-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KALAWAO COUNTY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 277-80) recommending that Senate Bill No. 2687-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 2687-80,

S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 278-80) recommending that Senate Bill No. 2997-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2997-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCE ACT", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 279-80) recommending that Senate Bill No. 2969-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2969-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 280-80) recommending that Senate Bill No. 2923-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2923-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 281-80) recommending that Senate Bill No. 2665-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2665-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", passed Second Reading and was referred to the Committee on

Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 282-80) recommending that Senate Bill No. 2661-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2661-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE AUTISTIC VOCATIONAL EDUCATION CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 283-80) recommending that Senate Bill Nos. 2657-80, 2917-80, 2983-80 and 3139-80 pass Second Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 2657-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO ST. FRANCIS HOSPITAL, OAHU";

S.B. No. 2917-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF A NEW HONOKAA HOSPITAL, HAWAII";

S.B. No. 2983-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE REHABILITATION HOSPITAL OF THE PACIFIC, OAHU"; and

S.B. No. 3139-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILDREN'S HOSPITAL, OAHU",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 284-80) recommending that Senate Bill No. 2654-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2654-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY", passed Second Reading and

was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 285-80) recommending that Senate Bill Nos. 2446-80, as amended in S.D. 1, and 2922-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 2446-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HILO ASSOCIATION TO HELP RETARDED CITIZENS IN THE COUNTY OF HAWAII", and

S.B. No. 2922-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A PREVOCATIONAL TRAINING PROGRAM FOR MENTALLY HANDICAPPED ADULTS",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 286-80) recommending that Senate Bill No. 2392-80, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 2392-80, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 287-80) recommending that Senate Bill No. 2968-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Human Resources.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 2968-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", passed Second Reading and was referred to the Committee on Human Resources.

Senator Kuroda, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 288-80) recommending that Senate Bill No.

2689-80, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Machida and carried, the report of the majority of the Committee was adopted and S.B. No. 2689-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIKIKI", passed First Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 289-80) recommending that Senate Bill No. 1989-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1989-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 290-80) recommending that Senate Bill No. 1995-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1995-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 291-80) recommending that Senate Bill No. 3108-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 3108-80, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 292-80) recommending that Senate Bill No. 2365-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 2365-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEWSPAPERS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 293-80) recommending that Senate Bill No. 2950-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 293-80 and Senate Bill No. 2950-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS", were recommitted to the Committee on Agriculture.

Senators Machida and Abercrombie, for the Committees on Agriculture and Higher Education, presented a joint report (Stand. Com. Rep. No. 294-80) recommending that Senate Bill No. 2953-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the joint report of the Committees was adopted and S.B. No. 2953-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION RELATING TO THE VEGETABLE RESEARCH PROGRAM AT THE KULA BRANCH STATION, COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, UNIVERSITY OF HAWAII, IN MAUI COUNTY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 295-80) recommending that Senate Bill No. 744, S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 744, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 296-80) recommending that Senate Bill No. 1999-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded

by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1999-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 297-80) recommending that Senate Bill No. 2100-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2100-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE HILO ASSOCIATION TO HELP RETARDED CITIZENS FOR DEVELOPING ALTERNATIVE LIVING ARRANGEMENTS TO THE HANDICAPPED FOR DIRECT SERVICE SKILLS TRAINING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 298-80) recommending that Senate Bill No. 2102-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2102-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO HILO INTERIM HOME AT HILO, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 299-80) recommending that Senate Bill No. 2283-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2283-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUSANNAH WESLEY COMMUNITY CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 300-80) recommending that Senate Bill No. 2295-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded

by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2295-80, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 301-80) recommending that Senate Bill No. 2302-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2302-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 302-80) recommending that Senate Bill No. 2323-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2323-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 303-80) recommending that Senate Bill No. 2326-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2326-80, entitled: "A BILL FOR AN ACT RELATING TO DISPLACED HOMEOWNERS", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Toyofuku and Carpenter, for the Committees on Human Resources and Health, presented a joint report (Stand. Com. Rep. No. 304-80) recommending that Senate Bill No. 2391-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senators Yamasaki, seconded by Senator Carpenter and carried, the joint report of the Committees

was adopted and S.B. No. 2391-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILD ABUSE, NEGLECT, AND SPOUSE ABUSE PROGRAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 305-80) recommending that Senate Bill No. 2439-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2439-80, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 306-80) recommending that Senate Bill No. 2440-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2440-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 307-80) recommending that Senate Bill No. 2445-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2445-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE THE WORK AND DAY ACTIVITY PROGRAMS FOR THE SEVERELY DISABLED ADULTS AT LANAKILA REHABILITATION CENTER, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 308-80) recommending that Senate Bill No. 2536-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2536-80, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SOCIAL SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 309-80) recommending that Senate Bill No. 2537-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator Yamasaki moved that Stand. Com. Rep. No. 309-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 2537-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 310-80) recommending that Senate Bill No. 2616-80 be referred to the Committee on Judiciary.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2616-80, entitled: "A BILL FOR AN ACT RELATING TO FALSE STATEMENTS AND MISREPRESENTATIONS", was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 311-80) recommending that Senate Bill No. 2618-80 be referred to the Committee on Judiciary.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2618-80, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW", was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 312-80) recommending that Senate Bill No. 2623-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2623-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FURNISHINGS FOR THE KAHALUU MULTI-PURPOSE CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 313-80) recommending that Senate Bill No. 2664-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2664-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE EASTER SEAL SOCIETY FOR CRIPPLED CHILDREN AND ADULTS OF HAWAII, HILO", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 314-80) recommending that Senate Bill No. 2786-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2786-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KANEOHE SENIOR CITIZEN CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 315-80) recommending that Senate Bill No. 2793-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2793-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TRANSPORTATION SERVICES FOR MOBILITY IMPAIRED PERSONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 316-80) recommending that Senate Bill No. 2797-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2797-80, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL EXPENSES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee

on Human Resources, presented a report (Stand. Com. Rep. No. 317-80) recommending that Senate Bill No. 2800-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2800-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 318-80) recommending that Senate Bill No. 2803-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2803-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TRANSPORTATION OF THE ELDERLY, DISABLED, HANDICAPPED, AND OTHER DISADVANTAGED PERSONS, INCLUDING PRESCHOOL CHILDREN ON KAUAI, MAUI, AND HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 319-80) recommending that Senate Bill No. 2807-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2807-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS COMMUNITY ACTION AGENCIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 320-80) recommending that Senate Bill No. 2808-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2808-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CHILDREN AND YOUTH", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 321-80) recommending that Senate Bill No. 2851-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2851-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO HAWAII KAI COMMUNITIES COUNCIL FOR THE ESTABLISHMENT OF A HUMAN SERVICE CENTER IN HAWAII KAI, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 322-80) recommending that Senate Bill No. 2906-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2906-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING SUPPLEMENTAL APPROPRIATION FOR THE CONSTRUCTION OF KULA COMMUNITY CENTER COMPLEX, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 323-80) recommending that Senate Bill No. 2907-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2907-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF A COMMUNITY CENTER AT PUKALANI, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 324-80) recommending that Senate Bill No. 2914-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2914-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 325-80) recommending that Senate Bill No. 2972-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2972-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 326-80) recommending that Senate Bill No. 2977-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2977-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES COVERED BY CHAPTER 77, HAWAII REVISED STATUTES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 327-80) recommending that Senate Bill No. 2978-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2978-80, entitled: "A BILL FOR AN ACT RELATING TO THE INITIAL APPOINTMENT OF CIVIL SERVICE EMPLOYEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 328-80) recommending that Senate Bill No. 2992-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2992-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPECIAL PAYMENTS TO BOARDING AND CARE HOME RESIDENTS",

passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 329-80) recommending that Senate Bill No. 2513-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kawasaki, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2513-80, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 330-80) recommending that Senate Bill No. 2413-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2413-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 331-80) recommending that Senate Bill No. 2449-80, as amended in S.D. 1, pass First Reading and be recommitted jointly to the Committee on Ways and Means and the Committee on Education.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2449-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ART IN STATE BUILDINGS", passed First Reading and was recommitted jointly to the Committee on Ways and Means and the Committee on Education.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 332-80) recommending that Senate Bill No. 2202-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2202-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF RADIATION THERAPY TECHNOLOGISTS", passed Second Reading

and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 333-80) recommending that Senate Bill No. 3052-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 3052-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS AND POISON", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 334-80) recommending that Senate Bill No. 2593-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2593-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VAN GO HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 335-80) recommending that Senate Bill No. 2763-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the majority of the Committee was adopted and S.B. No. 2763-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 336-80) recommending that Senate Bill No. 2784-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2784-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Mizuguchi, for the Committee

on Transportation, presented a report (Stand. Com. Rep. No. 337-80) recommending that Senate Bill No. 3102-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 3102-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HIGHWAYS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 338-80) recommending that Senate Bill No. 3144-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 3144-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ushijima and Yim, for the Committee on Intergovernmental Relations and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 339-80) recommending that Senate Bill No. 1164 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Yim and carried, the joint report of the Committees was adopted and S.B. No. 1164, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT AND TRANSFER OF DEVELOPMENT RIGHTS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 340-80) recommending that Senate Bill No. 2027-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2027-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS; COMPENSATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 341-80) recommending that Senate Bill No.

2184-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2184-80, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF REAL PROPERTY TAX COLLECTION PROCEEDS TO THE COUNTIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 342-80) recommending that Senate Bill No. 2190-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2190-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES: SEIZURE AND SALE FOR TAX", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 343-80) recommending that Senate Bill No. 2193-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2193-80, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 344-80) recommending that Senate Bill No. 2219-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2219-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALL FUNCTIONS, POWERS AND DUTIES INVOLVING THE TAXATION OF REAL PROPERTY TO THE COUNTIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee

on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 345-80) recommending that Senate Bill No. 2249-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2249-80, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 346-80) recommending that Senate Bill Nos. 2299-80, 2364-80, 2523-80, 2622-80, 2653-80, 2804-80, 2816-80, 2835-80, 2840-80, 2918-80, 3017-80, 3028-80, 3029-80 and 3042-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and

S.B. No. 2299-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAKIKI FIRE STATION";

S.B. No. 2364-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CIVIL AIR PATROL HEADQUARTERS";

S.B. No. 2523-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO HONUA, HAWAII";

S.B. No. 2622-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR WATER DEVELOPMENT SYSTEMS, COUNTY OF HAWAII";

S.B. No. 2653-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID FOR CAPITAL IMPROVEMENT PROJECTS, COUNTY OF HAWAII";

S.B. No. 2804-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS ON KAUAI";

S.B. No. 2816-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING AND INSTALLATION OF WATER MAINS AND HYDRANTS IN KAIMUKI, OAHU";

S.B. No. 2835-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR INSTALLATION OF 8-INCH WATER MAINS AND APPURTENANCES IN KAIMUKI, OAHU";

S.B. No. 2840-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INSTALLATION OF 8-INCH WATER MAINS AND APPURTENANCES IN PALOLO, OAHU";

S.B. No. 2918-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING, CONSTRUCTION, AND PLACEMENT OF AN OUTDOOR WARNING SIREN SYSTEM FOR WAIPIO VALLEY, HAWAII";

S.B. No. 3017-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE COUNTY OF HAWAII FOR CAPITAL IMPROVEMENT PROJECTS";

S.B. No. 3028-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR PROJECTS IN THE 3RD DISTRICT OF THE COUNTY OF HAWAII";

S.B. No. 3029-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR PROJECTS IN THE 2ND DISTRICT OF THE COUNTY OF HAWAII"; and

S.B. No. 3042-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WATER DEVELOPMENT PROJECTS, COUNTY OF HAWAII",

passed Second Reading and were referred to the Committee on Ways and Means.

Senators Mizuguchi and Ushijima, for the Committee on Transportation and the Committee on Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 347-80) recommending that Senate Bill No. 2420-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Ushijima and carried, the joint report of the Committees was adopted and S.B. No. 2420-80, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAXES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 348-80) recommending that Senate Bill No. 2451-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded

by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2451-80, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNCTIONS AND RESPONSIBILITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 349-80) recommending that Senate Bill No. 2454-80 pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2454-80, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICT USES", passed Second Reading and was referred to the Committee on Economic Development.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 350-80) recommending that Senate Bill No. 2457-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2457-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOGS: LICENSES AND REGULATIONS; LICENSE FEE CONTROLLED BY ORDINANCE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 351-80) recommending that Senate Bill No. 2747-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2747-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII AIR NATIONAL GUARD TO ENABLE IT TO SEND ITS MONARCHY TYPE UNIFORMED COLOR GUARD TO ACCOMPANY THE ROYAL HAWAIIAN BAND ON ITS TRIP TO EUROPE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 352-80) recommending that Senate Bill No. 2748-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2748-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ROYAL HAWAIIAN BAND ON ITS TRIP TO EUROPE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 353-80) recommending that Senate Bill No. 2791-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2791-80, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 354-80) recommending that Senate Bill No. 2912-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2912-80, entitled: "A BILL FOR AN ACT RELATING TO BONDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 355-80) recommending that Senate Bill No. 3097-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 3097-80, entitled: "A BILL FOR AN ACT RELATING TO VESTED RIGHTS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 356-80) recommending that Senate Bill No. 3099-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 3099-80, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT", passed Second Reading

and was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 357-80) recommending that Senate Bill No. 3137-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 3137-80, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A GENERAL EXCISE TAX-SHARING GRANT-IN-AID SYSTEM FOR THE COUNTIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 358-80) recommending that House Bill No. 452, H.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 452, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CONTROLS TO REGULATE BURGLARY AND HOLDUP ALARM SYSTEMS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 359-80) recommending that Senate Bill No. 1603, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 1603, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERIOR RENOVATION OF THE FORMER POLICE STATION AT 141 KALAKAUA STREET, HILO, HAWAII FOR AN ART AND CULTURAL CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 360-80) recommending that Senate Bill No. 1931-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report

of the Committee was adopted and S.B. No. 1931-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDENT ACTIVITIES COORDINATORS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 361-80) recommending that Senate Bill No. 1934-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1934-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE QUALIFYING EXAMINATION FOR STUDENTS SEEKING HIGH SCHOOL CERTIFICATES OF GRADUATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 362-80) recommending that Senate Bill No. 1942-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1942-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LIBRARY SYSTEM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 363-80) recommending that Senate Bill No. 1948-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1948-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF FACILITIES AT THE MANOA PUBLIC LIBRARY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 364-80) recommending that Senate Bill No. 2325-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report

of the Committee was adopted and S.B. No. 2325-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROJECT HOLOMUA", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 365-80) recommending that Senate Bill No. 2693-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2693-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL OBJECTS AND SITES; CULTURE AND ARTS; AND HISTORY AND THE HUMANITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 366-80) recommending that Senate Bill No. 2694-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2694-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE ENSEMBLE PLAYERS GUILD", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 367-80) recommending that Senate Bill No. 2696-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2696-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LAY READER PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 368-80) recommending that Senate Bill No. 2698-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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

No. 2698-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ELECTRONIC DATA PROCESSING SYSTEM OF THE DEPARTMENT OF EDUCATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 369-80) recommending that Senate Bill No. 2701-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2701-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ACT 4 EDUCATIONAL PROJECTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 370-80) recommending that Senate Bill No. 2702-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2702-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL BUS AIDES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 371-80) recommending that Senate Bill No. 2719-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Education.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2719-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", passed First Reading and was recommitted to the Committee on Education.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 372-80) recommending that Senate Bill No. 2726-80, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2726-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL DEVELOPMENT IN THE DEPARTMENT

OF EDUCATION", passed First Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 373-80) recommending that Senate Bill No. 2731-80, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2731-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULAR INSTRUCTION", passed First Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 374-80) recommending that Senate Bill No. 2776-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2776-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEEIA ELEMENTARY SCHOOL, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 375-80) recommending that Senate Bill No. 2778-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2778-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDENT ACTIVITIES COORDINATORS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 376-80) recommending that Senate Bill No. 2780-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 2780-80, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE", passed Second Reading and was referred to the Committee on Judiciary.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 377-80) recommending that Senate Bill No. 2695-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2695-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE PACIFIC AND ASIAN AFFAIRS COUNCIL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 378-80) recommending that Senate Bill No. 2975-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 2975-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 379-80) recommending that Senate Bill No. 3032-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 3032-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ELECTRONICS EDUCATION AND TRAINING PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 380-80) recommending that Senate Bill No. 3080-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 3080-80, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE DEPARTMENT OF EDUCATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 381-80) recommending that Senate Bill No. 3119-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 3119-80, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF ADULT EDUCATION SPECIAL FUNDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Yim and Cobb, for the Committee on Economic Development and the Committee on Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 382-80) recommending that Senate Bill No. 1893-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Cobb and carried, the joint report of the Committees was adopted and S.B. No. 1893-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 383-80) recommending that Senate Bill No. 2376-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2376-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 384-80) recommending that Senate Bill No. 2525-80, as amended in S.D. 1, pass First Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 2525-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC", passed First Reading and was referred to the Committee on Judiciary.

Senators Campbell and Carpenter,

for the Committee on Education and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 385-80) recommending that Senate Bill No. 711, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the joint report of the Committees was adopted and S.B. No. 711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Mizuguchi and Campbell, for the majority of the Committee on Transportation and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 386-80) recommending that Senate Bill No. 1930-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1930-80, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL BUS SYSTEM", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1930-80.

Senators Carpenter and Campbell, for the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 387-80) recommending that Senate Bill No. 1983-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and S.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ENTRY EXAMINATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1983-80.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 388-80) recommending that Senate Bill No. 1425 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1425, entitled: "A BILL FOR AN ACT RELATING TO THE SCIENCE AND ENGINEERING FAIR", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 389-80) recommending that Senate Bill No. 1911-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1911-80, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1911-80.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 390-80) recommending that Senate Bill No. 1913-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1913-80, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION EDUCATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1913-80.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 391-80) recommending that Senate Bill No. 1929-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1929-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPUTER TERMINALS IN THE SCHOOLS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 392-80) recommending

that Senate Bill No. 1932-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1932-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR, RENOVATION OR REPLACEMENT OF ASBESTOS CEILINGS AND WALLS IN PUBLIC SCHOOLS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 393-80) recommending that Senate Bill No. 1941-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1941-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPAIR AND MAINTENANCE OF SCHOOLS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 394-80) recommending that Senate Bill No. 2236-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2236-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 5,000 YEARS OF KOREAN ART EXHIBITION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 395-80) recommending that Senate Bill No. 2588-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2588-80, entitled: "A BILL FOR AN ACT RELATING TO THE 1984 SILVER JUBILEE OF HAWAII'S STATEHOOD", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 396-80) recommending that Senate Bill No. 2617-80, as amended in S.D. 1, pass Second Reading and

be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2617-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATUE OF THE SPIRIT OF QUEEN LILIUOKALANI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 397-80) recommending that Senate Bill No. 2644-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2644-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TRANSPORTATION OF INTERSCHOLASTIC ATHLETIC TEAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 398-80) recommending that Senate Bill No. 2645-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2645-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FULL STATE FUNDING FOR THE SALARIES OF COACHES OF INTERSCHOLASTIC ATHLETIC TEAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 399-80) recommending that Senate Bill No. 2700-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2700-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE UNITED OKINAWAN ASSOCIATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 400-80) recommending that Senate Bill No. 2703-80, as amended in S.D. 1, pass Second Reading and

be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2703-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUMMER SCHOOL FUNDS FOR HANDICAPPED CHILDREN", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 401-80) recommending that Senate Bill No. 2704-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2704-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL VICE-PRINCIPAL POSITIONS FOR HIGH SCHOOLS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 402-80) recommending that Senate Bill No. 2712-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 2712-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE HAWAII MULTI-CULTURAL CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 403-80) recommending that Senate Bill No. 2718-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2718-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FILIPINO 75TH ANNIVERSARY COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 404-80) recommending that Senate Bill No.

2730-80, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 2730-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed First Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 405-80) recommending that Senate Bill No. 2739-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2739-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF CERTAIN ACTIVITIES FROM THE GENERAL EXCISE TAX", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 406-80) recommending that Senate Bill No. 2779-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2779-80, entitled: "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION TO THE EXCEPTIONAL CHILD PROGRAM PRIVATE AGENCY CLASSES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 407-80) recommending that Senate Bill No. 2965-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2965-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 408-80) recommending that Senate Bill No. 2995-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 2995-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 409-80) recommending that Senate Bill No. 3027-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 3027-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BIG ISLAND INTERSCHOLASTIC FEDERATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 410-80) recommending that Senate Bill No. 3083-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 3083-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVING FOREIGN LANGUAGE INSTRUCTION IN HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 411-80) recommending that Senate Bill No. 3041-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 3041-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN EDUCATION FOUNDATION PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 412-80) recommending that Senate Bill No. 3091-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 3091-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO BALLET FOLKLORICO LATINO CLASSICAL HISPANIC FOLK DANCE COMPANY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 413-80) recommending that Senate Bill No. 3103-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 3103-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BISHOP MUSEUM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 414-80) recommending that Senate Bill Nos. 3023-80 and 2648-80 pass Second Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 3023-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID FOR THE CULTURAL CENTER, HILO, HAWAII", and

S.B. No. 2648-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE HOME NA'AUAO O KA'U NON-PROFIT ORGANIZATION, KA'U, HAWAII",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 415-80) recommending that Senate Bill Nos. 1949-80, 1950-80, 2038-80, 2281-80, 2394-80, 2482-80, 2485-80, 2549-80 and 3118-80 pass Second Reading and be referred to Committee on Ways and Means.

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

S.B. No. 1949-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR THE JONES-LUDIN DANCES WE DANCE COMPANY";

S.B. No. 1950-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII PERFORMING ARTS COMPANY";

S.B. No. 2038-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FRIENDS OF WAIPAHU CULTURAL GARDEN PARK'S EDUCATIONAL EXHIBITS PROGRAM";

S.B. No. 2281-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMMIGRANT YOUTH PROGRAM OF THE PALAMA INTERCHURCH COUNCIL";

S.B. No. 2394-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE LAMP LANGUAGE ARTS MULTI-CULTURAL PROGRAM";

S.B. No. 2482-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KALIHI-PALAMA CULTURE AND ARTS SOCIETY, INCORPORATED";

S.B. No. 2485-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAE COAST CULTURE AND ARTS SOCIETY";

S.B. No. 2549-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE AKIKO DANCE COMPANY"; and

S.B. No. 3118-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COUNCIL ON PORTUGUESE HERITAGE",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 416-80) recommending that Senate Bill Nos. 2697-80, as amended in S.D. 1, 2707-80, as amended in S.D. 1, 2708-80, as amended in S.D. 1, 2713-80, as amended in S.D. 1, 2715-80, as amended in S.D. 1, 2717-80, as amended in S.D. 1, 2774-80, as amended in S.D. 1, 2775-80, as amended in S.D. 1, 2911-80, as amended in S.D. 1, and 3090-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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

S.B. No. 2697-80, S.D. 1, entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE HONOLULU THEATER FOR YOUTH";

S.B. No. 2707-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII ETHNIC STUDIES ORAL HISTORY PROJECT";

S.B. No. 2708-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE HONOLULU SYMPHONY SOCIETY";

S.B. No. 2713-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT EDUCATION";

S.B. No. 2715-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE HAWAIIAN ISLANDS PUBLIC RADIO";

S.B. No. 2717-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE POLYNESIAN VOYAGING SOCIETY";

S.B. No. 2774-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALTERNATIVE LEARNING CENTERS";

S.B. No. 2775-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIBRARY CLERKS IN SCHOOL LIBRARIES";

S.B. No. 2911-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 150TH ANNIVERSARY CELEBRATION OF LAHAINALUNA HIGH SCHOOL"; and

S.B. No. 3090-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CULTURE PROGRAM FOR UNDERPRIVILEGED CHILDREN";

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 417-80) recommending that Senate Bill Nos. 2606-80, 2639-80, 2684-80, 2817-80, 2818-80, 2819-80, 2820-80, 2821-80, 2822-80, 2823-80, 2824-80, 2825-80, 2826-80, 2827-80, 2829-80, 2830-80, 2831-80, 2832-80, 2845-80, 2846-80, 2848-80, 2964-80, 3025-80, 3030-80, 3031-80, 3034-80, 3036-80, 3037-80, 3038-80, 3040-80, 3116-80, 3121-80, 3122-80 and 3136-80, pass Second Reading and be referred

to the Committee on Ways and Means.

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

S.B. No. 2606-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING, DESIGN, AND CONSTRUCTION OF VARIOUS PROJECTS IN THE WINDWARD SCHOOL DISTRICT, OAHU";

S.B. No. 2639-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAINTING THE BUILDINGS OF PEARL CITY HIGH SCHOOL";

S.B. No. 2684-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSTRUCTION, EQUIPMENT, AND REPAIRS FOR OAHU SCHOOLS";

S.B. No. 2817-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAHALA ELEMENTARY SCHOOL, OAHU";

S.B. No. 2818-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT AINA HAINA SCHOOL, OAHU";

S.B. No. 2819-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT ALIOLANI SCHOOL, OAHU";

S.B. No. 2820-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT HAWAII SCHOOL FOR DEAF AND BLIND, OAHU";

S.B. No. 2821-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT ANUENUE ELEMENTARY SCHOOL, OAHU";

S.B. No. 2822-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECT AT KAIMUKI HIGH SCHOOL, OAHU";

S.B. No. 2823-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT PALOLO ELEMENTARY SCHOOL, OAHU";

S.B. No. 2824-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CAPITAL IMPROVEMENT PROJECT AT NIU VALLEY INTERMEDIATE SCHOOL, OAHU";

S.B. No. 2825-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KALANI HIGH SCHOOL, OAHU";

S.B. No. 2826-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT HOKULANI ELEMENTARY SCHOOL, OAHU";

S.B. No. 2827-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAISER HIGH SCHOOL, OAHU";

S.B. No. 2829-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KOKO HEAD ELEMENTARY SCHOOL, OAHU";

S.B. No. 2830-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT JARRETT INTERMEDIATE SCHOOL, OAHU";

S.B. No. 2831-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAIMUKI INTERMEDIATE SCHOOL, OAHU";

S.B. No. 2832-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT LILUOKALANI ELEMENTARY SCHOOL, OAHU";

S.B. No. 2845-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT LIHOLIHO ELEMENTARY SCHOOL, OAHU";

S.B. No. 2846-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECT AT KAISER HIGH SCHOOL, OAHU";

S.B. No. 2848-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECT AT KAISER HIGH SCHOOL, OAHU";

S.B. No. 2964-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN AND CONSTRUCTION OF FOUR CLASSROOM BUILDINGS AND A PARKING LOT AT KAUNAKAKAI SCHOOL, MOLOKAI";

S.B. No. 3025-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KALANIANA'OLE ELEMENTARY AND INTERMEDIATE SCHOOL, HAWAII";

S.B. No. 3030-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HONOKAA HIGH AND ELEMENTARY

SCHOOL, HAWAII";

S.B. No. 3031-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAUPAHOEHOE HIGH AND ELEMENTARY SCHOOL, HAWAII";

S.B. No. 3034-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAUPAHOEHOE HIGH AND ELEMENTARY SCHOOL, HAWAII";

S.B. No. 3036-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PAAULO INTERMEDIATE AND ELEMENTARY SCHOOL, HAWAII";

S.B. No. 3037-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KALANIANA'OLE INTERMEDIATE AND ELEMENTARY SCHOOL, HAWAII";

S.B. No. 3038-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HONOKAA HIGH AND ELEMENTARY SCHOOL, HAWAII";

S.B. No. 3040-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KOHALA HIGH AND ELEMENTARY SCHOOL, HAWAII";

S.B. No. 3116-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CASTLE HIGH SCHOOL";

S.B. No. 3121-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE OF KAHALA SCHOOL";

S.B. No. 3122-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO THE HAWAII SCHOOL FOR THE DEAF AND BLIND"; and

S.B. No. 3136-80, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATION FOR KALAHEO HIGH SCHOOL ATHLETIC FIELD",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 418-80) recommending that Senate Bill No. 1560, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1560, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECREATION", passed First Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 419-80) recommending that Senate Bill No. 1968-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1968-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KE'EHĪ LAGOON RECREATION PARK", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 420-80) recommending that Senate Bill No. 1976-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1976-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HULIHEE PALACE, KAILUA-KONA, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 421-80) recommending that Senate Bill No. 2074-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2074-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAINTENANCE OF THE ALA WAI CANAL, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 422-80) recommending that Senate Bill No. 2198-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2198-80, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE", passed Second Reading and was referred to the Committee on Judiciary.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 423-80) recommending that Senate Bill No. 2339-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2339-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO MALA PIER FACILITY, LAHAINA, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 424-80) recommending that Senate Bill No. 2340-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2340-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAKENA LA PEROUSE STATE PARK, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 425-80) recommending that Senate Bill No. 2602-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2602-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A NATIONAL PARK AT KALAWAO COUNTY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 426-80) recommending that Senate Bill No. 2710-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2710-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

TO PROVIDE A GRANT-IN-AID TO THE FRIENDS OF WAIPAHU GARDEN PARK", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 427-80) recommending that Senate Bill No. 2920-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2920-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAPAKAHI NORTH KOHALA STATE PARK COMPLEX, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 428-80) recommending that Senate Bill No. 3001-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 3001-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CAPITAL IMPROVEMENT PROJECT AT PUKELE STREAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 429-80) recommending Senate Bill Nos. 2341-80, as amended in S.D. 1, and 2828-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and

S.B. No. 2341-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RESTORATION OF HISTORICAL STRUCTURES IN MAUI COUNTY", and

S.B. No. 2828-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR KULIOUOU VALLEY PARK, OAHU",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 430-80) recommending that Senate Bill Nos. 3033-80 and 3086-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Cayetano and carried, the report of the Committee was adopted and

S.B. No. 3033-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUNA KEA SILVERWORD RESTORATION PROJECT", and

S.B. No. 3086-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESERVATION AND RESTORATION OF THE HISTORIC KAMAKAWIWOOLE'S CHURCH, LAUPAHOEHOE NUI, LAUPAHOEHOE JODO MISSION, KOHALA COURTHOUSE, AND PAAUHAU JODO MISSION, HAWAII COUNTY",

pass Second Reading and were referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 431-80) recommending that Senate Bill No. 1419, S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS IN THE DEPARTMENT OF THE ATTORNEY GENERAL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 432-80) recommending that Senate Bill No. 1829-80, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Judiciary.

Senator O'Connor moved that Stand. Com. Rep. No. 432-80 be received and placed on file, seconded by Senator Cobb and carried.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1829-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO THE HAWAII BUSINESS CORPORATION ACT", was recommitted jointly to the Committee on Judiciary and the Committee on Ways and Means.

At 10:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:10 o'clock p.m.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 433-80) recommending that Senate Bill No. 2278-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2278-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 434-80) recommending that Senate Bill No. 2416-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2416-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 435-80) recommending that Senate Bill No. 2996-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2996-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF AUTHORIZED CLAIMS AND EXPENDITURES PURSUANT TO CHAPTER 523, HAWAII REVISED STATUTES, UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 436-80) recommending

that Senate Bill No. 1346 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1346, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 437-80) recommending that Senate Bill No. 1828-80, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1828-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NON-PROFIT CORPORATION ACT", passed Second Reading and was recommitted to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 438-80) recommending that Senate Bill No. 1832-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1832-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREER CRIMINALS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1832-80, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 439-80) recommending that Senate Bill No. 1838-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 1838-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION", passed Second Reading and was referred to the Committee

on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 440-80) recommending that Senate Bill No. 1851-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1851-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE SYSTEM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 441-80) recommending that Senate Bill No. 1944-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1944-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 442-80) recommending that Senate Bill No. 2230-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2230-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 443-80) recommending that Senate Bill No. 2071-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2071-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 444-80) recommending that Senate Bill No. 2200-80, as amended

in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2200-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPUNGEMENT OF ARREST RECORDS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2200-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 445-80) recommending that Senate Bill No. 2274-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2274-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 446-80) recommending that Senate Bill No. 2275-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2275-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2275-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 447-80) recommending that Senate Bill No. 2277-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2277-80, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on

Wednesday, March 5, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2277-80.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 448-80) recommending that Senate Bill No. 2530-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 2530-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CRIME COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 449-80) recommending that Senate Bill No. 2900-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2900-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 450-80) recommending that Senate Bill No. 2981-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2981-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A VOTERS PAMPHLET", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 451-80) recommending that Senate Bill No. 3039-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report

of the majority of the Committee was adopted and S.B. No. 3039-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KOHALA HIGH AND ELEMENTARY SCHOOL, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 452-80) recommending that Senate Bill No. 1939-80, S.D. 1, as amended in S.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 1939-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HEALTH AUTHORITY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 453-80) recommending that Senate Bill No. 2927-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator Carpenter moved that Stand. Com. Rep. No. 453-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

On motion by Senator Carpenter, seconded by Senator Mizuguchi and carried, S.B. No. 2927-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", passed Second Reading and was referred to the Committee on Judiciary.

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

The Senate reconvened at 10:14 o'clock p.m.

MATTERS DEFERRED FROM FEBRUARY 29, 1980

Senate Bill No. 2034-80:

By unanimous consent, action on S.B. No. 2034-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", was deferred until Tuesday, March 4, 1980.

Senate Bill No. 2066-80, S.D. 1:

By unanimous consent, action on S.B. No. 2066-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

LIQUOR", was deferred until Tuesday, March 4, 1980.

FINAL READING

Conference Committee Report No. 1-80 (H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 1-80 and H.B. No. 1491, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", was deferred until Tuesday, March 4, 1980.

Conference Committee Report No. 2-80 (S.B. No. 1703, S.D. 1, H.D. 1, C.D. 2):

By unanimous consent, action on Conf. Com. Rep. No. 2-80 and S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1, 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", was deferred until Tuesday, March 4, 1980.

THIRD READING

Senate Bill No. 2079-80, S.D. 1:

By unanimous consent, action on S.B. No. 2079-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY", was deferred until Tuesday, March 4, 1980.

Senate Bill No. 2133-80:

By unanimous consent, action on S.B. No. 2133-80, entitled: "A BILL FOR AN ACT RELATING TO BENEFIT SOCIETIES", was deferred until Tuesday, March 4, 1980.

Senate Bill No. 2740-80:

By unanimous consent, action on S.B. No. 2740-80, entitled: "A BILL FOR AN ACT RELATING TO SHARES WITHOUT PAR VALUE", was deferred until Tuesday, March 4, 1980.

Senate Bill No. 2197-80, S.D. 1:

By unanimous consent, action on S.B. No. 2197-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES", was deferred until Tuesday, March 4, 1980.

MISCELLANEOUS COMMUNICATION

A communication from Mr. J. L. Throp, Director of Taronga Zoo, Mosman, NSW (Misc. Com. No. 7) acknowledging receipt of Senate Resolution No. 86, Regular Session of 1980, was read by the Clerk

and was placed on file.

RE-REFERRAL OF SENATE BILLS

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

Senate Bill Referred to:

No. 2726-80 Committee on Education, then to the Committee on Ways and Means

No. 2731-80 Committee on Education, then to the Committee on Ways and Means

The President made the following re-referral of a bill that was introduced on Tuesday, February 12, 1980:

Senate Bill Referred to:

No. 3079-80 Committee on Higher Education, then to the Committee on Ways and Means

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

"Mr. President, I rise on a point of personal privilege.

"Mr. President, earlier in the day a document was placed on our desks from the Department of the Attorney General addressed to yourself concerning the nomination of Representative James H. Wakatsuki to the Circuit Court.

"In the course of events, I was asked by a member of the press to comment on this report and at the time I had not the opportunity to read it. I wish to make a brief comment on its contents in order that the remarks that I gave at that time may be more fully understood.

"Mr. President, while the response to your oral request on the nomination of Representative Wakatsuki is fine in and of itself, it fails to answer satisfactorily the questions that are before us. In fact, I think, if anything, the reasoning in this document makes a very strong case for the resignation of Mr. Wakatsuki, if he is in fact confirmed by this body.

"On page 2, the last quotation, first paragraph, '...The Legislature may prescribe further disqualifications' seems to obviate the conclusion reached by the Attorney General in respect of whether or not the Speaker would have to resign his position. It is in fact on a question of policy that will

have to be resolved here, and I think it is one that we cannot avoid.

"There seems to be an indication in the next paragraph that provisions restricting the right of members of the Legislature to hold other offices are 'designed to prevent such officers from occupying a dual position.' It then goes on to speak of pecuniary benefit.

"If they were designed, in fact, to prevent officers from holding a dual position, confirmation, I think, is the key in a dual position would result in the mind of any reasonable man or woman, whether or not the judge is at that time sitting or whether or not the representative is at that time acting as Speaker of the House. They cannot do both without holding a dual position, I believe, as I said, in the mind of any rational man or woman.

"To hold, Mr. President, has, as part of the general definitions associated with it, a meaning of a rule in power. Interesting enough, in the dictionary the word hold is preceded by the word hokum which means nonsense. I think some of what is being dealt with here in rather tortured reasoning amounts to that.

"It's serious business here, Mr. Speaker (I did not do that deliberately--that's a slip of the tongue. Perhaps it reminds me of the time when I had to spend so much time talking to the Speaker, or at him, in the House), Mr. President. It is absolutely impossible for the Speaker to be Speaker of the House and confirmed as a judge at the same time. Mr. Speaker (I got that on my mind), Mr. President, that's why I'm very agitated at this opinion, about this opinion.

"The Speaker holds bills -- let's get down to what counts here in this situation of a dual position -- he can hold bills; he can appoint conference committee members; he has the power of referral; he can work through the policy committee to kill things.

"Things can come out of the Senate right now, and I want to remind everybody right here about what serious business we are engaged in tonight and where we're going. To put that into the hands of someone, regardless of personalities, Mr. President, regardless of personality, it doesn't matter whether the Speaker is the present individual or anyone... to slide lightly over the idea of a dual position as the Attorney General does here when those items, not just voting on a Judiciary budget or excusing one's self on a conflict of interest about some of the aspect of the Judiciary, that in certain ways while may be important

might be seen as something that he or she as a Speaker would be very careful about.

"What I am talking about is the very process of government. And speaking to the point about pecuniary benefit, and I want to again emphasize that this has nothing to do with personalities, what about the intangibles, the favors done now when there is nothing to lose. 'You do this for me and one day I will be able to repay the debt as a judge for you, a friend, or client,' or 'now that I'll be leaving, let me pay my debt that I already owe to you in terms of legislation.' Let's face the facts of real life, and how that can work.

"Further, on page 3, there is a reference to an Alabama Supreme Court decision in 1943, I believe, *Shepherd v. Sartain*. This bothers me for the following reasons. It talks about '...obligations and becoming invested with its powers.' Mr. President, I would like you and the other members to take this into consideration.

"If the Speaker is confirmed here as a circuit court judge, the Governor would not be able to appoint anyone in his place. If that's not being invested with power, I don't know what it is. I don't care whether he is actually sitting as a circuit court judge anymore than your election or my election obviated the fact that we had become senators whether or not we had been formally inaugurated taking our seats here on this floor. The Speaker will, in fact, be invested with the power of a circuit court judge because the Governor will not be able to name anyone in his place, and, again, I ask any reasonable man or woman to deny that logic. No one else can be nominated, let alone appointed.

"The excerpt does not relate if the case was in reference to a legislator becoming a judge, nor if the rules of the Alabama Legislature were in question, nor if the Alabama Constitution was in point. So to excerpt this and ask me to believe that investiture of power in respect of oath, etc., is pertinent to the case here before us is something more than I think is reasonable to expect.

"At the bottom of Article 2, Section 7, Resignation from Public Office, states '...if the term of the office sought begins before the end of the term of the office held.' Obviously, it would, unless the Speaker was determined to assume the judgeship before the primary filing date. Even then, once confirmed, I repeat again, the Governor

is precluded from nominations for the seat. The term of office does begin before the end of office, as failure to register in the primary automatically cuts short the term. Additionally, whoever else is elected to the seat is invested with the power, upon election, not upon taking the seat in the House of Representatives. So, if we're going to talk about the term of office sought begins before the end of the term of the office held, then this is exactly the case.

"Referring to the bottom of page 4 which concerns the Rules of the House, the Legislature, the Code of Professional Responsibility and Code of Judicial Conduct, the Rules of the Court of the State of Hawaii, etc., it all indicates they are silent. If they are silent then it is a policy question for the Legislature alone to decide.

"On that basis, Mr. President, and on the basis of the outline, if you will, of my response to this report to you, I think that it is in fact a situation to be decided by this Legislature, and that if it makes sense to the members here assembled who have the solemn duty and obligation of confirmation in respect to the nomination of a judge to the circuit court. If it makes sense to us to allow this reasoning to stand, then it seems to me that we are doing ourselves an injustice as a body in charge of that confirmation, an injustice to the people of the state who expect us to act forthrightly and without favor or prejudice in terms of political activity, and most certainly not doing a favor in terms of an injustice to anyone who is an elected official who would then come under, no matter how he or she tried to avoid it in the future, a cloud of suspicion in respect of decisions that they would hand down from that bench when various individuals and/or groups were before that bench for decision-making.

"There is only one way, one way only, to eliminate as best we can not the past political circumstances when the question of the judgeship was not before us, but to act ethically and responsibly once the nomination was forthcoming and a confirmation forthcoming to insure that no one in the state would feel that the circumstances I outlined previously of possible favoritism would take place, or that this body associated itself with the possibility of that activity.

"Thank you, Mr. President."

At this time, Senator O'Connor, Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Public Hearing on the following:

S.B. No. 2997-80, entitled: "A BILL

FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT";

S.B. No. 2365-80, entitled: "A BILL FOR AN ACT RELATING TO NEWSPAPERS";

S.B. No. 2221-80, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS";

S.B. No. 2742-80, entitled: "A BILL FOR AN ACT RELATING TO QUARANTINE";

S.B. No. 2784-80, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES";

S.B. No. 2165-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

S.B. No. 2439-80, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION";

S.B. No. 2440-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES";

S.B. No. 3097-80, entitled: "A BILL FOR AN ACT RELATING TO VESTED RIGHTS";

S.B. No. 3099-80, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT";

S.B. No. 2513-80, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT";

H.B. No. 1758, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT";

S.B. No. 2525-80, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC";

S.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO EVICTION";

S.B. No. 2780-80, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE";

S.B. No. 2965-80, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION";

S.B. No. 1989-80, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS";

S.B. No. 1346, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE";

S.B. No. 2524-80, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE CENTERS"; and

S.B. No. 1860-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE",

and the President granted the waiver.

Senator Cobb, Chairman of the Committee on Consumer Protection and Commerce, then requested a waiver of the 48-hour notice of a Public Hearing on the following:

S.B. No. 2679-80, entitled: "A BILL FOR AN ACT RELATING TO RENTAL UNITS";

S.B. No. 2496-80, entitled: "A BILL FOR AN ACT RELATING TO LANDLORDS AND TENANTS";

S.B. No. 2497-80, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE";

S.B. No. 2498-80, entitled: "A BILL FOR AN ACT RELATING TO SECURITY DEPOSITS";

S.B. No. 2555-80, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE";

S.B. No. 2216-80, entitled: "A BILL

FOR AN ACT RELATING TO USURY";

S.B. No. 2621-80, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES"; and

S.B. No. 2490-80, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES",

and the President granted the waiver.

The Chair then commented as follows:

"First of all, I would like to take this opportunity to recognize and thank our support staff--the Research Office, the Clerk's Office, the Sergeant-at-Arms' Office and the Printshop--for the work and long hours they put in in keeping with our deadline on movement of Senate Bills.

"Secondly, I would like to apologize to the Senators for the late hour. We will try to get our act together on Third Reading. I would like to encourage the chairmen of the respective committees to get their reports in on time and I would expect members of the Senate who are members of those committees to be available for signatures."

ADJOURNMENT

At 10:25 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 4, 1980.

TWENTY-NINTH DAY

Tuesday, March 4, 1980

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

The Divine Blessing was invoked by the Reverend Steve DeVoss of the Hawaii Kai Baptist Church, after which the Roll was called showing all Senators present with the exception of Senator Wong, who was excused.

The Vice President announced that the President had read and approved the Journal of the Twenty-Eighth Day.

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

Senator Anderson introduced a group of forty-five members of the Kapahulu Senior Citizens Club.

Senator Carroll introduced Mr. and Mrs. Robin Agur from Summerland which is near Penticton in British Columbia, Canada.

Senator Chong introduced Mr. Kelvin Kai from Kauai Electric Company.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 32), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING FRANCISCO FLORES 'CORKY' TRINIDAD FOR HIS DISTINGUISHED ACHIEVEMENTS AS A POLITICAL CARTOONIST", was jointly offered by Senators Cayetano, Wong, Abercrombie, Kawasaki, O'Connor, Yee, Soares, Machida, Cobb, Carroll, Ajifu, Yim, Campbell, George, Chong, Kuroda, Hara, Mizuguchi, Yamasaki, Ushijima, Young, Carpenter, Toyofuku, Anderson and Saiki and was read by the Clerk.

Senator Cayetano moved that S.C.R. No. 32 be adopted, seconded by Senator Mizuguchi.

Senator Cayetano then spoke for the adoption of the resolution as follows:

"Mr. President, many of us in this body are familiar with the editorial cartoons of Corky Trinidad. Indeed, I am certain that there are at least a few of us here this morning who have been the subject, either directly or indirectly, of Corky's cartoons. However, I believe that not many of us know much about Corky's fame and his renown throughout the world as an editorial cartoonist.

"For example, Corky is the first and only editorial cartoonist of Asian ancestry whose works are published regularly in American newspapers. In 1967 he received the UCLA Foreign Journalism Award and in 1967 and 1972 he received the coveted International Salon of Humor Award in Montreal.

"His work has been reprinted and published in international publications such as Time, Newsweek, the Paris Herald Tribune, Punch of London, Politiken in Copenhagen, as well as in two books, A History of Editorial and Political Cartooning and The First 200 Years of American Foreign Policy.

"His work has been displayed not only locally but in places such as the Lyndon B. Johnson Museum in Texas, the Journalism Hall of Fame in Arizona, the Cartoon Museum in Florida, and the International Pavilion of Humor in Canada.

"Corky introduced the first bilingual syndication service with his cartoons printed in Spanish by several Hispanic dailies, including the El Miami Herald, El Sol de Texas and Chicago's El Manana.

"Mr. President, Corky has been a resident of this state for the past eleven years and I have had the pleasure of knowing him for at least five of those years. I am familiar with his accomplishments and I believe that his accomplishments typify the contributions many immigrants have made to our state and country.

"Recently, Corky achieved a goal which is sought after and cherished by peoples from all over the world. He became a citizen of the United States of America! When I learned he had become a citizen of the United States, I thought it was time that steps were taken to congratulate and welcome him to the American family.

"Therefore, Mr. President, I urge all the members of this body to vote for the passage of the resolution. Thank you."

The motion was put by the Chair and carried, and S.C.R. No. 32 was adopted.

Senator Cayetano then introduced to the members of the Senate Mr. Francisco Flores "Corky" Trinidad. He then presented Mr. Trinidad with a certified copy of the resolution and Senator Young presented him with a lei.

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

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

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 157 and 158) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 157), entitled: "SENATE RESOLUTION EXPRESSING CONCERN OF THE SENATE OVER THE LOSS OF AGRICULTURAL LANDS AND THE UNDERUTILIZATION OF AGRICULTURAL LANDS IN MAUI COUNTY", was jointly offered by Senators Machida and Yamasaki.

By unanimous consent, S.R. No. 157 was referred to the Committee on Agriculture.

A resolution (S.R. No. 158), entitled: "SENATE RESOLUTION CONGRATULATING FRANCISCO FLORES 'CORKY' TRINIDAD FOR HIS DISTINGUISHED ACHIEVEMENTS AS A POLITICAL CARTOONIST", was jointly offered by Senators Cayetano, Wong, Abercrombie, Kawasaki, O'Connor, Yee, Soares, Machida, Cobb, Ajifu, Yim, Young, Campbell, George, Carroll, Chong, Kuroda, Hara, Mizuguchi, Yamasaki, Ushijima, Carpenter, Toyofuku, Anderson and Saiki.

On motion by Senator Cayetano, seconded by Senator Mizuguchi and carried, S.R. No. 158 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 454-80) informing the Senate that Senate Concurrent Resolution No. 31, Senate Resolution No. 156 and Standing Committee Report Nos. 124-80 to 453-80 have been printed and are ready for distribution.

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

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 455-80) recommending that Senate Bill No. 2357-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2357-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INSURANCE ADMINISTRATION", passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 456-80) recommending

that Senate Bill No. 2358-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2358-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 457-80) recommending that Senate Bill No. 2359-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2359-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF", passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 458-80) recommending that Senate Bill No. 2361-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2361-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVISED UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT", passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 459-80) recommending that Senate Bill No. 359, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 359, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", passed Second Reading and was recommitted to the Committee on Ways and Means.

At 11:47 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.

ORDER OF THE DAY

MATTERS DEFERRED
FROM MARCH 3, 1980

Senate Bill No. 2034-80:

By unanimous consent, consideration of S.B. No. 2034-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", was deferred until Wednesday, March 5, 1980.

Senate Bill No. 2066-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2066-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 1-80 (H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Toyofuku and carried, Conf. Com. Rep. No. 1-80 was adopted and H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", 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. 2-80 (S.B. No. 1703, S.D. 1, H.D. 1, C.D. 2):

On motion by Senator O'Connor, seconded by Senator Campbell and carried, Conf. Com. Rep. No. 2-80 was adopted and S.B. No. 1703, S.D. 1, H.D. 1, C.D. 2, 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).

Senate Bill No. 2079-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B.

No. 2079-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2133-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2133-80, entitled: "A BILL FOR AN ACT RELATING TO BENEFIT SOCIETIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2740-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2740-80, entitled: "A BILL FOR AN ACT RELATING TO SHARES WITHOUT PAR VALUE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2197-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Cayetano and carried, S.B. No. 2197-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

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

At this time, Senator Cayetano, for the Committee on Ways and Means, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 1933-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROUBLED STUDENTS";

S.B. No. 1838-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CRIME COMMISSION";

S.B. No. 2530-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CRIME COMMISSION";

S.B. No. 2274-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE GRAND JURY";

S.B. No. 2882-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
WITNESS FEES";

S.B. No. 2865-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
PERIODIC PAYMENT OF TORT JUDGE-
MENTS AGAINST PUBLIC ENTITIES";

S.B. No. 2654-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
LEPROSY";

S.B. No. 2602-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
A NATIONAL PARK AT KALAWAO
COUNTY";

S.B. No. 2360-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
COMPENSATION OF PUBLIC EMPLOYEES
AND OFFICERS";

S.B. No. 2797-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING
TO OFFICIAL EXPENSES";

S.B. No. 1999-80, entitled: "A
BILL FOR AN ACT RELATING TO
PUBLIC ASSISTANCE";

S.B. No. 2323-80, entitled: "A
BILL FOR AN ACT RELATING TO
PUBLIC ASSISTANCE";

S.B. No. 1988-80, entitled: "A
BILL FOR AN ACT RELATING TO

THE USE OF SICK LEAVE CREDITS
WITH WORKERS' COMPENSATION
BENEFITS";

S.B. No. 1985-80, entitled: "A BILL
FOR AN ACT RELATING TO RECORDING
FEES IN THE STATE BUREAU OF
CONVEYANCES";

S.B. No. 2211-80, entitled: "A BILL
FOR AN ACT RELATING TO RECORDING
FEES IN THE OFFICE OF THE ASSISTANT
REGISTRAR OF THE LAND COURT
IN THE BUREAU OF CONVEYANCES";

S.B. No. 1996-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE DEPARTMENT OF REGULATORY
AGENCIES";

S.B. No. 2171-80, entitled: "A
BILL FOR AN ACT RELATING TO
THE HAWAII INSURANCE LAW";

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

S.B. No. 2278-80, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE JUDICIARY",

and the President granted the waiver.

ADJOURNMENT

At 11:55 o'clock a.m., on motion
by Senator Mizuguchi, seconded by
Senator Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Wednesday, March 5, 1980.

THIRTIETH DAY

Wednesday, March 5, 1980

SENATE RESOLUTION

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

The Divine Blessing was invoked by Reverend William Masuda of the Honpa Hongwanji Mission of Hawaii, State Headquarters, after which the Roll was called showing all Senators present.

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

Senator George, on behalf of Senator Anderson, introduced to the members of the Senate a group of 50 senior citizens from Kailua (Oahu).

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 99 and 100) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 99), transmitting a report prepared by the Department of Transportation in response to Senate Resolution No. 437 (1979) which relates to the continuation, promotion and expansion of the Van Go Hawaii program, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 100), submitting for consideration and consent to the Circuit Court of the Fifth Circuit, the nomination of Kei Hirano, Judge, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 83), transmitting House Concurrent Resolution No. 87 which was adopted in the House of Representatives on March 4, 1980, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING ALOHA AND BEST WISHES TO THE WAIKIKI YACHT CLUB AND OTHER PARTICIPANTS AND VISITORS IN THE UPCOMING INTERNATIONAL PAN AMERICAN CLIPPER CUP YACHT RACE AND SPECIAL THANKS TO PAN AMERICAN WORLD AIRWAYS FOR THEIR SPONSORSHIP OF THIS EVENT", was adopted.

A resolution (S.R. No. 159), entitled: "SENATE RESOLUTION COMMENDING THE PLAY 'BIG BOYS DON'T CRY' AND THE KALIHI-PALAMA CULTURE AND ARTS PRISON CERAMICS CLASS", was jointly offered by Senators O'Connor, Cobb, Saiki, Young, Yamasaki, Anderson, Yim, George, Carroll, Ajifu, Campbell, Toyofuku, Mizuguchi, Machida, Hara, Chong, Soares, Kuroda, Ushijima, Wong, Kawasaki, Carpenter and Cayetano.

Senator O'Connor then moved that S.R. No. 159 be adopted, seconded by Senator Mizuguchi.

At this time, Senator O'Connor rose to speak on the resolution and stated as follows:

"Mr. President, I rise to speak on behalf of this resolution.

"As we in your Judiciary Committee deal with the penal system of our state, it is too often that we question the Department of Social Services and Housing and the Corrections Division concerning the availability of programs for the inmates of the various penal institutions to provide for their rehabilitation, once they have been punished. We have long sought to have programs established and it is a refreshing and bright situation where specific programs are established and are of tremendous use to certain parts of the prison community.

"Specifically, today, this resolution before this body is one which would recognize and honor the individuals concerned with a play which is being produced at this time by the inmates of the Oahu Prison and the ceramics class which is presently being offered there at the prison by the Kalihi-Palama Culture and Arts organization. Therefore, I would urge that all read the resolution, it has some very interesting information in it, and vote in favor of the measure.

"Incident to the resolution, we have displayed at this time at the State Capitol the product of the ceramic class which I earlier referred to. We're also having produced this afternoon at 4:30 the play 'Big Boys Don't Cry' in the State Capitol auditorium.

"Instrumental in helping us have the exhibits and this production has been our lovely Lt. Governor Jean King who is here with us today.

"The author and director of the play 'Big Boys Don't Cry' which will be produced this afternoon with a

cast of some of the inmates of the prison is Tremaine Tamayose.

"That wonderful teacher from the Kalihi-Palama Culture and Arts Prison Ceramics class who has given so much of her time and efforts is Mary Ellen Hancock."

The motion was put by the Chair and carried and S.R. No. 159 was adopted.

Senator O'Connor then introduced to the members of the Senate Lt. Governor Jean King, Mr. Tremaine Tamayose and Ms. Mary Ellen Hancock, who were presented with leis and copies of the resolution.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 460-80) informing the Senate that Senate Concurrent Resolution No. 33, Senate Resolution Nos. 157 and 158 and Standing Committee Report Nos. 455-80 to 459-80 have been printed and are ready for distribution.

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

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 461-80) recommending that Senate Bill No. 3131-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 3131-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTUARIES AND FUNERALS", passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 2034-80:

Senator O'Connor moved that S.B. No. 2034-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", be recommitted to the Committee on Judiciary, and the President, noting that there

was no objection, so ordered.

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

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

At this time, Senator O'Connor, Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

Thursday, March 6, 1980:

S.B. No. 2997-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT";

S.B. No. 2927-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH";

S.B. No. 2221-80, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS";

S.B. No. 2198-80, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE";

S.B. No. 2784-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES";

S.B. No. 2165-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

S.B. No. 2439-80, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION";

S.B. No. 2440-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES";

S.B. No. 3097-80, entitled: "A BILL FOR AN ACT RELATING TO VESTED RIGHTS";

S.B. No. 3099-80, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT";

S.B. No. 2513-80, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT";

H.B. No. 1758, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT";

S.B. No. 2525-80, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC";

S.B. No. 2589-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVICTION";

S.B. No. 2780-80, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE";

S.B. No. 2965-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION";

S.B. No. 1989-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS";

S.B. No. 1346, entitled: "A BILL FOR AN ACT RELATING TO THE STATE-WIDE TRAFFIC CODE";

S.B. No. 2524-80, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE CENTERS";

S.B. No. 1860-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE";

Friday, March 7, 1980:

S.B. No. 2201-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES";

S.B. No. 2616-80, entitled: "A BILL FOR AN ACT RELATING TO FALSE STATEMENTS AND MISREPRESENTATIONS";

S.B. No. 2618-80, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW";

S.B. No. 1164, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT AND TRANSFER OF DEVELOPMENT RIGHTS";

S.B. No. 1958-80, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS";

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

S.B. No. 1346, entitled: "A BILL FOR AN ACT RELATING TO THE STATE-WIDE TRAFFIC CODE";

S.B. No. 398, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF PROPHYLACTICS IN VENDING MACHINES";

S.B. No. 3011-80, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY OF PROTECTED PERSONS";

S.B. No. 3092-80, entitled: "A BILL

FOR AN ACT RELATING TO DR. MARTIN LUTHER KING JUNIOR DAY";

S.B. No. 2365-80, entitled: "A BILL FOR AN ACT RELATING TO NEWSPAPERS";

S.B. No. 2673-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE";

S.B. No. 3006-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII";

S.B. No. 3007-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII";

S.B. No. 3013-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII";

S.B. No. 3014-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII";

S.B. No. 184, entitled: "A BILL FOR AN ACT RELATING TO CIVIL COMMITMENT"; and

S.B. No. 2048-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION",

and the President granted the waiver.

At this time, the President made the following announcement:

"It has been my policy that Senators may make announcements of their press conferences on the Senate floor since they are duly elected members of this body. I would like to suggest, however, that any Senator wishing to use the Senate facilities should first check all future appearances about the use of facilities with the Majority Leader and he will do the scheduling.

"I will not deny any Senator the use of Senate facilities to express a particular position on a particular issue."

ADJOURNMENT

At 12:01 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 6, 1980.

THIRTY-FIRST DAY

Thursday, March 6, 1980

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

The Divine Blessing was invoked by the Reverend Sidney Hormell of the Waikeola Congregational Church, after which the Roll was called showing all Senators present with the exception of Senator Ajifu who was excused.

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

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

Senator Yee introduced twenty-three students from the fifth grade at Kaahumanu Elementary School, with their teacher, Mrs. Susan Imai and a parent, Mrs. Imai.

Senator Anderson introduced forty members of the Hui O Kaala Senior Citizens Club from Waianae.

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

The Senate reconvened at 12:02 o'clock p.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 101), transmitting a report entitled, "Vocational Education Annual Report, FY 1979", which was prepared by the State Commission on Manpower and Full Employment pursuant to Title II, Public Law 94-482, the Vocational Education Amendments of 1976, 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. 84 to 107) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 84), transmitting House Bill No. 1422 which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1422, entitled: "A BILL FOR AN ACT RELATING TO QUORUM OF

REAL ESTATE COMMISSION", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 85), transmitting House Bill No. 1864-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1864-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 86), transmitting House Bill No. 1911-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1911-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, AND CORRECTING REFERENCES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 87), transmitting House Bill No. 1919-80, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1919-80, entitled: "A BILL FOR AN ACT RELATING TO YOUNG ADULT DEFENDANTS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 88), transmitting House Bill No. 1977-80, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1977-80, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 89), transmitting House Bill No. 1979-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1979-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ENTRY EXAMINATION", passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Education.

A communication from the House (Hse. Com. No. 90), transmitting House Bill No. 2043-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2043-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 91), transmitting House Bill No. 2066-80, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2066-80, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", passed First Reading by title and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 92), transmitting House Bill No. 2151-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2151-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 93), transmitting House Bill No. 2161-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2161-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 94), transmitting House Bill No. 2179-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2179-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY OF BOILERS, ELEVATORS AND AMUSEMENT RIDES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 95), transmitting House Bill No. 2183-80, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2183-80, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 96), transmitting House Bill No. 2193-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2193-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALL FUNCTIONS, POWERS AND DUTIES INVOLVING THE TAXATION OF REAL PROPERTY TO THE COUNTIES", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 97), transmitting House Bill No. 2195-80, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2195-80, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 98), transmitting House Bill No. 2241-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2241-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

SPOUSE ABUSE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 99), transmitting House Bill No. 2258-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2258-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUSPENSION OF SENTENCE AND PROBATION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 100), transmitting House Bill No. 2324-80, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2324-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING ORDERS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 101), transmitting House Bill No. 2853-80, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 102), transmitting House Bill No. 2359-80, which passed Third Reading in the House of Representatives on March 5, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2359-80, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 103), transmitting House Concurrent Resolution No. 45 which was adopted by the House of Representatives on March 5, 1980, was placed on file.

By unanimous consent, H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE UNITED STATES CONGRESS TO ENACT ENABLING LEGISLATION FOR THE EFFECTUATION OF THE RECENTLY NEGOTIATED INTERNATIONAL SUGAR AGREEMENT", was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 104), returning Senate Concurrent Resolution No. 32 which was adopted by the House of Representatives on March 5, 1980, was placed on file.

A communication from the House (Hse. Com. No. 105), 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. 1494, H.D. 1, was adopted by the House, and H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on March 5, 1980, was placed on file.

A communication from the House (Hse. Com. No. 106), 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. 1703, S.D. 1, was adopted by the House, and S.B. No. 1703, S.D. 1, H.D. 1, C.D. 2, passed Final Reading in the House of Representatives on March 5, 1980, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

A communication from the House (Hse. Com. No. 107), returning Senate Bill No. 1115, S.D. 2, which passed Third Reading in the House of Representatives on March 5, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1115, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES", was deferred until Friday, March 7, 1980.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 160 and 161) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 160), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF DRIVER EDUCATION", was jointly offered by Senators Mizuguchi, Hara, George, Yamasaki, Saiki, Machida, Soares, Toyofuku, Chong, O'Connor, Cobb, Campbell, Kawasaki, Kuroda and Ajifu.

By unanimous consent, S.R. No. 160 was referred to the Committee on Education, then to the Committee on Legislative Management.

A resolution (S.R. No. 161), entitled: "SENATE RESOLUTION CONGRATULATING MARCIA J. HUNTER, 1980 TEACHER OF THE YEAR, LEEWARD DISTRICT", was jointly offered by Senators Young, Kuroda, Cayetano, Mizuguchi, Toyofuku, Carroll, Carpenter, Ushijima, Yamasaki, Cobb, Machida, Chong, Hara, Campbell, Kawasaki, Soares, Abercrombie, Yim, Yee, Ajifu, Anderson, George, Saiki and O'Connor.

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 161 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 462-80) informing the Senate that Senate Resolution No. 159 and Standing Committee Report No. 461-80 have been printed and are ready for distribution.

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

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 463-80) recommending that Senate Bill No. 3076-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 3076-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC", passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 464-80) recommending that Senate Bill No. 2360-80, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2360-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC EMPLOYEES AND OFFICERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on S.B. No. 2360-80, S.D. 2.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 465-80) recommending that Senate Bill No. 866 pass First Reading by title and be recommitted to the Committee on Transportation.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 866, entitled: "A BILL FOR AN ACT RELATING TO AIR TRANSPORTATION", passed First Reading by title and was recommitted to the Committee on Transportation.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 466-80) recommending that Senate Bill No. 871 pass First Reading by title and be recommitted to the Committee on Transportation.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 871, entitled: "A BILL FOR AN ACT RELATING TO LAND TRANSPORTATION", passed First Reading by title and was recommitted to the Committee on Transportation.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 467-80) recommending that Senate Bill No. 2634-80 pass First Reading by title and be recommitted to the Committee on Transportation.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2634-80, entitled: "A BILL FOR AN ACT RELATING TO ENERGY SAVING TRANSPORTATION MODES", passed First Reading by title and was recommitted to the Committee on Transportation.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 468-80) recommending that Senate Bill No. 3011-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 3011-80, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY OF PROTECTED PERSONS", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 469-80) recommending that House Bill No. 1758, H.D. 2, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, the report of the Committee was adopted and H.B. No. 1758, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT", was referred to the Committee on Judiciary.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 470-80) recommending that House Bill No. 55, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 55, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 55, H.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 471-80) recommending that House Bill No. 1983-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1983-80.

Senators Yim and Chong, for the Committees on Economic Development and Public Utilities, presented a joint report (Stand. Com. Rep. No. 472-80) recommending that Senate Bill No. 1897-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Chong and carried, the joint report of the Committees was adopted and S.B. No. 1897-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES",

passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1897-80, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 473-80) recommending that Senate Bill No. 1986-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1986-80, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF PUBLIC LAND", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1986-80.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 474-80) recommending that Senate Bill No. 2571-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2571-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2571-80.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 475-80) recommending that Senate Bill No. 2587-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2587-80, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE BY FUEL IMPORTERS, MANUFACTURERS, DISTRIBUTORS, AND EXPORTERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

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

Hawaii, the 48-hour notice was given on S.B. No. 2587-80.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 476-80) recommending that Senate Bill No. 2719-80, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2719-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2719-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 477-80) recommending that Senate Bill No. 3006-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 3006-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 478-80) recommending that Senate Bill No. 3007-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 3007-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 479-80) recommending that Senate Bill No. 3014-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 3014-80, entitled: "A BILL

FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 480-80) recommending that Senate Bill No. 3013-80 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 3013-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII", passed First Reading by title and was recommitted to the Committee on Judiciary.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 2098-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2098-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2188-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2188-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARTICLES OF INCORPORATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 3094-80:

Senator Cobb moved that S.B. No. 3094-80, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Chong then spoke as follows:

"Mr. President, I want to explain why I had some reservations in signing this bill, although I will obviously vote for it. My hope was that we would have added, in addition to the words 'marital status' there, the words 'sexual orientation', and I hope that in the future this legislature would broaden its horizon to provide justice for all people of Hawaii. Thank you."

The motion was put by the Chair and carried, and S.B. No. 3094-80, entitled: "A BILL FOR AN ACT RELATING TO CREDIT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 132-80 (S.B. No. 2319-80):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 132-80 was adopted and S.B. No. 2319-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2081-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2214-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2214-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kuroda). Excused, 2 (Ajifu and Yee).

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

By unanimous consent, action on S.B. No. 2329-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA", was deferred until Friday, March 7, 1980.

Senate Bill No. 2002-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2002-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOST AND FOUND MONEY OR PROPERTY AT AIRPORTS", having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

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

Senate Bill No. 2004-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2004-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1885-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Kawasaki and carried, S.B. No. 1885-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RULES AND REGULATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2355-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2355-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", was recommitted to the Committee on Ways and Means.

Standing Committee Report No. 195-80 (S.B. No. 2883-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 195-80 was adopted and S.B. No. 2883-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 196-80 (S.B. No. 2869-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 196-80 and S.B. No. 2869-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES", were recommitted to the Committee on Ways and Means.

Senate Bill No. 1084, S.D. 1:

By unanimous consent, action on S.B. No. 1084, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY",

was deferred until Friday, March 7, 1980.

Senate Bill No. 1930-80:

By unanimous consent, action on S.B. No. 1930-80, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL BUS SYSTEM", was deferred until Friday, March 7, 1980.

Senate Bill No. 1983-80:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ENTRY EXAMINATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1911-80:

On motion by Senator Campbell, seconded by Senator Young and carried, S.B. No. 1911-80, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1913-80:

On motion by Senator Campbell, seconded by Senator Young and carried, S.B. No. 1913-80, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

By unanimous consent, action on S.B. No. 1832-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREER CRIMINALS", was deferred until Friday, March 7, 1980.

Senate Bill No. 2200-80, S.D. 1:

By unanimous consent, action on S.B. No. 2200-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPUNGEMENT OF ARREST RECORDS", was deferred until Friday, March 7, 1980.

Senate Bill No. 2275-80, S.D. 1:

By unanimous consent, action on S.B. No. 2275, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Monday, March 10, 1980.

Senate Bill No. 2277-80:

By unanimous consent, action on S.B. No. 2277-80, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Monday, March 10, 1980.

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a bill that had been introduced on Monday, February 11, 1980:

Senate Bill Referred to:

No. 2673-80 Committee on Judiciary

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 7, 1980.

THIRTY-SECOND DAY

Friday, March 7, 1980

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

The Divine Blessing was invoked by Reverend Terrence A. Watanabe, Associate Pastor of Our Lady of Good Counsel, after which the Roll was called showing all Senators present, with the exception of Senators Carpenter, Chong and Ushijima who were excused.

The President announced that he had read and approved the Journal of the Thirty-First Day.

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

Senator Anderson introduced 40 students, grades 1 through 12, from the Koolau Baptist Academy in Kaneohe, accompanied by their teachers Mr. Anger, Mr. Goodall and Miss Usita.

Senator Abercrombie then introduced a group of student body representatives from the University of Hawaii, Hilo Campus.

Senator Carrol then introduced 56 students from St. Andrews Priory, guests of Senator Yee, who were accompanied by their teachers Mrs. Cushing and Mrs. Kim.

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

The Senate reconvened at 11:53 o'clock a.m.

At this time, Senator Kuroda introduced the Honorable Pomele Galeai, President of the Senate of American Samoa, and stated as follows:

"Mr. President, ladies and gentlemen of the Senate, I'm very happy to introduce the President of the Senate of American Samoa, the Honorable Pomele Galeai, who's visiting here today and observing our operations.

"I had the pleasure of visiting Samoa in 1973 when the Samoan Legislature celebrated its 25th anniversary. The legislature is known as the 'Fono' in Samoa. I've not had the pleasure of meeting the Honorable Galeai at that time; however, it is interesting to note that he has a similar history of legislative involvement with me, inasmuch as he and I were both elected to the House of Representatives of our respective jurisdictions in 1970, and without completing the term to the House, he was elected

to the Senate and I was also elected to the Senate here.

"At this time, I would like to introduce the Honorable Pomele Galeai and ask that we welcome him with a round of applause."

The Senators then stood, in honor of the Honorable Galeai, with a round of applause.

The Honorable Pomele Galeai, President of the Senate of American Samoa, then addressed the members of the Senate as follows:

"Mr. President, ladies and gentlemen, thank you very much.

"Before I say anything, I would like to make a presentation to President Wong, in response to your request for a resolution supporting your resolution for the safe release of our people in Iran. I hand carried this copy of our resolution on that issue, as you requested.

"First, I would like to make a very brief statement. I bring greetings to you from our people and our Legislature in American Samoa.

"Our Legislature in American Samoa is a little over 20 years old. I was surprised when I looked into my files, when I was first elected as the president of the Senate last year, that there was almost no contact between the Legislature of the great State of Hawaii and our local Legislature.

"At this point, I would like to suggest, and I did request of President Wong, a meeting so we can discuss how we are going to go about to bring a closer relationship between our local Legislatures.

"We know your people in Washington very well, Senator Inouye and Senator Matsunaga. It seems to me that everytime we're here to go to Washington, we bypass your body here and then we go to Washington and return back and go back to Pago Pago.

"I feel that we need your help in our government and our Legislature, especially in economic development.

"We feel a close relationship between the State of Hawaii Legislature and the Samoa Legislature because of the over 20,000 Samoans living here; that this body is very important to us because even if we have 2,500 miles between us we're neighbors in a sense.

"We also look forward to input and assistance from this body, especially the direction that our Legislature in American Samoa should go, by helping with some of the new programs that are now proposed by the White House, by our President, specifically, the economic development of the Pacific.

"I'm very, very grateful to be here and hopeful that we will, at a future date, get together with our local legislatures or maybe have a meeting or conference here or in American Samoa.

"I would like to extend that invitation, in behalf of our government and our Legislature, to the Honorable President Wong and the members of the Senate.

"Thank you very much and may God bless you."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 102 and 103) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 102), transmitting a copy of a report prepared by the Department of Health in response to House Resolution No. 722 (1979) which requested a study of the Statewide School Health Services Program, was referred jointly to the Committee on Health and the Committee on Education.

A message from the Governor (Gov. Msg. No. 103), transmitting a copy of the State Transportation Plan prepared by the Department of Transportation in compliance with the requirements of The Hawaii State Plan Act, Chapter 226, Hawaii Revised Statutes, was referred to the Committee on Transportation.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 108 to 120) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 108), transmitting House Bill No. 1976-80, which was adopted in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1976-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse.

Com. No. 109), transmitting House Bill No. 1981-80, which was adopted in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1981-80, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE STATE BUREAU OF CONVEYANCES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. 110), transmitting House Bill No. 2026-80, H.D. 1, which was adopted in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2026-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES FEES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. 111), transmitting House Bill No. 2096-80, H.D. 1, which was adopted in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2096-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERMINATION OF PARENTAL RIGHTS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 112), transmitting House bill No. 2334-80, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2334-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 113), transmitting House Bill No. 2351-80, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2351-80, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO EMPLOYMENT PRACTICES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 114), transmitting House Bill No. 2623-80, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2623-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE WEIGHTS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 115), transmitting House Bill No. 2698-80, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2698-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed First Reading by title and was referred to the Committee on Higher Education.

A communication from the House (Hse. Com. No. 116), transmitting House Bill No. 2702-80, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2702-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed First Reading by title and was referred to the Committee on Higher Education.

A communication from the House (Hse. Com. No. 117), transmitting House Bill No. 2745-80, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2745-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", passed First Reading by title and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 118), transmitting House Bill No. 377, H.D. 2, which passed Third Reading in the House of Representatives on March 6, 1989, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 377, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING OF USED OIL", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 119), transmitting House Concurrent Resolution No. 92, which was adopted by the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING GENEVIEVE 'GENNY' T. OKINAGA UPON HER APPOINTMENT TO THE FEDERAL ADVISORY BOARD ON CHILD ABUSE AND NEGLECT AND WISHING HER EVERY SUCCESS DURING HER TERM OF APPOINTMENT", was adopted.

A communication from the House (Hse. Com. No. 120), transmitting House Concurrent Resolution No. 93, which was adopted by the House of Representatives on March 6, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING HEARTIEST BEST WISHES TO THE FUTURE FARMERS OF AMERICA, KOHALA CHAPTER, FOR A SUCCESSFUL 50TH ANNIVERSARY CELEBRATION; CONGRATULATING THE KOHALA CHAPTER ON THE OCCASION OF ITS 50TH ANNIVERSARY; AND ENCOURAGING THE FURTHERANCE OF AGRICULTURAL DEVELOPMENT IN KOHALA, HAWAII", was adopted.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 33), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF AN AD HOC COMMITTEE TO STUDY THE MODEL STATE TRADEMARK BILL", was jointly offered by Senators Cobb, Hara, Campbell, Chong, Carpenter, Machida, George, Mizuguchi and Kawasaki, and was read by the Clerk.

By unanimous consent, S.C.R. No. 33 was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 162 to 165) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 162), entitled: "SENATE RESOLUTION REQUESTING THE FORMATION OF AN AD HOC COMMITTEE TO STUDY THE MODEL STATE TRADEMARK BILL", was jointly offered by Senators Cobb, Saiki, Yim, Ushijima, Yamasaki, Carpenter, Machida, Mizuguchi, Hara, Campbell, Chong, George and Kawasaki.

By unanimous consent, S.R. No. 162 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 163), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION MAKE THE MOANALUA-SALT LAKE AREA PUBLIC LIBRARY FIRST PRIORITY ON ITS LIBRARY CONSTRUCTION LIST", was offered by Senator Campbell.

By unanimous consent, S.R. No. 163 was referred to the Committee on Education.

A resolution (S.R. No. 164), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW POLICY AND REGULATIONS ON REPORTING STUDENT PROGRESS", was jointly offered by Senators Campbell, Yee and Wong.

By unanimous consent, S.R. No. 164 was referred to the Committee on Education.

A resolution (S.R. No. 165), entitled: "SENATE RESOLUTION DECLARING THE WEEK OF MAY 11 THROUGH 17, 1980 HAWAII GIFTED AND TALENTED CHILDREN'S WEEK", was offered by Senator Campbell.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, S.R. No. 165 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 481-80) informing the Senate that Senate Resolution Nos. 160 and 161 and Standing Committee Report Nos. 463-80 to 480-80 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.

At 12:04 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.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 482-80) recommending that Senate Bill No. 1944-80, as

amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1944-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 483-80) recommending that Senate Bill No. 1985-80, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1985-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE STATE BUREAU OF CONVEYANCES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1985-80, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 484-80) recommending that Senate Bill No. 1988-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1988-80, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF SICK LEAVE CREDITS WITH WORKERS' COMPENSATION BENEFITS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 485-80) recommending that Senate Bill No. 1999-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1999-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 486-80) recommending that Senate Bill No. 2211-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2211-80, entitled: "A BILL FOR AN ACT RELATING TO RECORDING

FEEES IN THE OFFICE OF THE ASSISTANT REGISTRAR OF THE LAND COURT IN THE STATE BUREAU OF CONVEYANCES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 487-80) recommending that Senate Bill No. 2278-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2278-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 488-80) recommending that Senate Bill No. 2323-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2323-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 489-80) recommending that Senate Bill No. 2155-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2155-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2155-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 490-80) recommending that Senate Bill No. 2581-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2581-80, entitled: "A BILL FOR AN ACT RELATING TO LEASED OR RENTED PERSONAL PROPERTY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2581-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 491-80) recommending that Senate Bill No. 2888-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2888-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2888-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 492-80) recommending that Senate Bill No. 184 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 184, entitled: "A BILL FOR AN ACT RELATING TO CIVIL COMMITMENT", passed First Reading by title and was recommitted to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 493-80) recommending that Senate Bill No. 2673-80, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2673-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE", passed Second Reading and was recommitted to the Committee on Judiciary.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 494-80) recommending that Senate Bill No. 2107-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2107-80, S.D. 1, entitled: "A BILL FOR AN ACT -80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2107-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 495-80) recommending that Senate Bill No. 2253-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2253-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 6, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2253-80, S.D. 1.

At this time, Senator Kuroda introduced to the members of the Senate Senator Norman Glaser of Nevada and Mrs. Glaser, accompanied by Dr. and Mrs. Gray. Senator Kuroda noted that Senator Glaser will be meeting with interested legislators and staff to discuss the "Sagebrush Rebellion," a popular movement among Western states which deals with the ownership and use of federal lands.

ORDER OF THE DAY

MATTER DEFERRED FROM MARCH 6, 1980

House Communication No. 107 (S.B. No. 1115, S.D. 2):

By unanimous consent, action on Hse. Com. No. 107 and S.B. No. 1115, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES", was deferred until Monday, March 10, 1980.

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

The Senate reconvened at 12:45 o'clock p.m.

THIRD READING

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2329-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA", was recommitted to the Committee on Judiciary.

Senate Bill No. 1084, S.D. 1:

By unanimous consent, action on S.B. No. 1084, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY", was deferred until Monday, March 10, 1980.

Senate Bill No. 1930-80:

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, S.B. No. 1930-80, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL BUS SYSTEM", was recommitted jointly to the Committee on Transportation and the Committee on Education.

At 12:46 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m.

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

Senator O'Connor moved that S.B. No. 1832-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

At this time, Senator Carroll rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak briefly in favor of this bill with reservations.

"This bill on its face seems to water down the career criminal statute which we recently enacted. The testimony which was put before the Judiciary Committee on this subject matter indicated that while this is the law and while it is mandatory under the current law, it's not being complied with because of the lack of personnel to actually enforce the provisions set forth herein.

"The Judiciary chairman and the members of the committee made what amounts to a judgment to make it mandatory, if a person falls within any three of the set forth 13 categories, that that person will fall in a mandatory category

and of course persons fitting in any one of the 13 categories may be prosecuted under this provision based upon the discretion of the prosecutor. It, in a sense, appears to be a step backwards. I think it really is more of a step sideways and I hope that we will get to the day when we can move to reenact this measure with the basic intent with which we first enacted it.

"In spite of my reservations, I think that we should vote aye on the measure."

Senator Soares then rose to ask the chairman of the Judiciary Committee to yield to a question and the chairman replied in the affirmative.

Senator Soares asked, "Will this bill make it more difficult for the career criminals or does it lessen it, make it easier for them?"

Senator O'Connor then replied as follows:

"Mr. President, the career criminal will be treated exactly the same as they have been.

"I might point out that this a brand new program which we initiated last year by action of the Senate Judiciary Committee. The career criminal program is really our concept and our idea. We drafted the legislation last year making it mandatory for anyone who fell within the 13 categories to be treated as a career criminal and then we sent it out to the field for utilization. In the field it turned out that it was impossible to follow our mandate because you just couldn't take one of these particular areas and treat one as a career criminal because he was in that situation. It just made it unworkable, so they came back seeking to turn the 'shall' into 'may' and we rejected that. Recognizing the difficulty involved with handling of career criminals in this program, we turned the 'shall' into 'may' for the 13 categories and then indicated that if any three categories were met by the criminal who was being handled by the prosecuting attorney's office that in that instance they must treat the individual as a career criminal.

"In effect, we tightened up on the procedure which has been in effect for the past year by requiring that certain people be treated as career criminals and they understand that but have given them a latitude to treat others who might fall within the area as career criminals.

"As far as the criminals themselves are concerned it changes nothing and

probably will make the system work a lot better and will have people prosecuted under this program who otherwise might not be."

The motion was put by the Chair and carried, and S.B. No. 1832-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREER CRIMINALS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Carpenter, Chong, Ushijima, Yee and Yim).

Senate Bill No. 2200-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2200-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPUNGEMENT OF ARREST RECORDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Carpenter, Chong, Ushijima, Yee and Yim).

At 12:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:55 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Senator O'Connor moved that the Senate reconsider its action taken on March 4, 1980 on Conference Committee Report No. 2-80 and Senate Bill No. 1703-80, S.D. 1, H.D. 1, C.D. 2, seconded by Senator Cobb and carried.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 2-80 and S.B. No. 1703, S.D. 1, H.D. 1, C.D. 2, 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", was placed on the Clerk's desk until Tuesday, March 18, 1980.

ADJOURNMENT

At 12:58 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 10:00 o'clock a.m., Monday, March 10, 1980.

THIRTY-THIRD DAY

Monday, March 10, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 10:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Nelson Kwon of the Hawaii Conference, United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senator Young who was excused.

The President announced that he had read and approved the Journal of the Thirty-Second Day.

Senator Yee introduced to the members of the Senate a group of students from the senior class at St. Louis High School with their teacher, Mr. Rod Santos.

DEPARTMENTAL COMMUNICATION

A communication from the Honorable Jean King, Lt. Governor of the State of Hawaii, (Dept. Com. No. 20), acknowledging receipt of a copy of Senate Resolution No. 159 (1980), was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 121 to 125) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 121), transmitting House Bill No. 2058-80, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2058-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 122), transmitting House Bill No. 2071-80, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2071-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED

OR DISABLED PERSONS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 123), transmitting House Bill No. 2181-80, which passed Third Reading in the House of Representatives on March 7, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2181-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 124), transmitting House Bill No. 2361-80, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2361-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 125), transmitting House Bill No. 2703-80, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2703-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed First Reading by title and was referred to the Committee on Higher Education.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 34), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON CONDOMINIUMS", was jointly offered by Senators Cobb, Saiki, Ushijima, Yamasaki, Machida, Carroll, Soares, Young, Wong, Carpenter, Chong, Campbell, Yee, Abercrombie, Ajifu, O'Connor and Cayetano and was read by the Clerk.

By unanimous consent, S.C.R. No. 34 was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTION

A resolution (S.R. No. 166), entitled: "SENATE RESOLUTION REQUESTING A

STUDY ON CONDOMINIUMS", was jointly offered by Senators Cobb, Saiki, Kuroda, Carpenter, Chong, Ushijima, Machida, Carroll, Yee, O'Connor, Abercrombie, Ajifu, Young and Cayetano and was read by the Clerk.

By unanimous consent, S.R. No. 166 was referred to the Committee on Consumer Protection and Commerce.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 496-80) informing the Senate that Senate Concurrent Resolution No. 33, Senate Resolution Nos. 162 to 165 and Standing Committee Report Nos. 482-80 to 495-80 have been printed and are read by for distribution.

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

At 10:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:52 o'clock a.m.

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 6, 1980

Senate Bill No. 2275-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2275-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2277-80:

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

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Young).

MATTERS DEFERRED FROM MARCH 7, 1980

Senate Bill No. 1115, S.D. 2, H.D. 2:

By unanimous consent, consideration

of S.B. No. 1115, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES", was deferred until Tuesday, March 11, 1980.

Senate Bill No. 1084, S.D. 1:

Senator Carpenter moved that S.B. No. 1084, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Campbell.

Senator Anderson then offered the following amendment:

"SECTION 1 of Senate Bill No. 1084, S.D. 1, is amended by adding the following words after the word 'thereby' on page 2, line 10:

'if the patient is being treated at a hospital, settlement or place established under section 326-1 which is currently being funded and operated by the department' "

On motion by Senator Anderson, seconded by Senator Yee and carried, the amendment was adopted.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was then given on S.B. No. 1084, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY".

MISCELLANEOUS COMMUNICATION

A communication from Trinidad Q. Alconcel, Philippine Consul General, (Misc. Com. No. 8), acknowledging receipt of a copy of Senate Resolution No. 148 (1980), was read by the Clerk and was placed on file.

At 10:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:10 o'clock a.m., and the President directed the Clerk to note the presence of Senator Young.

Senator Anderson introduced to the members of the Senate forty members of the McCully Senior Citizens Club.

At 11:11 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 5:30 o'clock p.m., this afternoon.

AFTERNOON SESSION

At 6:05 o'clock p.m., the Senate reconvened with all Senators present with the exception of Senators Abercrombie and O'Connor, who were excused.

STANDING COMMITTEE REPORTS

Senator Mizuguchi, for the Committee

on Transportation, presented a report (Stand. Com. Rep. No. 497-80) recommending that Senate Bill No. 2938-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2938-80, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2938-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 498-80) recommending that Senate Bill No. 2097-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2097-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF COSMETOLOGY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2097-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 499-80) recommending that Senate Bill No. 2001-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2001-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SOCIAL SERVICES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2001-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 500-80) recommending that Senate Bill

No. 2008-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2008-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEE COMPENSATION LAW", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2008-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 501-80) recommending that Senate Bill No. 2013-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2013-80, entitled: "A BILL FOR AN ACT RELATING TO VACATION OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2013-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 502-80) recommending that Senate Bill No. 2115-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2115-80, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2115-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 503-80) recommending that Senate Bill No. 2174-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded

by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2174-80, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2174-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 504-80) recommending that Senate Bill No. 2324-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2324-80, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2324-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 505-80) recommending that Senate Bill No. 2015-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2015-80, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF CIVIL SERVICE ELIGIBLES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2015-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 506-80) recommending that Senate Bill No. 2676-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and

carried, the report of the Committee was adopted and S.B. No. 2676-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2676-80, S.D. 1.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 507-80) recommending that Senate Bill No. 2191-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2191-80, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2191-80.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 508-80) recommending that Senate Bill No. 2232-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2232-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT PARKING CONTROL", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2232-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 509-80) recommending that Senate Bill No. 2358-80, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2358-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed Second Reading and was placed on the calendar for Third

Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2358-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 510-80) recommending that Senate Bill No. 2357-80, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2357-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE INSURANCE ADMINISTRATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2357-80, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 511-80) recommending that Senate Bill No. 2559-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2559-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 512-80) recommending that Senate Bill No. 2359-80, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2359-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF", passed Second Reading and be placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2359-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 513-80) recommending

that Senate Bill No. 1934-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1934-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STATE-WIDE QUALIFYING EXAMINATION FOR STUDENTS SEEKING HIGH SCHOOL CERTIFICATES OF GRADUATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 514-80) recommending that Senate Bill No. 1873-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1873-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 515-80) recommending that Senate Bill No. 1878-80, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1878-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1878-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 516-80) recommending that Senate Bill No. 1870-80, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1870-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 517-80) recommending that Senate Bill No. 1942-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on

S.B. No. 1942-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LIBRARY SYSTEM".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 518-80) recommending that Senate Bill No. 2869-80, S.D. 2, as amended in S.D. 3, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2869-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 519-80) recommending that Senate Bill No. 1945-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1945-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY WATER HEATING SYSTEMS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 520-80) recommending that Senate Bill No. 3119-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3119-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF ADULT EDUCATION SPECIAL FUNDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 521-80) recommending that Senate Bill No. 2473-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2473-80, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE BUDGET ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2473-80.

Senator Cayetano, for the Committee on Ways and Means, presented a report

(Stand. Com. Rep. No. 522-80) recommending that Senate Bill No. 1893-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1893-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 523-80) recommending that Senate Bill No. 2295-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2295-80, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 524-80) recommending that Senate Bill No. 2794-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2794-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT ACTIVITY FEES AND REVENUES OF CHARTERED STUDENT ORGANIZATIONS OF THE UNIVERSITY OF HAWAII SYSTEM".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 525-80) recommending that Senate Bill No. 2882-80, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2882-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 526-80) recommending that S.B. No. 2457-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2457-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOGS: LICENSES AND REGULATIONS; LICENSE FEE CONTROLLED BY ORDINANCE".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 527-80) recommending that Senate Bill No. 2219-80, S.D. 1,

pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2219-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALL FUNCTIONS, POWERS AND DUTIES INVOLVING THE TAXATION OF REAL PROPERTY TO THE COUNTIES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 528-80) recommending that Senate Bill No. 2071-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2071-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 529-80) recommending that Senate Bill No. 3108-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3108-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 530-80) recommending that Senate Bill No. 2536-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2536-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 531-80) recommending that Senate Bill No. 2274-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2274-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 532-80) recommending

that Senate Bill No. 2654-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2654-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 533-80) recommending that Senate Bill No. 1995-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1995-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MESSAGE".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 534-80) recommending that Senate Bill No. 2600-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2600-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2600-80.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 535-80) recommending that Senate Bill No. 2220-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2220-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2220-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 536-80) recommending that Senate Bill No. 2355-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

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

Hawaii, the 48-hour notice was given on S.B. No. 2355-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 537-80) recommending that Senate Bill No. 2557-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2557-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING AND LOAN PROGRAMS, CHAPTER 356, HAWAII REVISED STATUTES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 538-80) recommending that Senate Bill No. 744, S.D. 2, as amended in S.D. 3, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 744, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 539-80) recommending that Senate Bill No. 1982-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1982-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 540-80) recommending that Senate Bill No. 2914-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2914-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 541-80) recommending that Senate Bill No. 2163-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano,

seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2163-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2163-80, S.D. 1,

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 542-80) recommending that Senate Bill No. 2660-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2660-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2660-80.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 543-80) recommending that Senate Bill No. 2693-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2693-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL OBJECTS AND SITES; CULTURE AND ARTS; AND HISTORY AND THE HUMANITIES."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 544-80) recommending that Senate Bill No. 1973-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1973-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION, TO PERMIT THE SENATE TO CONVENE ITSELF INTO A SPECIAL SESSION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1973-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 545-80) recommending that Senate Bill No. 2673-80, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2673-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 546-80) recommending that Senate Bill No. 3003-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 3003-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3003-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 547-80) recommending that Senate Bill No. 118, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 118, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND OCCUPATIONAL BOARDS AND COMMISSIONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 118, S.D. 2.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 548-80) recommending that Senate Bill No. 1519, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1519, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII BANK ACT OF 1931," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1519, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 549-80) recommending that Senate Bill No. 1992-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1992-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARKS, PRINTS, LABELS, AND TRADE NAMES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1992-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 550-80) recommending that Senate Bill No. 2069-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2069-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2069-80, S.D. 1.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 2360-80, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2360-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC EMPLOYEES AND OFFICERS", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and O'Connor).

House Bill No. 55, H.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 55, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and O'Connor).

House Bill No. 1983-80:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was recommitted to the Committee on Economic Development.

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

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

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and O'Connor).

Senate Bill No. 1986-80:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 1986-80, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF PUBLIC LANDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and O'Connor).

Senate Bill No. 2571-80:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 2571-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and O'Connor).

Senate Bill No. 2587-80:

On motion by Senator Yim, seconded

by Senator Carpenter and carried, S.B. No. 2587-80, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE BY FUEL IMPORTERS, MANUFACTURERS, DISTRIBUTORS, AND EXPORTERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and O'Connor).

Senate Bill No. 2719-80, S.D. 1:

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, S.B. No. 2719-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and O'Connor).

Standing Committee Report No. 482-80
(S.B. No. 1944-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 482-80 was adopted and S.B. No. 1944-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Anderson).
Excused, 2 (Abercrombie and O'Connor).

Senate Bill No. 1985-80, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1985-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE STATE BUREAU OF CONVEYANCES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and O'Connor).

Standing Committee Report No. 484-80
(S.B. No. 1988-80):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 484-80 was adopted and S.B. No. 1988-80, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF SICK LEAVE CREDITS WITH WORKERS' COMPENSATION BENEFITS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and O'Connor).

Standing Committee Report No. 485-80

(S.B. No. 1999-80):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 485-80 was adopted and S.B. No. 1999-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and O'Connor).

The President directed the Clerk to note the presence of Senator O'Connor.

Standing Committee Report No. 486-80 (S.B. No. 2211-80):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 486-80 was adopted and S.B. No. 2211-80, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE OFFICE OF THE ASSISTANT REGISTRAR OF THE LAND COURT IN THE STATE BUREAU OF CONVEYANCES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 487-80 (S.B. No. 2278-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 487-80 was adopted and S.B. No. 2278-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 488-80 (S.B. No. 2323-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 488-80 and S.B. No. 2323-80, S.D. 1, was deferred to the end of the calendar.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2155-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2581-80:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2581-80, entitled: "A BILL FOR AN ACT RELATING TO LEASED OR RENTED PERSONAL PROPERTY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2888-80, S.D. 1:

By unanimous consent, action on S.B. No. 2888-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2107-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 2107-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2253-80, S.D. 1:

By unanimous consent, action on S.B. No. 2253-80, S.D. 1, was deferred to the end of the calendar.

At this time, Senator O'Connor rose to make an announcement as follows:

"Mr. President, the Judiciary Committee will be having a meeting on several judicial appointments at 9:00 o'clock tomorrow morning. These are all of the Circuit Court appointments which have been sent down to us up to this time by the Governor, and we anticipate that all of the nominees will be present."

Senator Kawasaki then inquired if the Chairman of the Committee on Judiciary would yield to a question to which Senator O'Connor replied that he would.

Senator Kawasaki then queried: "During the questioning of the candidates for the judgeship, will the question be posed to one of the candidates as to whether he intends to resign if his appointment is confirmed?"

Senator O'Connor answered: "I believe that question may be posed to several of the appointees; in particular, one, yes."

Senator Cayetano then asked if the

previous speaker would yield to a question to which Senator O'Connor replied in the affirmative.

Senator Cayetano then asked: "Is the Chairman of the Committee on Judiciary extending an invitation to members of the Senate who do not sit on the Judiciary Committee?"

Senator O'Connor replied: "Unlike other committee chairmen of this body, Mr. President, I have always extended an invitation to all senators to come and join us for any meeting."

At 6:15 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 8:00 o'clock p.m. tonight.

NIGHT SESSION

At 8:42 o'clock p.m., the Senate reconvened with all Senators present with the exception of Senators George and Toyofuku, who were excused.

STANDING COMMITTEE REPORTS

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 551-80) recommending that Senate Bill No. 2070-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2070-80, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 552-80) recommending that Senate Bill No. 2091-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2091-80, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2091-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep.

No. 553-80) recommending that Senate Bill No. 2092-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2092-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCIES BOARD", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2092-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 554-80) recommending that Senate Bill No. 2093-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2093-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2093-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 555-80) recommending that Senate Bill No. 2094-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2094-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF VETERINARY EXAMINERS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2094-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 556-80) recommending that Senate Bill No. 2095-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report

of the Committee was adopted and S.B. No. 2095-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2095-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 557-80) recommending that Senate Bill No. 2096-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2096-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PRIVATE DETECTIVES AND GUARDS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2096-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 558-80) recommending that Senate Bill No. 2407-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2407-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2407-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 559-80) recommending that Senate Bill No. 2489-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2489-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2489-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 560-80) recommending that Senate Bill No. 2514-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2514-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2514-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 561-80) recommending that Senate Bill No. 2515-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2515-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2515-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 562-80) recommending that Senate Bill No. 2517-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2517-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES", passed Second Reading and

was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2517-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 563-80) recommending that Senate Bill No. 2520-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2520-80, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2520-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 564-80) recommending that Senate Bill No. 2674-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2674-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", passed Second Reading and be placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2674-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 565-80) recommending that Senate Bill No. 2681-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2681-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND

SURVEYORS", passed Second Reading and was placed on the calendar for Third 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. 2681-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 566-80) recommending that Senate Bill No. 2863-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2863-80, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 567-80) recommending that Senate Bill No. 2898-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2898-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2898-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 568-80) recommending that Senate Bill No. 3131-80, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 3131-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTUARIES AND FUNERALS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3131-80, S.D. 2.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 569-80) recommending that Senate Bill No. 571, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the the Committee was adopted and S.B. No. 571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 571, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 570-80) recommending that Senate Bill No. 2111-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2111-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2111-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 571-80) recommending that Senate Bill No. 2127-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2127-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2127-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 572-80) recommending that Senate Bill No. 2194-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2194-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2194-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 573-80) recommending that Senate Bill No. 2204-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2204-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF FEES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2204-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 574-80) recommending that Senate Bill No. 2225-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2225-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2225-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 575-80) recommending that Senate Bill No. 2237-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2237-80, entitled: "A BILL

FOR AN ACT RELATING TO PUBLIC PURCHASES AND CONTRACTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2237-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 576-80) recommending that Senate Bill No. 2286-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2286-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PROGRAMS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2286-80.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 577-80) recommending that Senate Bill No. 2956-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 2956-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF EMPLOYEES IN THE MILK CONTROL DIVISION, DEPARTMENT OF AGRICULTURE, TO CIVIL SERVICE STATUS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2956-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 578-80) recommending that Senate Bill No. 2987-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried,

the report of the Committee was adopted and S.B. No. 2987-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2987-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 579-80) recommending that Senate Bill No. 3026-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 3026-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3026-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 580-80) recommending that Senate Bill No. 1851-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1851-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE SYSTEM".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 581-80) recommending that Senate Bill No. 2027-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2027-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS; COMPENSATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 582-80) recommending that Senate Bill No. 2172-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on

S.B. No. 2172-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 583-80) recommending that Senate Bill No. 2193-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2193-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 584-80) recommending that Senate Bill No. 2302-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2302-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 585-80) recommending that Senate Bill No. 2537-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2537-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 586-80) recommending that Senate Bill No. 2551-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2551-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FORMULATION OF A STATE WATER CODE".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 587-80) recommending that Senate Bill No. 1219, as amended in S.D. 1, pass Second Reading and

be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1219, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISCAL NOTES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1219, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 588-80) recommending that Senate Bill No. 2413-80, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2413-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2413-80, S.D. 2.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 589-80) recommending that Senate Bill No. 2770-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 2770-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2770-80, S.D. 1.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 590-80) recommending that Senate Bill No. 2018-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 2018-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTELS",

passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2018-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 591-80) recommending that Senate Bill No. 2798-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2798-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2798-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 592-80) recommending that Senate Bill No. 2797-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2797-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL EXPENSES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 593-80) recommending that Senate Bill No. 1939-80, S.D. 2, as amended in S.D. 3, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1939-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HEALTH AUTHORITY".

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 594-80) recommending that Senate Bill No. 1979-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted

and S.B. No. 1979-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1979-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 595-80) recommending that Senate Bill No. 2643-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2643-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPROVEMENTS AT HONOLULU INTERNATIONAL AIRPORT AND GENERAL AVIATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 596-80) recommending that Senate Bill No. 2977-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2977-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES COVERED BY CHAPTER 77, HAWAII REVISED STATUTES".

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 597-80) recommending that Senate Bill No. 871, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 871, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRANSPORTATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 871, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 598-80) recommending that Senate Bill No. 2634-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried,

the report of the Committee was adopted and S.B. No. 2634-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY SAVING TRANSPORTATION MODES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2634-80, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 599-80) recommending that Senate Bill No. 3074-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 3074-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATE OF REGISTRATION; CERTIFICATE OF OWNERSHIP; CONTAINERS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3074-80, S.D. 1.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 600-80) recommending that Senate Bill No. 1871-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 1871-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1871-80, S.D. 1.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 601-80) recommending that Senate Bill No. 1872-80, as amended in S.D.

1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.B. No. 1872-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY BOARD OF REGENTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1872-80, S.D. 1.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 602-80) recommending that Senate Bill No. 1574, as amended in S.D. 1, pass First Reading and be placed on the calendar for Second and Third Readings.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC WAR MEMORIAL SYSTEM", passed First Reading and was placed on the calendar for Second Reading on Tuesday, March 11, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1574, S.D. 1.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 603-80) recommending that Senate Bill No. 2005-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2005-80, entitled: "A BILL FOR AN ACT RELATING TO THE JUNKYARD CONTROL ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2005-80.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 604-80) recommending that Senate Bill No. 2691-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2691-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2691-80, S.D. 1.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 605-80) recommending that Senate Bill No. 3085-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 3085-80, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3085-80.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 606-80) recommending that Senate Bill No. 2788-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2788-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2788-80, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 607-80) recommending that Senate Bill No. 2924-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2924-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PURCHASES BY STATE HOSPITALS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2924-80, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 608-80), recommending that Senate Bill No. 2267-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2267-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2267-80.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 609-80) recommending that Senate Bill No. 2558-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2558-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2558-80.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 610-80) recommending that Senate Bill No. 3096-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 3096-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING",

passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3096-80, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 611-80) recommending that Senate Bill No. 3098-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 3098-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD CONVERSION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3098-80, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 612-80) recommending that Senate Bill No. 1744, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1744, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CLUSTER DEVELOPMENTS WITHIN RURAL AND AGRICULTURAL LAND USE DISTRICTS".

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 613-80) recommending that Senate Bill No. 2208-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2208-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on S.B. No. 2208-80, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 614-80) recommending that Senate Bill No. 2550-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2550-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER USE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2550-80, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 615-80) recommending that Senate Bill No. 3019-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 3019-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PRODUCTION FACILITIES IN AGRICULTURE DISTRICTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3019-80, S.D. 1.

Senators Yim and Chong, for the Committees on Economic Development and Public Utilities, presented a joint report (Stand. Com. Rep. No. 616-80) recommending that Senate Bill No. 1900-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Chong and carried, the joint report of the Committees was adopted and S.B. No. 1900-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1900-80, S.D. 1.

Senators Yim and Hara, for the Committees

on Economic Development and Ecology, Environment and Recreation, presented a joint report (Stand. Com. Rep. No. 617-80) recommending that Senate Bill No. 2495-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the joint report of the Committees was adopted and S.B. No. 2495-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2495-80, S.D. 1.

Senators Campbell and Mizuguchi, for the majority of the Committees on Education and Transportation, presented a joint report (Stand. Com. Rep. No. 618-80) recommending that Senate Bill No. 1930-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1930-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL BUS SYTEM".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 619-80) recommending that Senate Bill No. 2813-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 2813-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2813-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 620-80) recommending that Senate Bill No. 1889-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1889-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 621-80) recommending that Senate Bill No. 1899-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1899-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF NON-FOSSIL FUEL GENERATED ELECTRICITY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 622-80) recommending that Senate Bill No. 1906-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1906-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GASOHOL".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 623-80) recommending that Senate Bill No. 1933-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1933-80, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROUBLED STUDENTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 624-80) recommending that Senate Bill No. 1924-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1924-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 625-80) recommending that Senate Bill No. 2376-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2376-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE

**AUTHORIZATION OF SPECIAL PURPOSE
REVENUE BONDS TO ASSIST UTILITIES
SERVING THE GENERAL PUBLIC".**

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 626-80) recommending that Senate Bill No. 2665-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2665-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 627-80) recommending that Senate Bill No. 2800-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2800-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 628-80) recommending that Senate Bill No. 2972-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2972-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES".

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 629-80) recommending that Senate Bill No. 2226-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2226-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was

given on S.B. No. 2226-80, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 630-80) recommending that Senate Bill No. 2994-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2994-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2994-80, S.D. 1.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 631-80) recommending that Senate Bill No. 2186-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2186-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2186-80, S.D. 1.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 632-80) recommending that Senate Bill No. 2861-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2861-80, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL LICENSE PLATES FOR REPRESENTATIVES OF FOREIGN GOVERNMENT OR TERRITORIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2861-80.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 633-80)

recommending that Senate Bill No. 3082-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 3082-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ZONING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3082-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 634-80) recommending that Senate Bill No. 1171, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1171, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1171, S.D. 2.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 635-80) recommending that Senate Bill No. 1493, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1493, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1493, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 636-80) recommending that Senate Bill No. 1960-80, as amended in S.D.

1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1960-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1960-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 637-80) recommending that Senate Bill No. 1990-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1990-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1990-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 638-80) recommending that Senate Bill No. 2077-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2077-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2077-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 639-80) recommending that Senate Bill No. 2285-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report

of the Committee was adopted and S.B. No. 2285-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2285-80, S.D. 1.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 640-80) recommending that Senate Bill No. 2518-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the majority of the Committee was adopted and S.B. No. 2518-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2518-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 641-80) recommending that Senate Bill No. 2682-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 2682-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2682-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 642-80) recommending that Senate Bill No. 3106-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 3106-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES AND REPAIR BUSINESSES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3106-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 643-80) recommending that Senate Bill No. 1993-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1993-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS".

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 644-80) recommending that Senate Bill No. 2202-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2202-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF RADIATION THERAPY TECHNOLOGISTS".

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 645-80) recommending that Senate Bill No. 2490-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2490-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES".

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 646-80) recommending that Senate Bill No. 2679-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2679-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL UNITS".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 647-80) recommending that Senate Bill No. 2791-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2791-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 648-80) recommending that Senate Bill No. 2923-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2923-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH".

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 649-80) recommending that Senate Bill No. 866, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 866, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR TRANSPORTATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 866, S.D. 1.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 650-80) recommending that Senate Bill No. 2292-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2292-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

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

of Hawaii, the 48-hour notice was given on S.B. No. 2292-80, S.D. 1.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 651-80), recommending that Senate Bill No. 2512-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2512-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING AND CONTRACTING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2512-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 652-80) recommending that Senate Bill No. 3, S.D. 2, as amended in S.D. 3, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 653-80) recommending that Senate Bill No. 711, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 711, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 654-80) recommending that Senate Bill No. 2173-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2173-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 655-80) recommending that Senate Bill No. 2554-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2554-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SELF-SUFFICIENCY FUEL FUND".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 656-80) recommending that Senate Bill No. 2635-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2635-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR INDUSTRIAL ENTERPRISES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 657-80) recommending that Senate Bill No. 3112-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3112-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 658-80) recommending that Senate Bill No. 1514, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1514, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1514, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 659-80) recommending that Senate Bill No. 1869-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and

carried, the report of the Committee was adopted and S.B. No. 1869-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LEGISLATIVE REFERENCE BUREAU", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1869-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 660-80) recommending that Senate Bill No. 2795-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2795-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2795-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 661-80) recommending that Senate Bill No. 2870-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2870-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS BY POLICE OFFICERS WITHOUT WARRANT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2870-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 662-80) recommending that Senate Bill No. 2618-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2618-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW", passed Second Reading and was placed on the calendar for Third Reading

on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2618-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 663-80) recommending that Senate Bill No. 2780-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2780-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 664-80) recommending that Senate Bill No. 1837-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1837-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1837-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 665-80) recommending that Senate Bill No. 2877-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2877-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2877-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report

(Stand. Com. Rep. No. 666-80) recommending that Senate Bill No. 3097-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3097-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VESTED RIGHTS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 667-80) recommending that Senate Bill No. 2881-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2881-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2881-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 668-80) recommending that Senate Bill No. 2525-80, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2525-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2525-80, S.D. 2.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 669-80) recommending that Senate Bill No. 2329-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2329-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 670-80) recommending

that Senate Bill No. 2876-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2876-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES AND DEFENSES AND SPECIAL PROCEEDINGS, LIMITATION OF ACTION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2876-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 671-80) recommending that Senate Bill No. 2270-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2270-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2270-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 672-80) recommending that Senate Bill No. 3145-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 3145-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3145-80, S.D. 1.

Senator O'Connor, for the majority

of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 673-80) recommending that Senate Bill No. 2589-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2589-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EVICTION".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 674-80) recommending that Senate Bill No. 1965-80, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 1965-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN REGIONAL EDUCATION COMPACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1965-80, S.D. 2.

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 675-80) recommending that Senate Bill No. 1838-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

Senator Cayetano moved that Stand. Com. Rep. No. 675-80 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then offered the following amendment to S.B. No. 1838-80, S.D. 2:

"SECTION 1. Section 1 of Senate Bill No. 1838-80, S.D. 2, is amended to read as follows:

Amend line 22 on page 2 to read:

'advice and consent of the senate. The appropriate subject matter committees of the senate shall review the report in executive session.'

"SECTION 2. Section 4 of Senate Bill No. 1838-80, S.D. 2, is amended to read as follows:

Amend line 13 on page 8 to read:

'to the appropriate subject matter committees of the respective houses of the legislature. Such committees shall review the report in executive session.'"

Senator Cayetano moved that the amendment be adopted, seconded by Senator Kawasaki.

Senator Cayetano then spoke for the adoption of the amendment as follows:

"Mr. President, you will note that one member of the Ways and Means Committee signed the report, 'I do not concur.' That member of the Committee specifically pointed out an omission that was made in the drafting of the bill, and this amendment will correct that.

"As you can see from the amendment, the words 'advice and consent of the senate' are added, followed by 'the appropriate subject matter committees of the senate shall review the report in executive session.'

"This amendment is important because throughout all of our deliberations on the Crime Commission, the Committee agreed that the report from the Attorney General with respect to the security screening of the nominees for the Crime Commission and also for the legislators who were to sit on the Legislative Oversight Committee, would be reviewed in executive session, and not in open hearings.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and the amendment was adopted.

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. 1838-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 676-80) recommending that Senate Bill No. 43 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 43, entitled: "A BILL FOR AN ACT RELATING TO STATE BOUNDARIES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV, SECTION 1)".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 677-80) recommending that Senate Bill No. 2269-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor,

seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2269-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2269-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 678-80) recommending that Senate Bill No. 1164, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT AND TRANSFER OF DEVELOPMENT RIGHTS".

Senators O'Connor and Cayetano, for the majority of the Committees on Judiciary and Ways and Means, presented a joint report (Stand. Com. Rep. No. 679-80) recommending that Senate Bill No. 1829-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1829-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 680-80) recommending that Senate Bill No. 1989-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1989-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 681-80) recommending that Senate Bill No. 2198-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2198-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 682-80) recommending

that Senate Bill No. 2199-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2199-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PROGRAM VIOLATIONS AND PENALTIES".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 683-80) recommending the Senate Bill No. 2215-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2215-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES".

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 684-80) recommending that Senate Bill No. 2439-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2439-80, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 685-80) recommending that Senate Bill No. 1346, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1346, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 686-80) recommending that Senate Bill No. 2217-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor,

seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2217-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNERSHIP AND POSSESSION OF FIREARMS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2217-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 687-80) recommending that Senate Bill No. 2280-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2280-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CODE OF ETHICS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2280-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 688-80) recommending that Senate Bill No. 2741-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2741-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FITNESS TO PROCEED", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2741-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 689-80) recommending that Senate Bill No. 2744-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2744-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSANITY DEFENSE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2744-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 690-80) recommending that Senate Bill No. 2764-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2764-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2764-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 691-80) recommending that Senate Bill No. 2985-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2985-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAME", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2985-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 692-80) recommending that Senate Bill No. 3012-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 3012-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3012-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 693-80) recommending that Senate Bill No. 2862-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2862-80, entitled: "A BILL FOR AN ACT RELATING TO OBSTRUCTING PUBLIC ADMINISTRATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2862-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 694-80) recommending that Senate Bill No. 3146-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 3146-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3146-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 695-80) recommending that Senate Bill No. 1828-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1828-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NONPROFIT CORPORATION ACT".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 696-80) recommending that Senate Bill No. 3099-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3099-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 697-80) recommending that Senate Bill No. 2513-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2513-80, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 698-80) recommending that Senate Bill No. 2997-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2997-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT".

Senators Chong and Yim, for the Committee on Public Utilities and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 699-80) recommending that Senate Bill No. 2179-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chong, seconded by Senator Yim and carried, the joint report of the Committees was adopted and S.B. No. 2179-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF LIFELINE RATES FOR GAS AND ELECTRICITY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2179-80, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 700-80) recommending that Senate Bill No. 2540-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 2540-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday,

March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2540-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 701-80) recommending that Senate Bill No. 2501-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2501-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS: PENALTIES FOR VIOLATIONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2501-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 702-80) recommending that Senate Bill No. 2574-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2574-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2574-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 703-80) recommending that Senate Bill No. 2965-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2965-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 704-80) recommending that Senate Bill No. 2784-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2784-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 705-80) recommending that Senate Bill No. 2419-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2419-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2419-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 706-80) recommending that Senate Bill No. 2927-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2927-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 707-80) recommending that Senate Bill No. 1860-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1860-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1860-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 708-80) recommending that Senate Bill No. 1970-80, as

amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1970-80, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR REVIEW AND APPEAL OF DECISIONS OF THE JUDICIAL SELECTION COMMISSION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 12, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1970-80, S.D. 1.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 488-80 (S.B. No. 2323-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 488-80 was adopted and S.B. No. 2323-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (George and Toyofuku).

Senate Bill No. 2888-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2888-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (George and Toyofuku).

Senate Bill No. 2253-80, S.D. 1:

Senator Cobb moved that S.B. No. 2253-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

At 8:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:46 o'clock p.m. and the President directed the Clerk to note the presence of Senator George.

Senator Carroll then inquired if the Chairman of the Committee on Consumer Protection and Commerce would yield

to a question to which Senator Cobb replied in the affirmative.

Senator Carroll then asked: "Mr. President, I would like to ask the Chairman if the designation of apartment precinct under the Waikiki Special Design District is not includable under the term, 'hotel-apartment use' noted in the bill?"

Senator Cobb replied as follows: "My answer is yes, that either under (a) or (b), it would not address the apartment precinct since both of these matters are addressed to areas zoned already by the county for hotel or resort use."

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

"Mr. President, the question of time-sharing has been before us since 1974, and it has been the subject of much emotion and much well-deserved fear. We have watched with horror for the past two years, as time-sharing has proliferated in Waikiki Special Design District apartment precincts, as well as the other precincts in Waikiki.

"This bill, Senate Bill No. 2253-80, Senate Draft 1, is a re-draft of a bill which I introduced in the Senate this year, and I am appreciative that the Chairman of the Consumer Protection Committee saw fit to put the bill out and that I'm in a position where I could speak on my own bill, a rare treat indeed for a Republican.

"The bill itself addresses the concept of eliminating or banning completely time-share use in all residential areas, which was the basic impact of my initial bill. It addresses a number of other issues with respect to disclosure, with respect to prohibited practices, and I would like to note that last year when the time-share industry people appeared before the committees and in our offices and were here in great numbers, that they vowed that the beach solicitation, the street solicitation and similar types of activities would be stopped, and they were not. They continued on all through last summer and even until today.

"I believe that with the passage of this bill, and hopefully with the House concurring, that this measure will put a handle on time-sharing, that we will be able to regulate it and that we will be able to totally ban it in all residential areas. I am talking about banning time-sharing in any area where residential use is allowed even if that may be in a commercial or hotel or resort area. The discretionary

ability to do so exists under the bill's provision which requires a 100% concurrence on the part of existing building owners before any time-sharing will be allowed.

"The only problem with this measure, and it is one which we are going to have to address, is that it does not completely take care of the existing time-sharing sales which were accomplished before regulation of such activities. This measure addresses to some degree the problem of vacation rentals, but again, this is a very wide area that should be considered immediately.

"I would like to say, Mr. President, that as a person who has fought and consistently worked to ban time-sharing in residential districts ever since this matter came to my attention, it is with some pride that I ask that everyone vote 'aye' on this measure. Thank you."

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

"Mr. President, the Chairman of the Consumer Protection Committee is only too well aware from our time together in the House and now in the Senate of my concern that there be a ban on time-sharing. The battles that were fought in the House were among the most emotional, I think, in my experience since entering the Legislature; emotional because very seldom can you find circumstances in which the fundamental economic security and the psychological well-being of people are so intimately involved.

"Very seldom, Mr. President, have you found circumstances in which people have organized themselves in respect of a position for so long a time, for so consistently involved a time, where people have banded together not just on the issue for the length of time of the session, but have devoted themselves with assiduous research, concentrated scholarship even in the area, to try and determine what the circumstances were and what the consequences would be of various aspects of time-sharing should it come forward in a form any other than a ban.

"The Chairman of the Consumer Protection Committee is aware as well, from my own personal point of view and from the point of view of many of the people with whom I have spent this time, this research, this self-searching if you will, that I still feel that a ban as such is in order. I feel the consequences of time-sharing will be extremely deleterious to the economic and social well-being of this State.

"However, I am also quite conscious of the fact that the Chairman has conscientiously tried to address the concerns of the people not only in the Waikiki and Makiki

area, let's say for all intents and purposes, the Sixth Senatorial District, but he has also recognized that there is an even more widespread and searching concern on the part of people who have residences throughout our islands. I say the islands, not just on Oahu, but all the islands of our State, that time-sharing was moving into or could move into the residential areas and it quite frankly frightens them.

"As I said, the Chairman of the Consumer Protection Committee has conscientiously addressed many of the separate points that have been raised in respect of why time-sharing should be banned, and attempts to come to grips with them, both individually and collectively, the collectivity, if you will, is embodied in this bill.

"Therefore, it is my understanding from the bill, from the chairman and from the committee report, that we will have for the people who are now living in our state, for our permanent residents, a 100% protection in terms of whether or not they can be attacked, and I use the word quite advisedly, attacked by time-sharing.

"We are also advised by the Director of Taxation, Mr. (George) Freitas, that he is moving forward at full-speed to try to get some of the tax circumstances which have previously eluded him in hand, to try to get some of the corporations, which have been, at the least, dealing with the State on a very shady basis in respect to taxation, into line.

"So I feel that we have now the basis then to protect our people who are here. I believe we have somewhat of a basis to protect our visitors and people in the islands who might want to think about time-sharing, but most particularly, our visitors.

"Mr. President, one of the concerns of the people with whom I have spoken and with whom the Chairman of the Consumer Protection Committee has spoken, is that our tourist industry itself will suffer damage by way of reputation, if people are 'suckered' into schemes of time-sharing which later turn out not to work very well or at the very least leave a very bad financial taste in the mouth of the people who have gotten into these circumstances perhaps in the first glow of adventurism, if you will, with their arrival in the State of Hawaii on vacation.

"We want to make sure that the people who do come here are not disillusioned with us and will not take a story that would discourage other people from coming here. So, in this respect, I

think that is also addressed in the bill. I'm not sure that it is as tough as it should be, but nonetheless, all the elements for a start are made there.

"It is my hope that if this bill passes as is and is taken under consideration in the House in light of the same philosophy and with the same kind of energy and concentration that this bill has been developed, we will find passage and thus protection for our own people and that we will then not shy away from keeping an eye on time-sharing, but rather take a very, very close look in this legislature in time to come to see whether further regulation and/or some other circumstance is necessary and pertinent in respect to time-sharing.

"Thank you, Mr. President."

Senator Campbell spoke in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill. I want to strongly register my support of the measure. As a member of the subject matter committee, I did not have the opportunity to sign the committee report, but that does not indicate that I am not strongly in favor of the measure. I would urge support by this entire body. Thank you."

Senator Cobb then spoke as follows:

"Mr. President, very briefly, not in rebuttal but simply to elaborate on some of the previous comments.

"The bill incorporates all of the areas that were agreed upon in last year's House-Senate Conference Committee on the subject matter of time-sharing, but also expands to include the very real problem of transient, vacation rentals that was pointed out to us by the Tax Director of the State of Hawaii.

"Also, it does prohibit on a state-wide basis any beach or street solicitation, and it further authorizes an increased maintenance fee for time-shared units where there is a mixed use configuration. I think the feeling of a strong majority of the committee members was to provide a maximum degree of protection to Hawaii's local residents and at the same time the most comprehensive regulatory picture possible in order to get information for possible future legislation on time-sharing as well as how the industry is conducted.

"Based on those comments and the previous remarks, I ask for the members' support of the bill. Thank you."

The motion was put by the Chair and carried, and S.B. No. 2253-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hara and Kawasaki).
Excused, 1 (Toyofuku).

At 8:59 o'clock p.m., the Senate
stood in recess subject to the call
of the Chair.

The Senate reconvened at 9:15 o'clock
p.m.

Senator Chong introduced to the
members of the Senate a group from
the Citizens Against Time-Sharing

as follows: Jean Minton, President; Peggy
Young, Treasurer; Clara Kakalia,
Parliamentarian and Robert Dinman.

Senator Kawasaki then introduced to
the members of the Senate Mr. Roy Vitousek,
a Director with the Honolulu Advertiser.

ADJOURNMENT

At 9:17 o'clock p.m., on motion by
Senator Mizuguchi, seconded by Senator
Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Tuesday, March 11, 1980.

THIRTY-FOURTH DAY

Tuesday, March 11, 1980

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

The Divine Blessing was invoked by Reverend Douglas R. Olson of Calvary Lutheran Church, after which the Roll was called showing all Senators present.

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

Senator Anderson then introduced to the members of the Senate 26 students of the Kailua Intermediate School Honor Club, consisting of students who maintain a 3.5 or better grade point and referred to by Senator Anderson as "some of Windward Oahu's best." The students were accompanied by their teacher Mrs. Mildred Fukumoto.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 35 to 38) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 35), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A TRANSPORTATION FUNCTIONAL PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 35 was referred to the Committee on Transportation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 36), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE RULES OF THE HOUSE AND OF THE SENATE OF THE HAWAII STATE LEGISLATURE BE AMENDED TO PROHIBIT LEGISLATORS FROM ENGAGING IN POLITICAL FUND-RAISING ACTIVITIES WHILE THE LEGISLATURE IS IN SESSION", was jointly offered by Senators Anderson, Yee, Saiki, George, Soares, Carroll and Ajifu.

By unanimous consent, S.C.R. No. 36 was referred to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 37), entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING A STUDY ON COMPUTER EDUCATION", was jointly offered by Senators Campbell, Chong, Young, Hara, Yamasaki, Machida, Kuroda, Carpenter, Abercrombie, Mizuguchi, Kawasaki, George and Carroll.

By unanimous consent, S.C.R. No. 37 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 38), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S UNITED STATES CONGRESSIONAL DELEGATION TO STUDY THE IMPACT AND PROBLEMS CREATED BY HIGH INTEREST RATES AND TO INTRODUCE CORRECTIVE LEGISLATION TO LOWER INTEREST RATES", was jointly offered by Senators Hara, Carpenter, George, Cayetano, Ushijima, Cobb, Toyofuku, Young, Yamasaki, Kawasaki, Chong, Soares, Abercrombie, Ajifu, Campbell, Yim, Saiki, Kuroda and Machida.

By unanimous consent, S.C.R. No. 38 was referred to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. No. 167 to 174) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 167), entitled: "SENATE RESOLUTION REQUESTING INSTALLATION OF A COOLING AND HOLDING FACILITY FOR FARM PRODUCTS IN KONA, HAWAII", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 167 was referred to the Committee on Agriculture.

A resolution (S.R. No. 168), entitled: "SENATE RESOLUTION REQUESTING AN EXAMINATION OF THE FEASIBILITY OF INSTALLING A FUMIGATION CHAMBER TO PROCESS FARM PRODUCTS IN KONA, HAWAII", was jointly offered by Senators Machida, Hara and Yamasaki.

By unanimous consent, S.R. No. 168 was referred to the Committee on Agriculture.

A resolution (S.R. No. 169), entitled: "SENATE RESOLUTION CONGRATULATING THE WAIPAHU HIGH SCHOOL VARSITY BASKETBALL TEAM, 1980 OIA AND WESTERN DIVISION CHAMPIONSHIP", was jointly offered by Senators Young, Mizuguchi, Kuroda, Cayetano, Cobb,

Soares, Ajifu, Yee, Chong, Hara, Kawasaki, Yamasaki, Carroll, Campbell, Abercrombie, Carpenter, Ushijima, George, Wong, Toyofuku, Saiki, Anderson, Machida, O'Connor and Yim.

On motion by Senator Young, seconded by Senator Mizuguchi and carried, S.R. No. 169 was adopted.

A resolution (S.R. No. 170), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF IMPLEMENTING A HIGH SCHOOL LEGISLATIVE INTERNSHIP PROGRAM", was jointly offered by Senators Campbell, Chong, Young, Yamasaki, Carpenter, Machida, Abercrombie, Mizuguchi, Kawasaki and George.

By unanimous consent, S.R. No. 170 was referred to the Committee on Education.

A resolution (S.R. No. 171), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE STATE'S SCHOOL BUS CONTRACTS", was jointly offered by Senators Campbell, Young, Carpenter, Cobb, George, Kuroda, Abercrombie, Machida, Cayetano and Saiki.

By unanimous consent, S.R. No. 171 was referred to the Committee on Education, then to the Committee on Legislative Management.

A resolution (S.R. No. 172), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RE-EVALUATE THE PRESENTATION OF STANDARDIZED TESTS TO PARENTS", was jointly offered by Senators Campbell, Carpenter, Cobb, Abercrombie, Machida, Cayetano, Kuroda, George and Saiki.

By unanimous consent, S.R. No. 172 was referred to the Committee on Education.

A resolution (S.R. No. 173), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON COMPUTER EDUCATION", was jointly offered by Senators Campbell, Young, Carpenter, Cobb, Abercrombie, Machida, Cayetano, Kuroda and George.

By unanimous consent, S.R. No. 173 was referred to the Committee on Education.

A resolution (S.R. No. 174), entitled: "SENATE RESOLUTION REQUESTING HAWAII'S UNITED STATES CONGRESSIONAL DELEGATION TO STUDY THE IMPACT AND PROBLEMS CREATED BY HIGH INTEREST RATES AND TO INTRODUCE CORRECTIVE LEGISLATION TO LOWER INTEREST

RATES", was jointly offered by Senators Hara, Carpenter, George, Cayetano, Ushijima, Cobb, Toyofuku, Young, Yamasaki, Kawasaki, Chong, Soares, Abercrombie, Ajifu, Campbell, Yim, Saiki, Kuroda, Machida and Carroll.

By unanimous consent, S.R. No. 174 was referred to the Committee on Economic Development.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 709-80) informing the Senate that Senate Concurrent Resolution No. 34, Senate Resolution No. 166 and Standing Committee Report Nos. 497-80 to 708-80 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.

ORDER OF THE DAY

MATTER DEFERRED FROM MARCH 10, 1980

Senate Bill No. 1115, S.D. 2, H.D. 2 (Hse. Com. No. 107):

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. 115, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES".

SECOND READING

Senate Bill No. 1574, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 1574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC WAR MEMORIAL SYSTEM", passed Second Reading.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Wednesday, March 12, 1980.

THIRTY-FIFTH DAY

Wednesday, March 12, 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 Bishop Yoshiaki Fujitani of the Honpa Hongwanji Mission of Hawaii, State Headquarters, after which the Roll was called showing all Senators present.

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

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

Senator Anderson introduced fifty members of the Areawide Horizons Senior Citizens Club from Haleiwa.

Senator Kuroda introduced Mr. and Mrs. Sid Smith from Santa Barbara, California, who were accompanied by Mrs. Francis Ordenstein. Mr. Smith is a former Governor of the Kiwanis Club for the California-Nevada-Hawaii District.

Senator Yee then introduced 25 members of the senior class at St. Louis High School, with their teacher, Mr. Rod Santos.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 104), transmitting the State's C.I.P. Status Report - Construction Summary, which was prepared by the Department of Planning and Economic Development, was read by the Clerk and was referred to the Committee on Ways and Means.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Director, Department of Regulatory Agencies, (Dept. Com. No. 21), acknowledging receipt of a copy of Senate Resolution No. 54, S.D. 1, (1980), was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 126 to 247) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 126), transmitting House Bill No. 273, H.D. 2, which passed Third Reading in the House

of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 273, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RENTER'S INCOME TAX CREDIT", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 127), transmitting House Bill No. 521, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 521, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMOKING", passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Government Operations and Efficiency.

A communication from the House (Hse. Com. 128), transmitting House Bill No. 1784-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1784-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed First Reading by title and was referred jointly to the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 129), transmitting House Bill No. 1811-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1811-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 130), transmitting House Bill No. 1873-80 which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1873-80, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES",

passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 131), transmitting House Bill No. 1875-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1875-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HORIZONTAL PROPERTY REGIME", passed First Reading by title and was referred jointly to the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 132), transmitting House Bill No. 1947-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1947-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS", passed First Reading by title and was referred to the Committee on Public Utilities, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 133), transmitting House Bill No. 1964-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1964-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEE COMPENSATION LAW", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 134), transmitting House Bill No. 1965-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1965-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO GOVERNMENT", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House

(Hse. Com. No. 135), transmitting House Bill No. 1987-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1987-80, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM SECURITIES ACT (MODIFIED)", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 136), transmitting House Bill No. 1991-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1991-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 137), transmitting House Bill No. 1992-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1992-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES", passed first Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 138), transmitting House Bill No. 2035-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2035-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 139), transmitting House Bill No. 2053-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2053-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE JUDICIARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 140), transmitting House Bill No. 2063-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2063-80, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 141), transmitting House Bill No. 2093-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2093-80, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 142), transmitting House Bill No. 2128-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2128-80, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 143), transmitting House Bill No. 2177-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2177-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES", passed First Reading by title and was referred jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 144), transmitting House Bill No. 2178-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980,

was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2178-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF FEES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 145), transmitting House Bill No. 2185-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2185-80, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE OFFICE OF THE ASSISTANT REGISTRAR OF THE LAND COURT IN THE STATE BUREAU OF CONVEYANCES", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 146), transmitting House Bill No. 2188-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2188-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 147), transmitting House Bill No. 2218-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2218-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 148), transmitting House Bill No. 2262-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2262-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse.

Com. No. 149), transmitting House Bill No. 2297-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2297-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, TECHNICAL, AND VOCATIONAL SCHOOLS", passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 150), transmitting House Bill No. 2328-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2328-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 151), transmitting House Bill No. 2368-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2368-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRICING IN SUPPLYING LIQUOR", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 152), transmitting House Bill No. 2410-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2410-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED AND DERELICT VEHICLES", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 153), transmitting House Bill No. 2428-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2428-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VESSELS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 154), transmitting House Bill No. 2443-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2443-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 155), transmitting House Bill No. 2458-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2458-80, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 156), transmitting House Bill No. 2472-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2472-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 157), transmitting House Bill No. 2535-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2535-80, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE BY FUEL IMPORTERS, MANUFACTURERS, DISTRIBUTORS, AND EXPORTERS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 158), transmitting House Bill No. 2537-80, H.D. 1, which passed

Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2537-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVICTION", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 159), transmitting House Bill No. 2551-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2551-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 160), transmitting House Bill No. 2572-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2572-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEST CONTROL OPERATORS LAW", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 161), transmitting House Bill No. 2625-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2625-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 162), transmitting House Bill No. 2660-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2660-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed First Reading by title and was

referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 163), transmitting House Bill No. 2733-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2733-80, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 164), transmitting House Bill No. 2773-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2773-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 165), transmitting House Bill No. 2809-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2809-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDUCT OF ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 166), transmitting House Bill No. 2822-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2822-80, H.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT ACTIVITIES REVOLVING FUND", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 167), transmitting House Bill No. 2850-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2850-80, entitled: "A BILL

FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 168), transmitting House Bill No. 2889-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2889-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZING COMPENSATION OF WITNESSES BY THE DIRECTOR OF THE OFFICE OF CONSUMER PROTECTION", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 169), transmitting House Bill No. 2944-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2944-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 170), transmitting House Bill No. 3047-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3047-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 171), transmitting House Bill No. 1782-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1782-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY", passed First Reading by title and was referred to the Committee on Housing and Hawaiian

Homes, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 172), transmitting House Bill No. 1807-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1807-80, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION EMPLOYMENT PROGRAMS", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 173), transmitting House Bill No. 1813-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1813-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 174), transmitting House Bill No. 1945-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1945-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 175), transmitting House Bill No. 1985-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1985-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 176), returning Senate Bill No. 2134-80, which passed Third Reading in the House of Representatives on March 10, 1980, in an amended form, was placed on file.

By unanimous action on S.B. No. 2134-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", was deferred until Thursday, March 13, 1980.

A communication from the House (Hse. Com. No. 177), transmitting House Bill No. 2163-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2163-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 178), transmitting House Bill No. 2219-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2219-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 179), transmitting House Bill No. 2226-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2226-80, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 180), transmitting House Bill No. 2322-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2322-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PRIVATE DETECTIVES AND GUARDS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 181), transmitting House Bill No. 2454-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2454-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISION POLLUTION

CONTROL BONDS", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 182), transmitting House Bill No. 2540-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2540-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 183), transmitting House Bill No. 2555-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2555-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEALERS OF SOLAR ENERGY DEVICES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 184), transmitting House Bill No. 2558-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2558-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 185), transmitting House Bill No. 2589-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 186), transmitting House Bill No. 2590-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator Anderson and carried, H.B. No. 2590-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", passed First Reading by title and was referred to the Committee on Government Operations and Efficiency, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 187), transmitting House Bill No. 2666-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2666-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 188), transmitting House Bill No. 2668-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2668-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION AND PRACTICE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 189), transmitting House Bill No. 2732-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2732-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 190), transmitting House Bill No. 2810-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2810-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 191), transmitting House Bill No. 3046-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3046-80, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATE OF REGISTRATION; CERTIFICATE OF OWNERSHIP; CONTAINERS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 192), transmitting House Bill No. 1775-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1775-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 193), transmitting House Bill No. 1777-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1777-80, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLAN AND EXECUTIVE BUDGET", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 194), transmitting House Bill No. 1957-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1957-80, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF CIVIL SERVICE ELIGIBLES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 195), transmitting House Bill No. 1958-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried,

H.B. No. 1958-80, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF SICK LEAVE CREDITS WITH WORKERS' COMPENSATION BENEFITS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 196), transmitting House Bill No. 1997-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1997-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SOCIAL SERVICES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 197), transmitting House Bill No. 2059-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2059-80, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 198), transmitting House Bill No. 2073-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2073-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 199), transmitting House Bill No. 2173-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2173-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PROGRAM VIOLATIONS AND PENALTIES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

A communication from the House

(Hse. Com. No. 200), transmitting House Bill No. 2191-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2191-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNERSHIP AND POSSESSION OF FIREARMS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 201), transmitting House Bill No. 2224-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2224-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 202), transmitting House Bill No. 2286-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2286-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 203), transmitting House Bill No. 2318-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2318-80, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 204), transmitting House Bill No. 2319-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2319-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF VETERINARY EXAMINERS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 205), transmitting House Bill No. 2362-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2362-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 206), transmitting House Bill No. 2388-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2388-80, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT SCHOOL ADVISORY COUNCILS", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 207), transmitting House Bill No. 2418-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2418-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PRODUCTION FACILITIES IN AGRICULTURE DISTRICTS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 208), transmitting House Bill No. 2533-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 209), transmitting House Bill No. 2577-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2577-80, entitled: "A BILL

FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 210), transmitting House Bill No. 2646-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2646-80, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 211), transmitting House Bill No. 2661-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2661-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 212), transmitting House Bill No. 2669-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2669-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 213), transmitting House Bill No. 2680-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2680-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 214), transmitting House Bill No. 2712-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator Anderson and carried, H.B. No. 2712-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF TEACHERS", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 215), transmitting House Bill No. 2795-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2795-80, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 216), transmitting House Bill No. 2816-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2816-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 217), transmitting House Bill No. 2842-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2842-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH AND GAME", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 218), transmitting House Bill No. 2845-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2845-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 219), transmitting House Bill No. 2870-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2870-80, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLDS", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 220), transmitting House Bill No. 2929-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2929-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 221), transmitting House Bill No. 3048-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3048-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 222), transmitting House Bill No. 721, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER TRANSACTIONS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 223), transmitting House Bill No. 1685, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1685, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 224), transmitting House Bill No. 1787-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1787-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE HANDICAPPED", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 225), transmitting House Bill No. 1826-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1826-80, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 226), transmitting House Bill No. 1925-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1925-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 227), transmitting House Bill No. 1982-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1982-80, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF PUBLIC LANDS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 228), transmitting House Bill No. 2051-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2051-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CODE OF ETHICS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 229), transmitting House Bill No. 2168-80, H.D. 1, which

passed Third Reading in the House of Representatives on March 11, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2168-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 230), transmitting House Bill No. 2175-80, which passed Third Reading in the House of Representatives on March 11, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2175-80, entitled: "A BILL FOR AN ACT RELATING TO NAMES", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 231), transmitting House Bill No. 2225-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2225-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COSTS AND FEES", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 232), transmitting House Bill No. 2321-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2321-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 233), transmitting House Bill No. 2339-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2339-80, entitled: "A BILL FOR AN ACT RELATING TO PORT PILOTS", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse.

Com. No. 234), transmitting House Bill No. 2367-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2367-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 235), transmitting House Bill No. 2372-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2372-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SELECTIVE EMPLOYMENT AND THE CIVIL SERVICE", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 236), transmitting House Bill No. 2448-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2448-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ABUSE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 237), transmitting House Bill No. 2487-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2487-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 238), transmitting House Bill No. 2629-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2629-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

HOUSING", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 239), transmitting House Bill No. 2674-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2674-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES AND DEFENSES AND SPECIAL PROCEEDINGS, LIMITATION OF ACTION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 240), transmitting House Bill No. 2711-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2711-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 241), transmitting House Bill No. 2789-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2789-80, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 242), transmitting House Bill No. 2826-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2826-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF DOG OWNERS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 243), transmitting House Bill No. 2874-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2874-80, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed First Reading by title and was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Human Resources.

A communication from the House (Hse. Com. No. 244), transmitting House Bill No. 2892-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2892-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 245), transmitting House Bill No. 2930-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2930-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 246), transmitting House Bill No. 3045-80, which passed Third Reading in the House of Representatives on March 11, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3045-80, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 247), transmitting House Bill No. 2196-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2196-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION", passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Transportation, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 39), entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO ESTABLISH MANDATORY CREDIT CONTROLS FOR FINANCIAL INSTITUTIONS", was offered by Senator Yee and was read by the Clerk.

By unanimous consent, S.C.R. No. 39 was referred to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 175 to 178) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 175), entitled: "SENATE RESOLUTION URGING CONGRESS TO ESTABLISH MANDATORY CREDIT CONTROLS FOR FINANCIAL INSTITUTIONS", was offered by Senator Yee.

By unanimous consent, S.R. No. 175 was referred to the Committee on Economic Development.

A resolution (S.R. No. 176), entitled: "SENATE RESOLUTION URGING CONGRESS AND THE PRESIDENT TO IMPLEMENT MANDATORY WAGE AND PRICE CONTROLS", was jointly offered by Senators Yee, Kawasaki, Ajifu, Saiki and Carroll.

By unanimous consent, S.R. No. 176 was referred to the Committee on Economic Development.

A resolution (S.R. No. 177), entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON THE NEW FUEL OIL SUPPLY CONTRACTS FOR VARIOUS OAHU ELECTRIC GENERATING PLANTS", was jointly offered by Senators Chong and Yim.

By unanimous consent, S.R. No. 177 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 178), entitled: "SENATE RESOLUTION CONGRATULATING ROOSEVELT HIGH SCHOOL ON ITS 50TH ANNIVERSARY", was jointly offered by Senators Chong, Carroll, George, Yamasaki, Hara, Anderson, Carpenter, Cobb, Ajifu, Cayetano, Machida, Saiki, Toyofuku, Wong, Soares, Campbell, Kawasaki, Kuroda, Yim, Young, Ushijima, Mizuguchi, Yee, O'Connor and Abercrombie.

On motion by Senator Chong, seconded by Senator Carroll and carried, S.R. No. 178 was adopted.

Senator Chong then introduced to the members of the Senate a group from Roosevelt High School as follows: Student Body

officers, Linda Fukuya, President; Linda Chow, 1st Vice President; Shari Fukuya, 2nd Vice President; LeeAnn Hashimoto, Secretary; Judy Morita, Speaker; Mrs. Esther Kau, Principal of Roosevelt High School; and Mr. Gary Griffith, Advisor.

Senator Chong then presented certified copies of the resolution to members of the group.

At 11:25 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:29 o'clock a.m.

Senator Carroll then introduced to the members of the Senate a group of four ladies--Mazie Wiel, Freida Wiel, Becky Nelson and Florabelle Nelson--who are visiting from San Francisco, California.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 710-80) informing the Senate that Senate Concurrent Resolution Nos. 35 to 38 and Senate Resolution Nos. 167 to 174 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.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 2938-80:

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

Ayes, 25. Noes, none.

At 11:31 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:32 o'clock a.m.

Senate Bill No. 2097-80:

On motion by Senator Abercrombie, seconded by Senator Chong and carried, S.B. No. 2097-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF COSMETOLOGY", having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2001-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2001-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SOCIAL SERVICES", was recommitted to the Committee on Human Resources.

Senate Bill No. 2008-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2008-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEE COMPENSATION LAW", was recommitted to the Committee on Human Resources.

Senate Bill No. 2013-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2013-80, entitled: "A BILL FOR AN ACT RELATING TO VACATION OF PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2115-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2115-80, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS", was recommitted to the Committee on Human Resources.

Senate Bill No. 2174-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2174-80, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", was recommitted to the Committee on Human Resources.

Senate Bill No. 2324-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2324-80, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", was recommitted to the Committee on Human Resources.

Senate Bill No. 2015-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2015-80, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF CIVIL SERVICE ELIGIBLES", was recommitted to the Committee on Human

Resources.

Senate Bill No. 2676-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2676-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2191-80:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 2191-80, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 22. Noes, 2 (Anderson and Hara). Excused, 1 (Yim).

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

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

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

Senate Bill No. 2357-80, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2357-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE INSURANCE ADMINISTRATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 511-80 (S.B. No. 2559-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 511-80 and S.B. No. 2559-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", were recommitted to the Committee on Ways and Means.

At 11:36 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.

Senate Bill No. 2359-80, S.D. 1:

Senator Cayetano moved that S.B. No. 2359-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Chong then inquired if the Chairman of the Committee on Ways and Means would yield to a question to which Senator Cayetano replied in the affirmative.

Senator Chong then proceeded: "Mr. President, I'm just concerned that disaster relief generally is handled by our Department of Defense and Civil Defense. Mr. Chairman, in the hearings that we had on this particular bill, was any portion of the disaster relief funds being earmarked for 'green harvest' operation?"

Senator Cayetano replied that the answer is "no."

The motion was then put by the Chair and carried, and S.B. No. 2359-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 513-80 (S.B. No. 1934-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 513-80 and S.B. No. 1934-80, S.D. 2, was deferred to the end of tonight's calendar.

Standing Committee Report No. 514-80 (S.B. No. 1873-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 514-80 was adopted and S.B. No. 1873-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS", having been read throughout, passed Third

Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1878-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1878-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 516-80 (S.B. No. 1870-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 516-80 was adopted and S.B. No. 1870-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 517-80 (S.B. No. 1942-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 517-80 be adopted and that S.B. No. 1942-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Campbell then spoke as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, this bill will take the public library system which is now under the direct authority of the Superintendent of Education and place it under the direct supervision of the Board of Education.

"One of the effects of this move is to increase the educational services to Hawaii's people, with special emphasis on our school children.

"On November 15-19, 1979 in Washington D.C., I was Hawaii's at-large delegate to the White House Conference on Library and Information Services. The Conference was the first national forum to address the diverse library and information

needs of people throughout the country in the light of the technological revolution that has brought the nation into the information age. Recommendations of the White House Conference related to the future of libraries and information services through the 1980's and beyond, are now being presented to President Carter.

"Hawaii occupied a unique position at the Conference, being the only state in the union where all public libraries are funded by the State. Constant reference was made to Hawaii's potential as a guidepost for the rest of the nation. If we pass this measure today, it will put us in a better position to exercise that kind of leadership. I urge support of this bill.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 517-80 was adopted and S.B. No. 1942-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LIBRARY SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 518-80 (S.B. No. 2869-80, S.D. 3):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 518-80 was adopted and S.B. No. 2869-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 519-80 (S.B. No. 1945-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 519-80 be adopted and S.B. No. 1945-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carroll then spoke as follows:

"Mr. President, I'd like to make just one comment on this bill. At this point, we still do not have protection for solar access in this state. The matter sits in the Judiciary Committee and we have not had hearings on it this year.

"I will vote 'aye' on this measure, but I think we must continue to pay attention to this, and hopefully, we'll all be back here next year to do something realistic about the troublesome aspect of this

measure. Thank you."

Senator Abercrombie then stated that he would like the remarks of the previous speaker incorporated into the Journal as his.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 519-80 was adopted and S.B. No. 1945-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY WATER HEATING SYSTEMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson).
Excused, 1 (Yim).

Standing Committee Report No. 520-80 (S.B. No. 3119-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 520-80 was adopted and S.B. No. 3119-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF ADULT EDUCATION SPECIAL FUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2473-80:

On motion by Senaor Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2473-80, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE BUDGET ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 522-80 (S.B. No. 1893-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 522-80 and S.B. No. 1893-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES", were recommitted to the Committee on Ways and Means.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 o'clock p.m.

Standing Committee Report No. 523-80 (S.B. No. 2295-80):

Senator Cayetano moved that Stand. Com. Rep. No. 523-80 be adopted and S.B. No. 2295-80, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kawasaki then spoke for the measure as follows:

"Mr. President, I just want to note for the Senate Journal that with the passage of this bill in this body, the State Senate of the State of Hawaii enjoys the distinction of being the first senate in the entire country to have the foresight to give flexibility to the trustees of their employees' pension fund, flexibility of investing in precious metals contracts as well as bullions.

"The Governor of the State of Alaska has introduced such a measure in the Alaska legislature, and the legislatures of California and Nevada and several other states are also contemplating passage of such legislation. Recently the Congress of the United States passed the law making it possible for pension funds to invest in precious metals.

"Now, with the passage of this bill in this body it doesn't mean we're advocating that the trustees of the Retirement System go on out and buy silver bullions or gold bullions or platinum contracts. It just gives the Retirement System's trustees the flexibility of diversifying their portfolio. Had they been able to do this legally a decade ago when I recommended that they diversify a portion of their portfolio into precious metals (at that time gold was \$35 an ounce, and silver was \$1.29 an ounce; subsequently, gold has gone up to \$850 an ounce and silver to almost \$50 an ounce), can you imagine benefits accruing to the Retirement System's members today!

"This bill gives them the flexibility, and I do believe we're the first state to pass enabling legislation of this sort. Thank you."

Senator Chong then spoke against the measure as follows:

"Mr. President, I have a few comments to make. I'm just worried; I signed this committee report 'I do not concur' and with deference to the previous speaker, I think that we have the responsibility to make sure that the controls on our State Employee Retirement System Fund are still there.

"I realize the intent of this bill is to make things more flexible for the trustees; however, I think that prudent management

of an employee retirement fund requires that restrictive and more conservative investment methods be used as policy. I realize that gold bullion has gone up from \$35 to well over, close to \$800-\$900 an ounce today. I don't think, however, that it is guaranteed that this kind of a price rise will continue.

"I also don't think that the Retirement System should be subject to the vagaries of the commodities market in precious metals. I say this as a former portfolio analyst with Merrill-Lynch, and I just feel very uncomfortable about allowing this kind of flexibility to the Retirement System. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 523-80 was adopted and S.B. No. 2295-80, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Carroll, Chong and Ushijima). Excused, 1 (Yim).

Standing Committee Report No. 524-80 (S.B. No. 2794-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 524-80 and S.B. No. 2794-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT ACTIVITY FEES AND REVENUES OF CHARTERED STUDENT ORGANIZATIONS OF THE UNIVERSITY OF HAWAII SYSTEM", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 525-80 (S.B. No. 2882-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 525-80 and S.B. No. 2882-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 526-80 (S.B. No. 2457-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 526-80 was adopted and S.B. No. 2457-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOGS: LICENSES AND REGULATIONS; LICENSE FEE CONTROLLED BY ORDINANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 527-80 (S.B. No. 2219-80, S.D. 1):

Senator Cayetano moved that Stand. Com. Rep. No. 527-80 be adopted and S.B. No. 2219-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator O'Connor spoke in favor of the measure with reservations, as follows:

"Mr. President, I'm going to vote in favor of this bill as it is mandated by the Constitution, but it bothers me as one who has sloughed back and forth to the tax office that we are divesting the State of the ability to keep tax maps, particularly in Honolulu, in a central location for the entire state, and we are divesting the state of those tax map responsibilities and placing them in the counties.

"I don't read the Constitution to mandate that, and I'll tell you that it's going to quadruple expenses of attorneys and many other people in this State, and make a tremendously increased cost in order to have people fly from island to island to determine information on tax maps and tax map keys if they are localized only in the various counties and without a central state office.

"With that reservation, Mr. President, I am going to vote in favor of the bill. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 527-80 was adopted and S.B. No. 2219-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALL FUNCTIONS, POWERS AND DUTIES INVOLVING THE TAXATION OF REAL PROPERTY TO THE COUNTIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 528-80 (S.B. No. 2071-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 528-80 be adopted and S.B. No. 2071-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Chong spoke in opposition to the measure as follows:

"Mr. President, I'm voting 'no' on this particular bill. With all due respect to the Chairman of the Committee and the

committee report, I feel that by increasing the claims to \$1,000, it makes it actually more difficult for the type of person likely to get into this kind of a situation, a small consumer, to get his due redress.

"The reason for that is that this will encourage people who are on the other side of the picture who are trying to get their small claims back to hire, if not a lawyer, then some kind of a specialist, to go down to the court to contest it. This kind of contesting generally is not done by the small consumer, and I think for that reason, this bill will generally go against the small consumer who may well require a just decision on his claim.

"Thank you, Mr. President."

Senator Cayetano then spoke for the measure:

"Mr. President, the point made by the previous speaker is well taken; however, that sword cuts both ways.

"Small claims courts really act as courts of equity and the judges are quite open, I think, to equitable consideration in small claims courts. Now this may cause some loss of income to attorneys but with the cost of inflation or the impact of inflation on debt today, I do not see this as being an inequitable bill."

Senator Carroll spoke for the bill as follows:

"Mr. President, I think that contrary to what my learned colleague from Manoa has indicated, this bill very much helps the little guy.

"When a person goes to small claims court with a claim, he goes there almost as people did since the time when we first had courts. They appear before this judge who looks at all of the equities as well as the law to learn what really happened in the case. In my practice of law, I have yet to run across a person coming out of small claims court who has really been terribly distressed or terribly upset, or in effect, badly handled by the judge in a small claims court.

"I think some of us have had concerns about raising the limit because of the legal, technical problems that might be run into there, but I think that the opposite has occurred. I think we hear a lot of bad things about our judiciary, but this is one area where I think they are doing a fine job. I am quite happy to raise this limit to \$1,000 and urge that all vote 'aye'

on the bill. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 528-80 was adopted and S.B. No. 2071-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Chong, Hara and Ushijima). Excused, 1 (Yim).

Standing Committee Report No. 529-80 (S.B. No. 3108-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 529-80 and S.B. No. 3108-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 530-80 (S.B. No. 2536-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 530-80 was adopted and S.B. No. 2536-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 531-80 (S.B. No. 2274-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 531-80 and S.B. No. 2274-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", were recommitted to the Committee on Ways and Means.

At 12:12 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.

Standing Committee Report No. 532-80 (S.B. No. 2654-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 532-80 was adopted and S.B. No. 2654-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 533-80 (S.B. No. 1995-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 533-80 and S.B. No. 1995-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MESSAGE", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 534-80 (S.B. No. 2600-80):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 534-80 was adopted and S.B. No. 2600-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2220-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2220-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 536-80 (S.B. No. 2355-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 536-80 was adopted and S.B. No. 2355-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 537-80 (S.B. No. 2557-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 537-80 was adopted and S.B. No. 2557-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING AND LOAN PROGRAMS, CHAPTER 356, HAWAII REVISED STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 538-80 (S.B. No. 744, S.D. 3):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 538-80 was adopted and S.B. No. 744, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 539-80 (S.B. No. 1982-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 539-80 was adopted and S.B. No. 1982-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 540-80 (S.B. No. 2914-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 540-80 was adopted and S.B. No. 2914-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson). Excused, 1 (Yim).

Senate Bill No. 2163-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2163-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2660-80:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2660-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", having been read throughout, passed Third Reading on the following showing of

Ayes and Noes:

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

Standing Committee Report No. 543-80 (S.B. No. 2693-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 543-80 and S.B. No. 2693-80, S.D. 2, was deferred to the end of tonight's calendar.

Senate Bill No. 1973-80:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1973-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION, TO PERMIT THE SENATE TO CONVENE ITSELF INTO A SPECIAL SESSION", having been read throughout, passed Third 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 (Yim).

Standing Committee Report No. 545-80 (S.B. No. 2673-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 545-80 was adopted and S.B. No. 2673-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

Senator O'Connor moved that S.B. No. 3003-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Chong spoke in opposition to the measure as follows:

"Mr. President, I think that in many cases the 18-month limitation for medical malpractice cases should not hold. I don't want to get into a long discussion; this has been going on year after year.

"I just don't believe it is in the public interest for us to pass this kind of a bill, primarily because those persons who would like to get redress of certain types of medical malpractice should have the full range of options open to them. I will vote 'no' on this bill."

The motion was put by the Chair and carried, and S.B. No. 3003-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Chong and Kawasaki). Excused, 1 (Yim).

Senate Bill No. 118, S.D. 2:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 118, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND OCCUPATIONAL BOARDS AND COMMISSIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1519, S.D. 1:

By unanimous consent, action on S.B. No. 1519, S.D. 1, was deferred to the end of tonight's calendar.

Senate Bill No. 1992-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1992-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARKS, PRINTS, LABELS, AND TRADE NAMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2069-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2069-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hara and Ushijima). Excused, 1 (Yim).

Senate Bill No. 1084, S.D. 2:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 1084, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 9 and 10) were read by the Clerk and were disposed of as follows:

A communication from Warren G. Magnuson, President pro tempore, U.S. Senate, (Misc. Com. No. 9) acknowledging receipt of a copy of Senate Resolution No. 146 (1980), was placed on file.

A communication from Roger Thompson, Secretary of the Senate, State of New York, (Misc. Com. No. 10), acknowledging receipt of Senate Concurrent Resolution No. 1 (1980), was placed on file.

At 12:20 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 7:00 o'clock p.m., this evening.

NIGHT SESSION

At 7:50 o'clock p.m., the Senate reconvened with all Senators present with the exception of Senator Kawasaki who was excused.

THIRD READING

Standing Committee Report No. 551-80 (S.B. No. 2070-80):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 551-80 was adopted and S.B. No. 2070-80, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2091-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2091-80, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2092-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2092-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCIES BOARD", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2093-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2093-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (George). Excused, 1 (Kawasaki).

Senate Bill No. 2094-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2094-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF VETERINARY EXAMINERS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2095-80, S.D. 1:

Senator Cobb moved that S.B. No. 2095-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Soares then asked for a ruling of the Chair on a possible conflict of interest as he is the Director of Marketing for an airline.

The Chair ruled that there was no conflict and Senator Soares was not excused from voting.

The motion was put by the Chair and carried, and S.B. No. 2095-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2096-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2096-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PRIVATE DETECTIVES AND GUARDS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2407-80, S.D. 1:

By unanimous consent, action on S.B. No. 2407-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2489-80, S.D. 1:

On motion by Senator Cobb, seconded

by Senator Chong and carried, S.B. No. 2489-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", was recommitted to the Committee on Consumer Protection and Commerce.

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

By unanimous consent, action on S.B. No. 2514-80, S.D. 1, was deferred to the end of the calendar.

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

Senate Bill No. 2515-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2515-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CON-TRACTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2517-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2517-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson and Toyofuku).

Senate Bill No. 2520-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2520-80, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2674-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2674-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2681-80, S.D. 1:

On motion by Senator Cobb, seconded

by Senator Chong and carried, S.B. No. 2681-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND SURVEYORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson and Hara).

Standing Committee Report No. 566-80 (S.B. No. 2863-80):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 566-80 and S.B. No. 2863-80, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", were recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2898-80:

By unanimous consent, action on S.B. No. 2898-80 was deferred to the end of the calendar.

Senate Bill No. 3131-80, S.D. 2:

On motion by Senator Soares, seconded by Senator Abercrombie and carried, S.B. No. 3131-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTUARIES AND FUNERALS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 571, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 8:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:25 o'clock p.m.

Senate Bill No. 2111-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2111-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2127-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2127-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", was recommitted to the Committee on Human Resources.

Senate Bill No. 2194-80, S.D. 1:

Senator Toyofuku moved that S.B. No. 2194-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

Senator Carroll then spoke against the measure as follows:

"Mr. President, I rise to speak against the bill primarily because I believe that while it is the vogue or the thing to do this year to fine-tune the so-called essential employee provisions, it's my belief that to ask union workers to cross their own picket lines is to ask virtually the impossible.

"I think that we are doing a foolish thing to move in this area. I think we need to look at this with far closer and perhaps more courageous vision than we have up until now.

"I know this is a sensitive subject matter, and it's one that people don't like to talk about. But I think that it is one that has got to be addressed.

"We have a history of people being unwilling to answer the injunction of the court, to listen to the court order. We've had laws which potentially are enforceable and yet they are not enforced. I think that the defect in these laws is that we attempt to pass laws in an idealistic framework without really understanding what the net impact on the individuals who are affected by the laws is.

"I think that for us to work in this area, while the basic intent is excellent, is really to not understand the nature of labor movement. For that reason, I am voting 'no.'"

Senator Yamasaki spoke in opposition to the measure as follows:

"Mr. President, I signed this committee report 'with reservations' and I'm voting against the bill because there is a section in the bill which provides that there is an almost total exclusion of the Little Norris-LaGuardia Act, which allows private employees certain things.

"There is exclusion for public employees, and for this reason, I feel that public employees should be given equal treatment, equal rights as private

employees although we have acknowledged the fact that they have the right to strike.

"Although we believe that there is a strong feeling about the need to change the laws on essential employees, I think that there is an overriding fact that we ought to give the same protection that is accorded private employees under this Little Hawaii Norris-LaGuardia Act. Thank you, Mr. President."

At 8:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:29 o'clock p.m.

Senator Toyofuku then spoke for the measure as follows:

"Mr. President, in reference to my colleague's statement on this bill here, Chapter 380 is the Little Norris-LaGuardia Act, and the original bill called for non-compliance with that particular chapter, disregarding Chapter 380. If you look at that bill, we included compliance with Chapter 380 and we merely provided here that 'the right to a jury trial shall not apply to any proceeding brought under this section', which is the injunction section."

Senator Chong then inquired if the previous speaker would yield to a question, to which Senator Toyofuku replied that he would.

Senator Chong then asked: "Can you please explain why you removed the right to a jury trial? I guess that's the major crux of this."

Senator Toyofuku replied: "Well, because it was felt that the right to a jury trial should not be provided in the injunction suit."

The motion was then put by the Chair and carried, and S.B. No. 2194-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Carroll, Yamasaki and Young).

Senate Bill No. 2204-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2204-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF FEES", was recommitted to the Committee on Human Resources.

Senate Bill No. 2225-80:

Senator Toyofuku moved that S.B.

No. 2225-80, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

Senator O'Connor then asked for a ruling of the Chair on a possible conflict of interest as follows:

"Mr. President, I would ask for a ruling of the Chair on a possible conflict of interest because as an attorney, I represent physicians and hospitals and serve on the Board of Directors of the Kapiolani-Children's Medical Center."

The Chair ruled that there was no conflict of interest and Senator O'Connor was allowed to vote on the measure.

Senator George then asked for a ruling of the Chair on a possible conflict of interest as she serves as a member of the Board of Directors of the Hawaii Medical Service Association.

The Chair ruled that there was no conflict of interest and Senator George was allowed to vote on the measure.

The motion was put by the Chair and carried, and S.B. No. 2225-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2237-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2237-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASES AND CONTRACTS", was recommitted to the Committee on Human Resources.

Senate Bill No. 2286-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2286-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PROGRAMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2956-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2956-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF EMPLOYEES

IN THE MILK CONTROL DIVISION, DEPARTMENT OF AGRICULTURE, TO CIVIL SERVICE STATUS", was recommitted to the Committee on Human Resources.

Senate Bill No. 2987-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2987-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3026-80, S.D. 1:

By unanimous consent, action on S.B. No. 3026-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 580-80 (S.B. No. 1851-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 580-80 be adopted and S.B. No. 1851-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator O'Connor spoke in favor of the bill as follows:

"Mr. President, the matter of the juvenile justice system has been debated in this jurisdiction since the early 1970's, and it has been debated at length without any formulation or any firm plan established. As a result, the components of this system have been allowed to fall into disrepair and have not had firm direction from the legislature in the areas which they should have jurisdiction.

"This year your Senate has pulled together those various components of that system and in this measure, has established a juvenile justice system for the State of Hawaii which we believe will firmly pull together all of those different matters and factors which deal with our juvenile criminals and our juvenile delinquents, so as to make this state one which copes with children, punishes them and deals with them toward rehabilitation, as opposed to other states and ourselves in the past, who have allowed many children to drift aimlessly without any guidance, without any rehabilitative measures and in fact without punishment.

"This bill pulls together the police departments of the various counties; a new agency called the Intake Agency; amends the Family Court Act in part to direct the Family Court to deal more stringently in some instances with juveniles and yet more fairly in other instances

with juveniles who are but status offenders.

"It also deals with our corrective system which was allowed to fall into disrepair and establishes in the corrective system those programs which we feel shall lead to curbing juvenile delinquency. And it works with shelter homes in the community, establishing the concept of shelter homes for the diversion of juveniles at certain instances in this overall system.

"Mr. President, it's time that we had a system; this bill is a first step toward a system that we hope will make Hawaii one state which can deal with its juvenile crime problem.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 580-80 was adopted and S.B. No. 1851-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 581-80 (S.B. No. 2027-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 581-80 and S.B. No. 2027-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 582-80 (S.B. No. 2172-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 582-80 and S.B. No. 2172-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 583-80 (S.B. No. 2193-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 583-80 and S.B. No. 2193-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 584-80 (S.B. No. 2302-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 584-80 was adopted and S.B. No. 2302-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 585-80 (S.B. No. 2537-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 585-80 was adopted and S.B. No. 2537-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 586-80 (S.B. No. 2551-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 586-80 was adopted and S.B. No. 2551-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FORMULATION OF A STATE WATER CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1219, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1219, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISCAL NOTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2413-80, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2413-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", was recommitted to the Committee on Ways and Means.

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

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

of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2018-80, S.D. 1:

On motion by Senator Kuroda, seconded by Senator Machida and carried, S.B. No. 2018-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2798-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2798-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 592-80 (S.B. No. 2797-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 592-80 was adopted and S.B. No. 2797-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL EXPENSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 593-80 (S.B. No. 1939-80, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 593-80 and S.B. No. 1939-80, S.D. 3, was deferred to the end of the calendar.

Senate Bill No. 1979-80, S.D. 1:

On motion by Senator Machida, seconded by Senator Hara and carried, S.B. No. 1979-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Chong).

Standing Committee Report No. 595-80 (S.B. No. 2643-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 595-80 and S.B.

No. 2643-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 596-80 (S.B. No. 2977-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 596-80 was adopted and S.B. No. 2977-80, S.D. 2, 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 Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 871, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 871, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRANSPORTATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2634-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2634-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY SAVING TRANSPORTATION MODES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3074-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 3074-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATE OF REGISTRATION; CERTIFICATE OF OWNERSHIP; CONTAINERS", was recommitted to the Committee on Transportation.

Senate Bill No. 1871-80, S.D. 1:

By unanimous consent, action on S.B. No. 1871-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1872-80, S.D. 1:

By unanimous consent, action on S.B. No. 1872-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2005-80:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 2005-80, entitled: "A BILL

FOR AN ACT RELATING TO THE JUNKYARD CONTROL ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 8:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:40 o'clock p.m.

Senate Bill No. 2691-80, S.D. 1:

By unanimous consent, action on S.B. No. 2691-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 3085-80:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 3085-80, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2788-80, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 2788-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2924-80, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 2924-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PURCHASES BY STATE HOSPITALS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2267-80:

By unanimous consent, action on S.B. No. 2267-80 was deferred to the end of the calendar.

Senate Bill No. 2558-80:

On motion by Senator Young, seconded by Senator Cayetano and carried, S.B.

No. 2558-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was recommitted to the Committee on Housing and Hawaiian Homes.

Senate Bill No. 3096-80, S.D. 1:

On motion by Senator Young, seconded by Senator Cayetano and carried, S.B. No. 3096-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was recommitted to the Committee on Housing and Hawaiian Homes.

Senate Bill No. 3098-80, S.D. 1:

Senator Young moved that S.B. No. 3098-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

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

"Mr. President, I rise to speak in favor of this measure with reservations.

"In Waikiki a number of years ago, we were able to finally, through the assistance of the City Council, get a moratorium, but contrary to what we had hoped we would do, we ended up with a huge proliferation.

"I think that the benefits, the major benefit of this measure, is that it draws attention to the drastic housing shortage that we have and the need to take care of that huge percentage of people who are forced, because of the economics of living in our State, to rent. I believe that this type of a highlighting of the problem is necessary.

"I vote for this measure on that basis, but I would hasten to add that I do not think that this bill is going to do very much for these people and I think we must be moving in that direction.

"In spite of those feelings, I think that we should vote 'aye'. Thank you."

Senator O'Connor then asked for a ruling of the Chair of a possible conflict of interest as follows:

"Mr. President, this bill refers to a case in litigation, Bishop Estate versus Wai-Kahala Tract H Association. I am the attorney for the Wai-Kahala Tract H Association. We have recently beaten the Bishop Estate in local federal court and the case is now on appeal to the Ninth Circuit. I may be in a conflict there and would ask the Chair for a ruling."

The Chair ruled that Senator O'Connor was in conflict and would be excused from

voting on the measure.

The motion was put by the Chair and carried, and S.B. No. 3098-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD CONVERSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hara). Excused, 1 (O'Connor).

Standing Committee Report No. 612-80 (S.B. No. 1744, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 612-80 and S.B. No. 1744, S.D. 1, was deferred to the end of the calendar.

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

By unanimous consent, action on S.B. No. 2208-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2550-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 2550-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER USE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3019-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 3019-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PRODUCTION FACILITIES IN AGRICULTURE DISTRICTS", was recommitted to the Committee on Economic Development.

Senate Bill No. 1900-80, S.D. 1:

Senator Yim moved that S.B. No. 1900-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Chong then spoke for the measure as follows:

"Mr. President, before voting on this bill, I'd like to make several comments. One is that this particular bill which is necessary, essentially handles what is known as old capacity for sugar plantations, although it goes beyond sugar plantations. That's the major purpose of it.

"I should like to point out to this

honorable body that essentially it sets a minimal, I repeat, a minimal rate which an existing utility must pay to a non-fossil fuel generated electricity. The problem as I see it, is that it doesn't set limitation procedures or guidelines on the high side at this time. Also another problem as I see it is that it doesn't have a drop-dead clause.

"I'd just like to point out that we have some other bills in this legislature that will be tied intimately to this particular bill, and it is my hope that we do pass the other bills, primarily the revenue bond bill for utilities and our life-line rate bill further down later on this evening.

"The way it is now, this particular bill, although it will greatly encourage electrical generating capacity by non-fossil fuel generators, it does not provide immediate rate relief and is not designed to provide rate relief for consumers.

"That is why I hope that we will all seriously consider some of the other bills down the line to take them as a package especially the lifeline bill which will provide for a procedure for immediate rate relief. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1900-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Toyofuku).

Seante Bill No. 2495-80, S.D. 1:

By unanimous consent, action on S.B. No. 2495-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 618-80 (S.B. No. 1930-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 618-80 and S.B. No. 1930-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2813-80, S.D. 1:

By unanimous consent, action on S.B. No. 2813-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 620-80 (S.B. No. 1889-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 620-80 be adopted and S.B. No. 1889-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Chong then spoke as follows:

"Mr. President, I rise to speak in favor of this measure and would like my comments on this measure also to apply to Senate Bill No. 1899-80, S.D. 1 (Stand. Com. Rep. No. 621-80); Senate Bill No. 1906-80, S.D. 2 (Stand. Com. Rep. No. 622-80); and Senate Bill No. 1924-80, S.D. 1 (Stand. Com. Rep. No. 624-80).

"Mr. President, the purpose of this bill and many others like it, is to move our state towards energy self-sufficiency by providing economic incentives to the private sector. I strongly support this public policy stance of encouraging the private sector to move ahead in developing alternative energy options.

"I also would like to point out that we should view these incentive measures as part of a general package of forward-looking legislation which is in the public interest now, but which also, in the very long run, may indeed require re-evaluation.

"My remarks under Senate Bill No. 1900-80 and Senate Bill No. 2179-80 speak to this possible requirement for re-evaluation in the future, and for the record, I am simply calling your attention to this feeling."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 620-80 was adopted and S.B. No. 1889-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 621-80 (S.B. No. 1899-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 621-80 was adopted and S.B. No. 1899-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF NON-FOSSIL FUEL GENERATED ELECTRICITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 622-80 (S.B. No. 1906-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 622-80 be adopted and S.B. No. 1906-80, S.D. 2, having

been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Cobb then asked for a ruling of the Chair on a possible conflict of interest as he is employed by a firm that could be affected by this bill.

The Chair ruled that there was no conflict and Senator Cobb was allowed to vote on the measure.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 622-80 was adopted and S.B. No. 1906-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 623-80 (S.B. No. 1933-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 623-80 be adopted and S.B. No. 1933-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

Senator Campbell then rose to speak in favor of the bill as follows:

"Mr. President, if we were to inquire of the average citizen of Hawaii today, 'what is the most serious domestic problem facing our community today?', the answer would likely be 'school violence, vandalism and youth crime.' It is a well-known fact that youth crime constitutes the major portion of violent crimes in our community.

"It is a sobering thought that the youth involved in these crimes have a record of chronic school failure and dropout. It is amazing that a student starts in kindergarten as an innocent youngster and by the time he or she gets to the twelfth grade, he has hijacked over 40 students, robbed several business establishments, shoplifted many times, and committed offenses which have put him in juvenile detention home many times.

"This measure establishes a program in which potentially troubled students are identified as early as kindergarten and followed through their school careers for the purposes of providing suitable educational services and mental health programs for them as soon as a need is indicated. Furthermore, students who are currently identified as 'troubled students' will be referred for suitable educational services and mental health programs for the purposes of rehabilitation. If this bill passes today, and this program is implemented by the Department of Education, we will note in a reasonably short time, a drastic change for the better in the juvenile

delinquency rate in our state."

Senator Chong then stated:

"Mr. President, I would like to make comments prior to voting on this bill. I would like to hear more comments on this particular bill, maybe from the Chairman of the Education Committee.

"The reason I signed the committee report 'with reservations' was because I think that the idea of labeling students as being 'troubled students' defeats some of the purposes and I'd like to hear some discussion before voting."

At 8:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:47 o'clock p.m.

Senator Cayetano then stated: "Mr. President, this has been a very taxing evening. Would the rest of the senators read the bills ahead of time, please."

Senator Chong then stated:

"Mr. President, with regard to the previous comments, I simply would like to point out that my concern in registering a 'with reservations' on the Ways and Means Committee report, was in reference to the potential dangers of labeling so-called 'troubled students.'

"Furthermore, I would like it to be known that I am not a member of the Senate Education Committee, and my inquiry to the Chairman of that Committee was therefore legitimate and proper because the Chairman obviously is in a better position to explain any considerations I or any other Senator might have with regard to this bill."

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 623-80 was adopted and S.B. No. 1933-80, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROUBLED STUDENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hara and Kawasaki).

Standing Committee Report No. 624-80 (S.B. No. 1924-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 624-80 was adopted and S.B. No. 1924-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL

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

Ayes, 25. Noes, none.

Standing Committee Report No. 625-80 (S.B. No. 2376-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 625-80 and S.B. No. 2376-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 626-80 (S.B. No. 2665-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 626-80 was adopted and S.B. No. 2665-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 627-80 (S.B. No. 2800-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 627-80 was adopted and S.B. No. 2800-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 628-80 (S.B. No. 2972-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 628-80 and S.B. No. 2972-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", were recommitted to the Committee on Ways and Means.

Senate Bill No. 2226-80, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 2226-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", was recommitted to the Committee on Health.

Senate Bill No. 2994-80, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 2994-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING",

was recommitted to the Committee on Health.

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

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

Ayes, 25. Noes, none.

Senate Bill No. 2861-80:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 2861-80, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL LICENSE PLATES FOR REPRESENTATIVES OF FOREIGN GOVERNMENTS OR TERRITORIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3082-80, S.D. 1:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 3082-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ZONING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Carroll and Cobb).

At 8:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:52 o'clock p.m.

Senate Bill No. 1171, S.D. 2:

By unanimous consent, action on S.B. No. 1771, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 1493, S.D. 1:

Senator Cobb moved that S.B. No. 1493, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Yee then asked the Chair for a ruling on a possible conflict of interest as he is an officer of a life insurance firm.

The Chair ruled that there was a conflict and Senator Yee was excused from voting on the bill.

The motion was put by the Chair and carried, and S.B. No. 1493, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1960-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1960-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Toyofuku).

Senate Bill No. 1990-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1990-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2077-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2077-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2285-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2285-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2518-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2518-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

Senator Cobb moved that S.B. No. 2682-80, S.D. 1, having been read throughout,

pass Third Reading, seconded by Senator Chong.

Senator Campbell then spoke as follows:

"Mr. President, I rise to speak in favor of the bill. I signed the committee report with reservations because I firmly believe that a student finishing a prescribed course at the University of Hawaii should not be required to get additional preparation in order to commence earning a living.

"A student who meets the educational and examination requirements cannot receive a certificate of 'certified public accountant' until he or she has satisfied an experience requirement. I think the concept is wrong. Therefore, I support the bill with reservations."

The motion was put by the Chair and carried, and S.B. No. 2682-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3106-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 3106-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES AND REPAIR BUSINESSES", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1993-80, S.D. 2:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1993-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS", was recommitted to the Committee on Consumer Protection and Commerce.

Standing Committee Report No. 644-80 (S.B. No. 2202-80, S.D. 2):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 644-80 was adopted and S.B. No. 2202-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF RADIATION THERAPY TECHNOLOGISTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kuroda).

Standing Committee Report No. 645-80 (S.B. No. 2490-80, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 645-80 and S.B. No. 2490-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", were recommitted to the Committee on Consumer Protection and Commerce.

Standing Committee Report No. 646-80 (S.B. No. 2679-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 646-80 and S.B. No. 2679-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 647-80 (S.B. No. 2791-80, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 647-80 and S.B. No. 2791-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES", were recommitted to the Committee on Consumer Protection and Commerce.

Standing Committee Report No. 648-80 (S.B. No. 2923-80, S.D. 2):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 648-80 was adopted and S.B. No. 2923-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (O'Connor).

Senate Bill No. 866, S.D. 1:

By unanimous consent, action on S.B. No. 866, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2292-80, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 2292-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kuroda).

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

By unanimous consent, action on S.B. No. 2512-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 652-80 (S.B. No. 3, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 652-80 and S.B. No.

3, S.D. 3, was deferred to the end of the calendar.

Standing Committee Report No. 653-80 (S.B. No. 711, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 653-80 and S.B. No. 711, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 654-80 (S.B. No. 2173-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 654-80 was adopted and S.B. No. 2173-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 655-80 (S.B. No. 2554-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 655-80 and S.B. No. 2554-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 656-80 (S.B. No. 2635-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 656-80 and S.B. No. 2635-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 657-80 (S.B. No. 3112-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 657-80 was adopted and S.B. No. 3112-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1514, S.D. 1:

By unanimous consent, action on S.B. No. 1514, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1869-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1869-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LEGISLATIVE

REFERENCE BUREAU", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2795-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2795-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Senator Carroll then spoke as follows:

"Mr. President, just briefly in favor of the bill--I'd like to thank the Chairman of the Judiciary Committee very much for passing this measure which I have been trying to get passed for about the past five years. I notice that if we switch the signature, it comes right through. Thank you."

The motion was put by the Chair and carried, and S.B. No. 2870-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS BY POLICE OFFICERS WITHOUT WARRANT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2618-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2618-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 663-80 (S.B. No. 2780-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 663-80 and S.B. No. 2780-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1837-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1837-80, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO BAIL", was recommitted to the Committee on Judiciary.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2877-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 666-80 (S.B. No. 3097-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 666-80 and S.B. No. 3097-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2881-80, S.D. 1:

Senator O'Connor moved that S.B. No. 2881-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Carroll then rose to thank the Chairman of the Judiciary Committee for passing this measure as he had been unsuccessful in his attempts in the past, to get the bill out.

The motion was then put by the Chair and carried, and S.B. No. 2881-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2525-80, S.D. 2:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2525-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Standing Committee Report No. 669-80 (S.B. No. 2329-80, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 669-80 be adopted and S.B. No. 2329-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I feel compelled to stand and ask that we vote this bill down.

"I realize that the argument here is that the committee has amended the bill by specifying that the DAG plea shall not be granted where the defendant is charged with the distribution of a dangerous, harmful, or detrimental drug to a minor. I think that this can happen with people just at 18 and I think that the DAG plea should stand by itself.

"It is appropriate that the judge should be able to do it, and the judge should be able to make the determination in respect of the minor. If we put this in, I think we are taking people who are just at a stage when their development as adults might be at a key point in their lives, and not giving the judge and others in the judicial system the opportunity to operate accordingly by virtue of utilizing the DAG plea as it should be used."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 669-80 was adopted and S.B. No. 2329-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 2876-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2876-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES AND DEFENSES AND SPECIAL PROCEEDINGS, LIMITATION OF ACTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 2270-80, S.D. 1:

By unanimous consent, action on S.B. No. 2270-80, S.D. 1, was deferred to the end of the calendar.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 3145-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 673-80 (S.B. No. 2589-80, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 673-80 and S.B. No. 2589-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EVICTION", were recommitted to the Committee on Judiciary.

Senate Bill No. 1965-80, S.D. 2:

By unanimous consent, action on S.B. No. 1965-80, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 1838-80, S.D. 3:

By unanimous consent, action on S.B. No. 1838-80, S.D. 3, was deferred to the end of the calendar.

Standing Committee Report No. 676-80 (S.B. No. 43):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 676-80 was adopted and S.B. No. 43, entitled: "A BILL FOR AN ACT RELATING TO STATE BOUNDARIES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV, SECTION 1)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2269-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2269-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was recommitted to the Committee on Judiciary.

Standing Committee Report No. 678-80 (S.B. No. 1164, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 678-80 and S.B. No. 1164, S.D. 1, was deferred to the end of the calendar.

At 9:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:04 o'clock p.m.

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 Wednesday, March 19, 1980.

Standing Committee Report No. 680-80 (S.B. No. 1989-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 680-80 and S.B. No. 1989-80, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 2198-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2198-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 682-80 (S.B. No. 2199-80, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 682-80 and S.B. No. 2199-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PROGRAM VIOLATIONS AND PENALTIES", were recommitted to the Committee on Judiciary.

Senate Bill No. 2215-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2215-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES", was recommitted to the Committee on Judiciary.

Standing Committee Report No. 684-80 (S.B. No. 2439-80):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 684-80 was adopted and S.B. No. 2439-80, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Carroll).

Senate Bill No. 1346, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2217-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2217-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNERSHIP AND POSSESSION OF FIREARMS", was recommitted to the Committee on Judiciary.

Senate Bill No. 2280-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2280-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CODE OF ETHICS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2741-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FITNESS TO PROCEED", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2744-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSANITY DEFENSE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2764-80, S.D. 1:

By unanimous consent, action on S.B. No. 2764-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2985-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2985-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAME", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 3012-80, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hara).

Senate Bill No. 2862-80:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2862-80, entitled: "A BILL FOR AN ACT RELATING TO OBSTRUCTING PUBLIC ADMINISTRATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

Senator O'Connor moved that S.B. No. 3146-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I would like to direct the members' attention to page 13 of the bill. '(d) A person who contributes more than \$2,000 to a candidate in any primary, special primary, special or general election shall be guilty of a misdemeanor.' and '(e) Any candidate who receives more than \$2,000 from a person in any primary, special primary, special, or general election shall promptly distribute the total amount received over \$2,000 to the Hawaii Election Campaign Fund.'

"I'm not quite sure if I will ever get this opportunity but I can assure you that I believe that this is just as unconstitutional as it possibly can be, and that if I ever have the opportunity to have such a contribution come my way, I assure you I will accept it at \$2,001 and then try to find someone who still believes in the Constitution in this country who will fight for me in court, and I'll be god-damned if I am going to give the Hawaii Election Campaign Fund anything that I've worked for."

Senator Cayetano then stated: "Mr. President, just an observation; I'm surprised this bill did not come to the Committee on Ways and Means."

The motion was put by the Chair and carried, and S.B. No. 3146-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Carroll, Hara and Kawasaki).

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, was deferred to the end of the calendar.

Standing Committee Report No. 696-80 (S.B. No. 3099-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 696-80 was adopted and S.B. No. 3099-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 697-80 (S.B. No. 2513-80):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 697-80 and S.B. No. 2513-80, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", were recommitted to the Committee on Judiciary.

Standing Committee Report No. 698-80 (S.B. No. 2997-80):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 698-80 and S.B. No. 2997-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", were recommitted to the Committee on Judiciary.

Senate Bill No. 2179-80, S.D. 1:

By unanimous consent, action on S.B. No. 2179-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2540-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2540-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator O'Connor,

seconded by Senator Cobb and carried, S.B. No. 2501-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS: PENALTIES FOR VIOLATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2574-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2574-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 703-80 (S.B. No. 2965-80, S.D. 2):

Senator Campbell moved that Stand. Com. Rep. No. 703-80 be adopted and S.B. No. 2965-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Campbell then spoke for the measure as follows:

"Mr. President, this bill makes it possible for parents or guardians of handicapped children to appeal a decision of the Department of Education's hearing officer to the Board of Education.

"The intent of the amended bill is to provide the quickest and least expensive procedure for the adjudication of the grievances of parents who have handicapped children.

"The bill has been amended to require that the Board of Education or its panel to submit its decision within thirty days of the notice of appeal.

"I urge support of this measure. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 703-80 was adopted and S.B. No. 2965-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 9:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:12 o'clock p.m.

Standing Committee Report No. 704-80 (S.B. No. 2784-80, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 704-80 was adopted and S.B. No. 2784-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

Standing Committee Report No. 706-80 (S.B. No. 2927-80, S.D. 2):

Senator Carpenter moved that Stand. Com. Rep. No. 706-80 be adopted and S.B. No. 2927-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

Senator Carpenter in support of the measure, spoke as follows:

"Mr. President, I would like to commend the Chairman and the staff of the Judiciary Committee for putting into a relatively streamlined form that which was quite comprehensive and in fact over-comprehensive, perhaps, in being delivered from the Health Committee to the Judiciary Committee.

"I would like to take just a moment to indicate that the Health Committee will also be introducing a resolution which will speak to the private institutions, since this bill is primarily aimed at the public institutions in Section 2.

"Again, I'd like to thank the Chairman of the Judiciary Committee for a great deal of effort on a very difficult subject."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 706-80 was adopted and S.B. No. 2927-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1860-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1860-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE", was recommitted to the Committee on Judiciary.

Senate Bill No. 1970-80, S.D. 1:

By unanimous consent, action on S.B. No. 1970-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1574, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 1574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC WAR MEMORIAL SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM EARLIER IN THE DAY

Standing Committee Report No. 513-80 (S.B. No. 1934-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 513-80 and S.B. No. 1934-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 543-80 (S.B. No. 2693-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 543-80 and S.B. No. 2693-80, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 1519, S.D. 1:

By unanimous consent, action on S.B. No. 1519, S.D. 1, was deferred to the end of the calendar.

At 9:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:05 o'clock p.m.

MATTERS DEFERRED FROM EARLIER IN THE CALENDAR

Senate Bill No. 2407-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2407-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR", having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Anderson, George, Hara and Kawasaki).

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

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2514-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Anderson, George, Soares and Yee).

Senate Bill No. 2898-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2898-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Senate Bill No. 3026-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 3026-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chong).

Standing Committee Report No. 581-80 (S.B. No. 2027-80, S.D. 1):

Senator Hara moved that Stand. Com. Rep. No. 581-80 be adopted and S.B. No. 2027-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Toyofuku.

Senator Cayetano then asked the Chair for a ruling on a possible conflict of interest as follows:

"Mr. President, the bill before us would give the liquor commissioners an increase in pay and since I appeared before them representing someone just a few days ago, I believe it is a situation of conflict and I therefore ask the Chair for a ruling."

The Chair ruled that there was a conflict and Senator Cayetano was excused from voting.

Senator Kawasaki then spoke in opposition to the measure as follows:

"Mr. President, I'm urging a 'no' vote on this primarily because I don't think that after years of great patience on the part of the state legislature here expecting and hoping that the Liquor Commission in the County of Oahu would bring about some reforms in some of these 'clip-joint' bars that have, in effect, ripped off not only tourists, but some of the local residents in the way of ridiculous prices charged for their champagne and for the liquor that the girls consume (which to begin with is unlawful), they have not been able to bring about any improvement in this situation.

"We introduced bills some time ago with the hope of taking the administration of liquor sale business to the state level and providing our own state liquor commissioners. We abstained from doing that with the promise from the Oahu County liquor commissioners that they would bring about some reforms regarding these clip-joints which I referred to.

"Apparently there has been no improvement and for us now to say that we are willing to raise their compensation, I think is tantamount to giving them a clean bill of health when in effect, they have done nothing to bring about reform.

"This is particularly appalling in view of the fact that we have set up at the state level, the Consumer Protection Agency. We spend literally hundreds of thousands of dollars to provide consumers with some measure of protection. When we allow the retail liquor establishments, the bars in effect, to do what they are doing, we defeat our attempt to protect the public. I am not talking about all the bars, but the handful of bars who very impudently with apparently the sanction of the Liquor Commissioner, go about cheating the public.

"Mr. President, I think we should put a stop to this, but the only way we can get this message to the commission is voting 'no' on this bill which raises their salaries."

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 581-80 was adopted and S.B. No. 2027-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS; COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Carpenter, Chong and Kawasaki). Excused, 1 (Cayetano).

Standing Committee Report No. 593-80 (S.B. No. 1939-80, S.D. 3):

Senator Cayetano moved that Stand.

Com. Rep. No. 593-80 be adopted and S.B. No. 1939-80, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

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

"Mr. President, this bill, if enacted, would establish a 'super' health agency known as the Health Authority.

"This 'super' health agency will have power to review rates of public and private health facilities; make grants for health service development; suspend state regulations in the health delivery system; and establish a system of uniform accounting and financial reporting for hospitals, both in the private and public sector.

"I believe that the Health Authority created by this bill would make more complex our already complicated health care system. It would serve to add another layer of bureaucracy; and would, in effect, actually increase health care costs to patients within our State.

"The principal function of the Authority is to control the activities of acute and long-term health care facilities. Has it been convincingly shown that these facilities have not strived to control rising costs of health care? Rather, through voluntary efforts and self-imposed constraints, hospitals and other health care services in our State have been recognized as a model for the nation. The averaged revenues associated with hospital care in Hawaii are significantly lower than other states having mandatory rate review!

"There is no question that we are all concerned with the problem of the high cost of medical care but this bill seems to single out health care facilities as though they were the only instrument involved in rising health care costs.

"Leaders in the community have overwhelmingly testified in opposition to this bill at this time.

"In view of this and especially in light of the undocumented costs of compliance and the lack of documented evidence of net cost savings, I stand in firm opposition to this bill's passage.

"And to quote the eminent American Justice Oliver Wendell Holmes, 'State interference is an evil, where it cannot be shown to be good'. Thank you, Mr. President."

Senator Carpenter rose to speak

in favor of the measure as follows:

"Mr. President, there has been a great deal of interest in this bill and it may be more important than any other health measure this session. This is an important bill because it gets at the core of the problem of health care delivery in Hawaii.

"It is a substantial measure that deals with many elements affecting the health care system. I believe it is deserving of a full public review, one that certainly includes review in the House of Representatives. Mr. President, the proposed ingredients have been carefully worked out and adjusted through two revisions, two extensive public hearings with your Committees on Health and Ways and Means, and it reflects several years of study of the problem in Hawaii, including a number of recent studies and as described in the Legislative Reference Bureau report on alternate approaches to hospital cost containment dated January 1979.

"This bill reflects a number of industry-sponsored amendments that have substantially improved this legislation so that it can be heard more fully in the House.

"I have given full consideration to the measure and am enthusiastic in its support in its present form. I believe it answers our present needs better than any alternative measure might. It calls for the formation of a new type of entity in this field -- a health authority, which can be held accountable for effectuating improvements in both the public and private sectors of health care delivery in Hawaii. It has the potential of dealing vigorously with the inflationary cost curve and at the same time, it carefully builds upon existing capabilities in both public and private sectors. It does not pre-empt action of existing agencies, and does not create a new all-powerful regulatory body.

"The power of the authority lies in its ability to persuade and focus public attention, not to bureaucratically regulate. Indeed it contains no new regulatory approval or disapproval powers. Its basic purposes, operating principles, and philosophy are explicitly identified in the bill: to bring together, for analysis and remedial action, as necessary, all the basic problems identified in health care delivery in Hawaii, within one state administrative unit, not directly responsible for health care delivery and not unduly influenced by any parties responsible for health care delivery.

"The overall philosophy guiding cost-containment under this bill includes encouragement of natural market forces to curb inflation, improvement of cost-effectiveness, and solicitation of voluntary

private sector cooperation. Its powers of rate review involve public disclosure of rates and rate increases, and in this respect approval/disapproval power is expressly not granted. (p. 22, line 1 in S.D. 2).

"I would like to highlight several key questions regarding this bill.

"1. Why does Hawaii need a state health authority?"

"No other state agency or private non-profit organization performs the basic function of the authority as outlined.

"The state medicaid budget increases can only be dealt with by an industry wide effort at cost-containment."

"Without the authority, the State of Hawaii has only the power to talk, or possibly to study, through the State Health Planning and Development Agency (SHPDA). Planning should produce action, but the SHPDA is a planning agency, not an authority. The 30-member Statewide Health Coordinating Council is a forum for policy discussion, not a board of directors of an agency responsible for producing results. The SHPDA administrator cannot be held responsible for resolution of problems in health care delivery. I believe Hawaii needs the state health authority to build upon its planning efforts and extend that planning to fruition by implementation!"

"2. Why does Hawaii need the state health authority now?"

"Hospital expenses in Hawaii have more than doubled between 1973 and 1977. As the Legislative Auditor noted last year, 'The cost of hospital care in Hawaii has increased substantially during the past six years and it appears that this trend toward higher costs will continue unless the current efforts to control hospital costs prove to be successful or unless other measures are instituted.' (pp. 20-21 of Legislative Auditor, A Review of Alternative Approaches to Hospital Cost Containment, January 1979, emphasis added.) The Legislative Auditor went on to conclude that there is no way to know at the present time whether either the SHPDA's Certificate of Need (CON) program or the industry's Voluntary Effort (VE) are actually having an effect on slowing down cost increases. But we do know that the county-state hospital rates have increased more than 90% since 1974 and neither CON or VE have any impact on these rate increases nor do they have any impact on the additionally proposed rate increases.

"It takes time to get organized and the results of this session's action won't be apparent for a few years. If we wait, it will take that much longer to produce results.

"I believe this is a good year for such an enactment. The federal government, which contributes 100% of the funds for the SHPDA, has, in October of last year, passed amendments to the basic National Health Planning and Resource Development Act of 1974. Now we know what the federal requirements, responsibilities, and limitations of health planning will look like for the next four or five years. We also know that Congress will not take any further action in cost-containment this year and probably not in the session beginning next year. Hawaii can act without fear of further federal intrusion into this area.

"I believe now is the time for us to shape our own approach to this problem. We may even be able to show Washington and the rest of the U.S. a better way to cope with rising health care costs.

"3. Why should we assume that the health authority will be cost-effective in its efforts to control cost increases?"

"If the authority does not produce results within six years, it will terminate. If the authority cannot show evidence of a reduction in health care inflation then it will cease to exist. This should provide substantial incentive to the authority to produce results and to demonstrate the relationship between its efforts and the evidence of cost-restraint in the health care industry. This cost-effectiveness incentive is not present in any other mechanism presently at work.

"The costs of the authority are limited by law. Because the financing of the authority is tied directly to the total revenues of non-federal acute and long-term care facilities, and because the assessment involved is limited to .3%, the cost of the authority's operation can be compared directly with the increased cost of health. If hospital costs increase are held to 10% annually, the total revenues available to the authority will be held to a maximum increase of 10%.

"The actual dollars spent on the authority, even if passed on to hospital patients, will represent a very small element in what is increasingly a very large bill. On a \$2000 hospital bill, the maximum allowable assessment would be \$6.00. If the authority would help reduce that hospital bill by \$6.00 it would have proven to be cost-effective and that \$6.00 represents approximately

five minutes of an attending physician's time.

"I believe it can work to the advantage of the state's taxpayers and consumers -- I ask my colleagues to give the bill a chance."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 593-80 was adopted and S.B. No. 1939-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HEALTH AUTHORITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Anderson, Carroll, George, Hara, O'Connor, Saiki, Soares, Ushijima and Yee).

Standing Committee Report No. 595-80 (S.B. No. 2643-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 595-80 be adopted and S.B. No. 2643-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carroll then spoke against the measure as follows:

"Mr. President, I do not concur with the Committee on Ways and Means' retention of recommendations that Honolulu International Airport still be used for general aviation, and that both Dillingham and Ford Island be designated as satellite general aviation airports. The Committee's suggestion that landing fees be raised to such an extent that it would make it financially infeasible for general aviation aircraft to land at H.I.A., is a form of commercial blackmail.

"Pilots have criticized the so-called 'improvements' at Honolulu International as being time-consuming and a waste of fuel. Restricting commercial use to Runways 8-Left and 8-Right forces numerous aircraft to wait in line for runway access, burning thousands of pounds of fuel in the meantime. The approach pattern is longer, and residents of Ewa and Ewa Beach have complained of the increase in noise. Furthermore, the dangerous mix of fast and slow aircraft continues in the airspace above the International Airport, although the ground traffic indeed is safer. A spokesman for the F.A.A. has indicated that improvements at Honolulu International Airport are not a long-range solution to the problem, and are really analogous, and this is my comment, to putting a band-aid on an extensively bleeding wound.

"It is unwise legislatively to approve expansion and upgrading of Dillingham and Ford Island as suggested, when studies have not been done to determine both sites' feasibility for those purposes. Ford Island is already overdue for return to the Navy, and it is highly improbable that the Navy will approve its further expansion. It is ridiculous to expect that it would become a second satellite reliever airport under these conditions.

"Dillingham Airfield is too far-removed from centers of business in Honolulu, to induce the bulk of general aviation away from Honolulu International. Currently, the only users of Dillingham are student pilots and stunt pilots and some glider pilots. Air taxis and air tour carriers, which make up the bulk of general aviation, all use H.I.A. Because of its location, no commercial pilots go to Dillingham, except to have fun. How can the State expect this site to be a satellite reliever airport if no one wants to use it?

"According to the Chief of the Airports Division for the F.A.A., it would be a violation of Federal law if the State either instituted a ban against general aviation, or if it tried to levy discriminatory landing fees. In the Airport and Airway Development Act of 1970, which is Public Law 91-258, at Section 18, paragraph (a) and sub-paragraph (a) (1), airports which have received Federal financial assistance must be available to all types and classes of users on fair and reasonable terms without unjust discrimination, and I have mentioned this to members of this honorable body. The State could be ineligible for Federal funding if it is found non-compliant with this law. According to the Chief, general aviation carriers all pay a tax that contributes to the Aviation Trust Fund, so they have a right to use Honolulu International Airport, and the F.A.A. has an obligation to them to see that they are allowed its access.

"Landing fees can indeed be raised by the State, but they cannot be discriminatory, such as charging a higher fee at H.I.A. than would be charged at the new reliever airport, or charging a fee that would be much higher than compared with other airports in the nation. Making landing fees prohibitive to general aviation would only foster resentment against what amounts to a blackmail attempt on the part of the State to limit the expedient transaction of business. The F.A.A., I believe, must be opposed to any measures that would limit general aviation's use of H.I.A. General aviation must be voluntarily moved from Honolulu International.

"I therefore reiterate my firm conviction that Waipio is the best site for a general aviation reliever airport. The bill raises

several objections to the Waipio site, which I would like to answer.

"Item (7) (a) talks about the loss of cane-growing land from Oahu Sugar Company. Only 50 to 55 acres of a total of 500 acres will be lost by Oahu Sugar, if the airport is built at Waipio. Now this seems like a minor sacrifice in this case.

"Item (7) (b) says that 'the very existence of Oahu Sugar Company' would be jeopardized, as the area containing their waste water filtration ponds would be taken over, producing financial demise and a chain of events that would put them out of business. This is inaccurate.

"I have talked with an AmFac representative who is an engineer and who knows what he is talking about. (AmFac, incidentally, owns Oahu Sugar.) He said it is possible to work out a land use for all of their purposes further south or north of the peninsula, or work out a solution with the Department of Health to be able to use a portion of the Pearl Harbor Basin. They do have a water discharge problem, but it's not an insurmountable one as this committee report would have you suggest; certainly not the problem of trying to dig a crack in the side of a mountain and have people land in it.

"Item (7) (c) says that three species of endangered birds would be threatened by construction of an airport there. The Kentron Study of 1977 said that this problem is not that serious, as the birds have been sighted in man-made habitats in two nearby National Wildlife bird refuges farther south on the peninsula. They have also been sighted in about two dozen other local ponds, including the peninsula's sewage treatment ponds and the sugar cane settling ponds. Now it said: '...it is possible that any impacts can be minimized by constructing new wetland habitats further south on the peninsula.' A quick look at that map and the terrain show that that problem is certainly not insurmountable.

"All in all, Waipio has the best geographical location, the best wind and weather conditions and the best arrangements for instrument approaches. The cost of development would be relatively low and the environmental concerns while noted can easily be solved.

"I have presented some reasons tonight as to why the recommendations of Senate Bill No. 2643-80, S.D. 3, will not work and why the site at Waipio is the best available. There is nothing

preventing us, Mr. President, from choosing Waipio at the present time, except a political decision and we can, my fellow Senators, decide this matter or we can wait--wait for an aerial holocaust.

"I urge that we vote 'no' on this measure. Thank you."

At 10:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:24 o'clock p.m.

Senator Mizuguchi then spoke in support of the measure as follows:

"Mr. President, the problems of safety at Honolulu International Airport have been thoroughly discussed and I need not repeat them here. The public interest requires that this legislature take action to provide the most immediate solutions possible. The administration proposes to construct a new airfield at Poamoho. But construction is at least four years away, with not even a completed environmental impact study in hand yet.

The bill we are addressing tonight comes to grips with the general aviation problem in a more effective and immediate way. For this bill recognizes that what we need is a push-and-pull approach--that is, general aviation must be pulled as well as pushed, as provided for in Senate Bill No. 866, S.D. 1, to other airfields.

"The concept of satellite airfields which this bill advances, using several sites already in use for aviation but with significant improvements, can attract general aviation users far better. At the same time, no new lands are covered over with asphalt and concrete, no residential areas are newly impacted and no agricultural industries are adversely affected.

"The administration's response to this bill has been that Dillingham is already planned for improvement. However, this bill provides for many more facilities and services at Dillingham, in a shorter timetable, that would far more effectively attract general aviation to Dillingham.

"The administration admits that there is not much it can do to push general aviation out of H.I.A. I say, let us enact Senate Bill No. 2643-80, S.D. 2, and provide the wherewithal to pull general aviation away from H.I.A. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 595-80 was adopted and S.B. No. 2643-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPROVEMENTS AT HONOLULU INTERNATIONAL AIRPORT AND GENERAL

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

Ayes, 20. Noes, 5 (Anderson, Carroll, George, Soares and Yee).

Senate Bill No. 1871-80, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, S.B. No. 1871-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1872-80, S.D. 1:

Senator Abercrombie moved that S.B. No. 1872-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ushijima.

Senator Yee then spoke against the measure as follows:

"Mr. President, I am against this bill because I feel that for us to dictate in statute as to whom the Governor should appoint to the University of Hawaii Board of Regents is to tie his hands.

"I think he has done an excellent job in appointments. He has appointed recent graduates from the University of Hawaii; he's even appointed students, and to impose upon him further restrictions regarding appointments, I think is a hindrance.

"Therefore, Mr. President, I urge a 'no' vote on this bill. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1872-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY BOARD OF REGENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Anderson, Carroll, George, Hara, Saiki, Soares, Tōyofuku, Yamasaki and Yee).

Senate Bill No. 2691-80, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 2691-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

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

Senate Bill No. 2267-80:

On motion by Senator Young, seconded by Senator Cayetano and carried, S.B. No. 2267-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, George and Kawasaki).

Standing Committee Report No. 612-80 (S.B. No. 1744, S.D. 1):

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 612-80 was adopted and S.B. No. 1744, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CLUSTER DEVELOPMENTS WITHIN RURAL AND AGRICULTURAL LAND USE DISTRICTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

Ayes, 25. Noes, none.

Senate Bill No. 2495-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Hara, S.B. No. 2495-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Carroll, George, Kawasaki, Saiki and Soares).

Standing Committee Report No. 618-80 (S.B. No. 1930-80, S.D. 1):

Senator Campbell moved that Stand. Com. Rep. No. 618-80 be adopted and S.B. No. 1930-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Campbell spoke in favor of the measure as follows:

"Mr. President, some of us have long voiced strong concern over the welfare and safety of our students as they ride to and from our schools day after day. The area of student transportation has become a serious problem to the people of Hawaii.

"I strongly believe that it is of utmost importance that we, as legislators, place overall authority for coordination of the school bus system with a single department. Placing final authority and responsibility for coordination of the school bus system with the Department of Education is to enhance the accountability of the State to our parents.

"Furthermore, the purpose of Senate Bill No. 1930-80 is to ensure that the care of our youngsters is placed in the hands of a department whose expertise and perspective focuses on our children. There will be no personnel changes or equipment transfer. The other departments shall assist the Department of Education in its efforts to provide safe and efficient student transportation.

"I believe that such coordination among departments is long overdue. I ask for the Senate's full support. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 618-80 was adopted and S.B. No. 1930-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL BUS SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Carroll, George, Saiki and Soares).

Senate Bill No. 2813-80, S.D. 1:

Senator Cayetano moved that S.B. No. 2813-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Soares then spoke in opposition to the measure as follows:

"Mr. President, it's my view that no matter how you color this bill regarding rebates on food and drugs and other tax credits, that what we're voting for here tonight is really a tax increase. When you raise the tax from 4 to 5 percent, all other goods and other services will be increased likewise.

"I know we had Republicans pushing for years to remove the tax on food and drugs and most of us agree with that philosophy, but I believe very strongly that we are presently embarking on

a situation that in view of all of the surpluses that we have in our treasury, in view of the fact that both Budget and Finance and the Governor are looking at providing a tax rebate because we have these surpluses; here we have before us a bill with all the so-called rebates and tax credits and it is nothing more than a tax increase.

"I would like to see all of us justify the need we have for a tax increase from 4 to 5 percent, driving the costs of other goods and services as high as the sky.

"I therefore ask my colleagues on this floor to vote against this tax increase."

Senator Cayetano then remarked:

"Mr. President, the bottom line of this bill is according to the testimony given by Mr. (George) Freitas from the Department of Taxation that the resident taxpayer of this State will save a net of \$42,000,000. No matter how you color it, Mr. President, that is not a tax increase."

Senator Carroll then spoke in rebuttal:

"Mr. President, I rise in rebuttal to the previous comment. I spoke with Mr. Freitas at some length and went item by item through this measure and he assured me indeed that it was a tax increase, and I see this as a tax increase bill.

"I think we want to do what we've all suggested throughout the years with respect to the 4% on food and drug removal. Let's do that and let's not color it something else."

Senator Anderson then stated as follows:

"Mr. President, since the Director of Taxation was in discussion, I would like to read from his testimony given before the Ways and Means Committee. He talks about increases in general excise and use tax and I quote:

"It should be noted that the general excise tax is a regressive tax, which bears most heavily on those least able to pay it. Therefore, even though the plan is to shift the general excise tax to tourists, lower income resident taxpayers who must buy other non-food and non-drug essentials and who are entitled to some of the non-essential items and the little joys of life will find the 5% general excise tax rather burdensome. A quick glance at the sales tax charged among the fourteen Western states finds very few with rates above the 4%. The Department of Taxation believes that careful consideration should be given to the above points as well as to the

revenue impact of the various segments before the final enactment of any tax measure which proposes to change major segments of our tax system. A revenue impact report is attached for the committee's information. The Department recognizes many worthy features in this bill, as we all do; however, it does not support the bill in its entirety.'

"Thank you, Mr. President."

The motion was put by the Chair and carried, and S.B. No. 2813-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Anderson, Carroll, George, Hara, Saiki, Soares, Toyofuku, Ushijima, Yee and Young).

Standing Committee Report No. 625-80 (S.B. No. 2376-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 625-80 be adopted and S.B. No. 2376-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, last year when the utility companies, specifically the Hawaiian Electric Company, were very anxious to have this bill heard in the Committee on Public Utilities of the Senate, I prevailed upon the chairman of the committee to give the utility company a day in court and have them make their presentation.

"This year conditions have changed and the Department of Energy, for one thing, has promulgated some new edicts that are of tremendous financial advantages to the power-generating companies including the Hawaiian Electric Company. The Congress of the United States right at the present moment is considering, (and passage seems reasonably assured), of tax rebates tax credits, many incentives, financial incentives, for power-generating companies to go into power-generating programs using other than fossil fuels.

"In the light of all of this and in the light of the fact that Hawaiian Electric Company's common stock today pays an amazing 12-1/2% net return to the common stockholders, I think these conditions now make it necessary that we not consider the enactment of this statute. The savings that the electric company claims they will

be passing on to the consumers amount to peanuts, to use the term, literally very little, if any, impact on the average consumer family of this state.

"To pass this act, providing special revenue bonds and the advantages of the savings to the electric company in this particular case, I think, is going to do the citizens of this state a great disservice.

"What I have just said probably comes as a shock to my good friends who are the representatives of the Hawaiian Electric Company, but in considering what has taken place in one year's time since the last session, I find that there's absolutely no need to provide this kind of legislation because the Congress of the United States is considering many financial benefit types of legislation that will take care of all power companies, including the sugar companies and the Pacific Resources Company, Hawaiian Electric Company--all kinds of benefits to encourage the development of non-fossil fuels, to encourage further expansion of power plants to cope with the energy needs of the state as the answer to the OPEC countries' constant increase of oil prices.

"I urge this body to consider very carefully the impact of what we are doing here, in light of the fact, first of all that Hawaiian Electric Company pays a good return on its common stock holdings. I urge the non-passage of this bill."

Senator Chong then stated:

"Mr. President, I would like to point out that this bill is essentially an act of good faith of this body because the bill is contingent upon the passage of House Bill No. 1222, the enabling legislation as mandated by the Constitution. The act of good faith is that we, as a body, are sincerely interested in keeping alive the possible option of our electric utilities to use revenue bonds this year.

"Mr. President, there simply is no other vehicle that this legislature can use to insure that revenue bonds can indeed be used should this honorable body pass to the House, House Bill No. 1222 sometime next week. The purpose of this bill is simply to keep alive the possibility for electric utilities to be in a position to use revenue bonds effectively should we ultimately act favorably on House Bill No. 1222.

"For this reason, Mr. President, I urge all members to vote 'aye' on this bill."

Senator Yamasaki spoke in favor of the measure as follows:

"Mr. President, I am voting in favor

of this bill, however, I would like to place for the record the fact that Molokai Electric Company has also requested consideration in this bill. However, their request came a little too late for this purpose in tonight's calendar. So therefore, there will be an amendment proposed in the House and I would like to alert the members of this body that the amendment for Molokai may be considered by the House. Thank you."

Senator Anderson then stated:

"Mr. President, I'd like to refer to the comments made earlier by the Senator from the Fifth District. If he will note the bill has been for all practical purposes, 'gutted' and it is not worth the paper it's written on.

"If you will check on page 2, these people of Hawaiian Electric Company '...provided that of the amount authorized none (emphasis added) shall be used for fossil or nuclear fuel generating plants.' The word 'new' was taken out, and I don't think Hawaiian Electric has windmills, geothermal or OTEC as yet, so basically, this is a vehicle at this point, for conference discussion, but the concerns stated by the Senator are in error."

Senator Abercrombie spoke against the bill as follows:

"Mr. President, I understand that as a result of recent federal actions for every dollar spent on non-fossil fuels, the power companies will get a dollar back and in that respect, I don't think that we have before us then sufficient understanding of the kind of economic circumstances that we are committing ourselves to until we fully understand that federal action. Therefore, I do not think we should vote this bill at this time."

Senator Cayetano then stated:

"Mr. President, just a brief explanation. As the Minority Floor Leader pointed out, this bill is just a vehicle. The Constitution authorizes the use of bonds, but it also requires for enabling legislation and the other bill to authorize the issuance of the bonds. This bill here is the enabling legislation and as correctly pointed out, it has been 'gutted' and is just a vehicle. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 625-80 was adopted and S.B. No. 2376-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO

ASSIST UTILITIES SERVING THE GENERAL PUBLIC", having been read throughout, passed Third 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, 23. Noes, 2 (Abercrombie and Kawasaki).

Senate Bill No. 1171, S.D. 2:

Senator Cobb moved that S.B. No. 1171, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Yee spoke against the passage of the bill as follows:

"Mr. President, what this bill attempts is to try again to resolve some of the problems between landlord and tenant, but again at the conclusion of the hearings and as the bill turns out, again it imposes more limitations and more restrictions on the landlord.

"There exists a problem throughout the state in lack of housing for the people.

"I think we all realize that since the landlord tenant code was passed, it has been effective. It has given great protection to the tenant and very little for the landlord. As a result, today you find very few people who are willing to invest into apartment buildings or multiple units for renting, because they feel that they have no great opportunity to get a fair return on their investment.

"They feel that there is a constant move by the tenant group to organize the right to strike and to do everything, and even to receive interest on the security deposits. The tenants are well meaning, but I think we've come to a point now that we're pushing people's property rights too far.

"As for example here, if anyone wants to rent his home, this bill requires that the landlord have adequate lighting surrounding his premises for the protection of the tenant and guests. Well, I think that the tenant has certain rights and responsibilities themselves.

"The bill also says that they have a right to have guests, of course, upon the written approval at the time they enter into the contract. But all it does, really, is to increase the rent for the tenant because the more and more they impose upon these conditions, the more and more the landlord is going to charge a higher rent. Many of them have indicated that they no longer desire to rent and this is why to a great extent, many of them are moving towards converting

their apartment building to condominiums.

"Though we are in a dilemma, I think the present law is adequate in taking care of the tenants with our landlord tenant code. This bill merely takes away more rights of the landlord than needed. I therefore urge the members to vote against this bill. Thank you."

Senator Abercrombie then remarked: "Mr. President, on a point of information, this landlord tenant code does not contain anything about security deposits."

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

"Mr. President, contrary to some of the previous remarks, there is nothing in this bill on the subject of rights of the tenants to organize, on the subject of security deposits, in fact even the subject of rent control is deleted from this measure. A very detailed language on the subject of inventory, which was submitted by the Office of Consumer Protection based on a year-long study that resulted in the draft of this bill, was also removed, and the provision went back to the existing language.

"Also contrary to some of the previous remarks, this bill provides a balance of rights between the landlord and the tenant. There is a provision in the bill that allows the landlord to provide a written notice of 10 days eviction for non-compliance of house rules. There are provisions in the bill that delete the requirement for return receipt requested on letters; that change the requisite period of notice for nonpayment of rent to five calendar days instead of five business days; that change the notice of non-compliance of maintenance to ten days as opposed to fifteen which was proposed in the bill; and even on the subject of lighting, provides for the front entrance to have adequate lighting as a safety feature.

"If the landlord tenant code has worked so well over the past eight to ten years, there would not have been this kind of discussion and detailed suggestions coming out of the Office of Consumer Protection. Basically what this bill represents is a composite of a year-long research and study by that office and a recommendation transmitted to the legislature in response to a resolution that we adopted last year.

"I would emphasize very strongly that any of the issues that I have mentioned such as security deposits, tenants' unions, or right to organize, or rent control or even the detailed language of inventory, which are properly the

subject matter of other committees, were removed from this bill so that there would be no question of jurisdiction or usurping the jurisdictional matter of other subject matter committee.

"I think those Senators who have had a chance to review it will find quite a balance in the bill, and it is in that approach that I ask the Senate to support this measure. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1171, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, George, Hara, Saiki, Soares and Yee).

Standing Committee Report No. 646-80 (S.B. No. 2679-80, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 646-80 was adopted and S.B. No. 2679-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL UNITS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Anderson, George, Hara, Kawasaki, Saiki, Soares and Toyofuku).

Senate Bill No. 866, S.D. 1:

Senator Mizuguchi moved that S.B. No. 866, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yim.

Senator Carroll then remarked as follows:

"Mr. President, I'd like to have my remarks regarding Senate Bill No. 2634-80, S.D. 1, incorporated by reference and adopted as comments against this measure.

"I would like to make this additional comment, that I think it would do this body a lot of good if these types of bills did not end up only in the Transportation Committee but rather that they be referred to the Judiciary Committee when they obviously conflict with federal law.

"Mr. President, I urge that everyone vote against it."

The motion was put by the Chair and carried, and S.B. No. 866, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR TRANSPORTATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Carroll).

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

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

Ayes, 21. Noes, 4 (Abercrombie, Anderson, Carroll and Saiki).

Standing Committee Report No. 652-80 (S.B. No. 3, S.D. 3):

Senator Cayetano moved that Stand. Com. Rep. No. 652-80 be adopted and S.B. No. 3, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Cayetano then spoke for the measure as follows:

"Mr. President, the legislature finds that recent amendments to the State Constitution and changing attitudes among the public as well as legislators have created an atmosphere in which the concept of legislative 'pork' is no longer tenable nor justifiable.

"The concept of legislative 'pork' - the practice of allotting to each individual legislator a fixed amount of appropriations for capital improvements within his or her district - is in large measure the result of parochial attitudes fomented by strong demands on legislators by constituents for the delivery of services within their districts.

"The practice has led to a tremendous backlog of capital improvement appropriations on the books. As a practical matter, the limitations of the state's bond credit rating will not permit the funding of most of these 'pork' projects. As a political matter, the practice has created high and unrealistic expectations among constituents that these capital improvement projects will actually be built, when in fact in all likelihood they will not.

"The practice of legislative 'pork' has led to a weakening of the legislature as an institution. The individual legislator seems to be saying 'yes' to far too many parochial demands, while the legislature, as an institution accountable to the people of the state as a whole, needs to say 'no' many times in order to say 'yes' the few times it must to use the state's limited resources to benefit the state and all of its people.

"Recent amendments made to the State Constitution with respect to the bonded indebtedness ceiling imposed on the legislature the duty to approach the funding of capital improvements in a more judicious, deliberate and fiscally responsible manner. The legislature can no longer afford the luxury of appropriating capital improvements which are proposed primarily to appease constituent demand. It must carefully set its priorities and fund only those projects which are deemed worthwhile because of thoughtful planning and deliberation and because such projects can be justified on behalf of the state and all of its people.

"The overwhelming ratification of these constitutional amendments by the voters in November of 1978 is clear evidence that the people themselves have mandated the legislature to take a more responsible and judicious approach.

"Mr. President, I urge all the members to vote 'aye' on this measure. Thank you."

The motion was put by the Chair and carried, and Standing Committee Report No. 652-80 was adopted and S.B. No. 3, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 653-80 (S.B. No. 711, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 653-80 be adopted and S.B. No. 711, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carpenter spoke in support of the bill as follows:

"Mr. President, the purpose of this bill, Mr. President, is to assure the appropriate educational needs of the children of this State. This bill for handicapped children also provides a uniform definition for handicapped children. We have been operating for quite a number of years with several different definitions existing within the Department of Education and the Department of Health.

"Another important aspect of this bill is to assure that the handicapped child has the appropriate educational services provided in the future years, so that we can approach and realize the idea of the mainstreaming of these youngsters in our community so that society as a whole may benefit from the interaction of all of its citizens, whether they be

handicapped or otherwise.

"We have waited a full year, Mr. President, to act upon this measure and I feel that we can wait no longer. However, I'd like to point out that I feel it is necessary for this particular issue of the age segregation portion to be heard in the House and that it be addressed to all of the pertinent parties speaking to it because there seems to be some contention that this area needs to be refined even more than it is in the present language before us. I so recommend with the adoption of this measure that the section regarding age segregation be addressed in the House. I ask my colleagues for support of this measure.

"Thank you, Mr. President."

Senator Kawasaki then stated:

"Mr. President, while I vote for this bill, I do so with great reservations. I find that contrary to the testimonies given in the Ways and Means Committee about this bill, I find that first of all the Department of Education was not in favor of this bill, notwithstanding the representations that had been made to us by one of the school commissioners who gave us a very definite impression that she had the blessing of all the school commissioners, in effect, that it is almost the DOE position. I found out very recently that this was not so.

"I think the Department of Education today is carrying on this program adequately in consideration of the sums of money we allocate to the Department for this purpose and considering the amount of staffing that we allow.

"If the exact language of this bill was to be enacted, carried out and implemented, I'm afraid the responsibilities right now assumed and carried on by the Department of Education are going to be given to other private groups who are doing a portion of this work.

"I find information to the effect that the private entities, for example the Variety Club, is not quite geared to handle the extent of the work necessary to service all of the youngsters that require this kind of servicing.

"I find much to my consternation also that the school commissioner who advocated this particular bill, giving us the impression that this was the DOE position and the school commissioners' position, was also a member of the Variety Club, a director of that organization and she never stated that fact to us, and this again would make a difference

as to how we evaluate her testimony and her position on this matter.

"All of these things disturb me, but hopefully some of these things will be attended to in the conference committee dialogue and with this expectation, I give very limited support to this bill.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 653-80 was adopted and S.B. No. 711, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 655-80 (S.B. No. 2554-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 655-80 be adopted and S.B. No. 2554-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carpenter then asked for a ruling of the Chair on a possible conflict of interest as follows:

"Mr. President, this bill relates to the Hawaii self-sufficiency fuel fund and since I am an employee of C. Brewer & Company as an engineer, who might be involved in the participation of a project should this bill pass. May I have a ruling on a possible conflict of interest."

The Chair ruled that there was no conflict and Senator Carpenter was allowed to vote on the measure.

Senator Cobb then requested a ruling of the Chair on a possible conflict of interest as follows:

"Mr. President, I work for a firm that could be affected by this bill. May I have a ruling of the Chair on a possible conflict."

The Chair then ruled that there was no conflict and Senator Cobb was allowed to vote on the measure.

Senator Chong then stated as follows:

"Mr. President, the purpose of this bill and many others like it, is to move our state towards energy self-sufficiency by providing economic incentives to the private sector. I strongly support this public policy stance of encouraging the private sector to move ahead in developing alternative energy options.

"I also would like to point out that we should view these incentive measures

as part of a general package of forward looking legislation which is in the public interest now, but which also, in the very long run, may indeed require re-evaluation.

"My remarks under Senate Bill No. 1900 and Senate Bill No. 2179-80 speak to this possible requirement for re-evaluation in the future, and for the record, I am simply calling your attention to this feeling."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 655-80 was adopted and S.B. No. 2554-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SELF-SUFFICIENCY FUEL FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Standing Committee Report No. 656-80 (S.B. No. 2635-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 656-80 be adopted and S.B. No. 2635-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

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

"Mr. President, my concern and reason for signing the committee report 'with reservations' on this bill is simply to register a warning to the public, the taxpayer of this state, that the wording of this revenue bond bill is so broad that practically any private industrial enterprise may be able to get the State to sell tax free bonds.

"Although some industries certainly do deserve this kind of a break, especially those industries that may be considering non-fossil fuel, non-nuclear types of energy generation, I am not at all convinced that 'enabling the State to issue special purpose revenue bonds to assist industrial enterprises is a valid purpose' is sufficiently narrow. It is too broad. However, because there is some mention also of the construction of an alcohol plant in order to move Hawaii away from a dependence on fossil fuels, I feel that this bill could prove useful in the short run by encouraging this type of investment.

"It is my hope that the House will narrow the parameters of the bill to specifically limit its use for non-fossil fuel, non-nuclear types of industrial enterprises."

The motion was put by the Chair

and carried, and Stand. Com. Rep. No. 656-80 was adopted and S.B. No. 2635-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR INDUSTRIAL ENTERPRISES", having been read throughout, passed Third 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, 25. Noes, none.

Senate Bill No. 1514, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1514, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 663-80 (S.B. No. 2780-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 663-80 was adopted and S.B. No. 2780-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Abercrombie, Ajifu, Anderson, Carroll, George, Hara, Kawasaki, Saiki, Soares, Toyofuku, Yee and Young).

Standing Committee Report No. 666-80 (S.B. No. 3097-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 666-80 was adopted and S.B. No. 3097-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VESTED RIGHTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2270-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2270-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1965-80, S.D. 2:

Senator Cayetano moved that S.B. No.

1965-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

At 10:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:56 o'clock p.m.

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

"Mr. President, I realize the hour is late, but I do consider that the measure before us is of very great significance and, on behalf of all the young people of our state, I ask your indulgence.

"I rise to speak against this measure, Mr. President.

"I'm sure the introducers of this measure had very good intentions, but the measure does not accomplish what it hopes to do.

"The bill proposes to create a student loan program, but realistically, it creates a student pay-back plan where students under WICHE are required to pay back to the state, money they never received. It places on a group of students an inordinate and unfair financial burden because they happen to seek an education in programs this state does not offer.

"Let me go back a little and with your indulgence, make some explanations.

"Our state in 1959, by action of the Governor and the Legislature, joined 12 other states in a Western Regional Education Compact. One of the main purposes was to share educational facilities with each other so that each state need not develop expensive professional schools. In this manner, we could all offer educational opportunities to our students and avoid expensive duplication of programs.

"In the compact arrangement, we agreed that the WICHE Commission would set support fees to be appropriated by states who sent students to institutions in the West. By support fees, we mean the averaged actual cost of education. Support fees do not include tuition, books, instruments, food, lodging or travel. These costs are borne by the students.

"I'll give you an example; we have a Medical School here at our University of Hawaii. The actual cost to our taxpayers to educate a medical student is approximately \$120,000 for four years. This cost is determined by

instructional, operating and prorated capital costs. The medical student still pays only tuition, books and all personal expenses.

"Under WICHE, support for dental students if \$41,000 for the four years it takes to become a dentist. The support fee for optometry is \$18,000 for four years. The support fees for pharmacy is \$12,400 for four years and for occupational therapy, it is \$11,100 for three years. We also support students in physical therapy, veterinary medicine and podiatry.

"And just for your information, the WICHE support fee for medical students is \$14,000 per year. Our actual cost at the University of Hawaii Medical School is \$30,000 per year, per student.

"These support fees I'm referring to are paid by our state to the schools which admit our students. The students never receive the money. The students personally must pay for tuition, books, instruments, travel, food and lodging.

"In corresponding with our students, I have learned that the average cost for these personal expenses is \$8,000 per year for dental students and \$6,000 per year for the other professional fields and these are approximations. So it will cost students approximately \$32,000 in personal expenses to become a dentist and an average of \$18,000 to \$24,000 in the other professions.

"Because most of our students come from low to middle income families, they must borrow these personal funds from various sources, including state and federal student loan programs. I am very happy to note that this afternoon we did pass an expanded student loan program; this will give another fund to which these students can go to.

"Senate Bill 1965 requires students under the WICHE program to pay back 50-65% of the support fees if they return to the state to work. Add the pay-back requirement and the personal costs and you can see that a dental student can be expected to have a debt of \$53 - \$59,000 upon graduation. An optometry student will be in debt \$34 - \$36,000; a pharmacy student, \$30 - \$32,000; and an occupational therapy student, \$24 - \$25,000 -- and these are all at today's costs. Add inflation at 13% and the figures will be much higher.

"Compare that with a local medical student who lives at home. His tuition is \$2,900 for four years. With books, instruments and sundry expenses, it could cost him approximately \$7,000 for his entire medical education. This student is not required to pay back the \$60 - \$78,000 in support

fees to our state. This cost is paid by our taxpayers.

"If we pass this bill, we are in essence creating two classes of students and we penalize one class merely because the chosen field of study is not available in our state. I think we should be consistent. If our taxpayers are asked to support one class, they should be asked to support both. After all, all are residents and all our students.

"Besides the pay-back concept, this bill also involves indenture. It is supposed to encourage our bright minds and talent to return home.

"But, Mr. President, this bill will not encourage our students to return home. If anything, it discourages them from returning. After the first year, students will tend to become residents of the state where they are enrolled, rather than accept the financial burden which our state imposes.

"And if a student chooses not to come home, what mechanisms must we set in motion to regain the defaulted monies? This could become cumbersome when we cross state lines.

"I can also anticipate the administrative nightmare and the costs it will entail to try to collect from students who return home, much less from those who don't.

"The bill before us also allows five to ten years to collect the fees, if they are collectible at all. This will hardly allow for a viable revolving fund from which we are to support future WICHE applicants.

"Other states in the Compact have attempted this pay-back indenture concept. Of the four states which have such programs, Arizona's plan is limited to medical students, Idaho's plan has never been enforced in twenty years, reportedly because the State doubts that it is legal, Nevada's plan requires 25% of the support fee and total forgiveness if the student returns, and Wyoming's plan is limited to medical students but the plan will be terminated upon completion of their medical school.

"None of the other states have pay-back or indenture plans; if anything, they have open-ended WICHE support for their students because they consider WICHE support fees to be a conservative and inexpensive way to educate their children.

"Mr. President, this Legislature has always believed that our most valuable investment and resource is

our young people. We have made commitments to provide educational opportunities to those who seek them.

"Let us not reverse our stance now and place undue and inequitable burdens on local students who choose only to seek the heights of academic success.

"My fellow Senators, Senate Bill 1965 will be a radical departure from the philosophies and policies we have supported. For the sake of our children, I ask you to vote 'no' on this measure."

Senator Kawasaki then spoke for the measure as follows:

"Mr. President, the previous speaker just happens to be the only Senator out of ten members on the Committee who signed the report 'I do not concur'. The other nine members have all listened to all the testimony relevant to this particular issue. We have considered some of her concerns, but it is the judgment of the overwhelming majority of the members of the Ways and Means Committee that we should do justice to the youngsters of this state, the unfortunate youngsters, literally thousands of them, who do not benefit as a WICHE student.

"The WICHE program takes care of just a handful of students--very fortunate students, I must say. What about the hundreds and thousands of other students who do not qualify under the WICHE privileges?

"One of the great advantages of being a WICHE student is that it gains admittance for a student who otherwise would not even be admitted to these professional schools.

"The support services cost that has just been recited by the good Senator from the Seventh District amounts to a considerable amount of money. This is a great amount of money per student cost to taxpayers.

"Now the one amendment I'd like to make to this bill, and I have discussed this with the Chairman of the Ways and Means Committee, is that we do not require pay-back requirements for the student who's going to be professionally an occupational therapist, physical therapist as these are the occupations that generally, even after graduation and getting into the profession, pay rather modest income--\$12,000 to \$14,000, in that range. And we find a dearth of these people to provide the needs of our own state government here. As a consequence, we have to recruit from the mainland.

"I, however, would like to see a pay-back requirement of the many professional people like the veterinarians, the dentists,

the optometrists, these people who reasonably can be expected to earn on the average of \$100,000 in income after ten years of private practice. It just disturbs me that of almost a thousand students whom we have helped under the WICHE program, not a single student and in the end, the professionals who had this benefit, not a single one of the thousand fortunate recipients gave consideration to other students who should be helped, because now as a consequence of their education that they have obtained with the help of the taxpayers of Hawaii, they are high income professionals, and that perhaps at their income level today, they should possibly give other unfortunate students a chance to get the same privilege.

"Not a single one of them has said to the State of Hawaii, 'I indeed appreciate my opportunities provided for me by the taxpayers of Hawaii. I shall contribute something to this WICHE fund or a fund comparable to that.' Not a single person has done that. And it seems to me when these people graduate into a profession paying the kind of income I'm talking about, then they should on their own volition, if there's not such a law passed, do something to contribute to the education of someone else in the future.

"This has not been our experience. For this reason I feel, in order that we may not have to constantly, year after year, replenish this fund, a million or a million and a half or whatever it's costing us, that we provide some pay-back feature, particularly of those professions that are the high income bracket professions. I don't think this is unreasonable.

"What about the many students who have other types of state loans, government sponsored loans? They have to pay back. I don't think we're working a program that is fair to everybody just by giving this exclusive privilege to the very fortunate WICHE students.

"For this reason, I think this is a sensible program designed to help many, many other people than the few dozen or so that we've helped yearly. This is one way to help others who may want to get the benefit of this type of a program. I strongly support the passage of this bill."

Senator Abercrombie spoke for the bill as follows:

"Mr. President, the previous speaker has more than adequately covered virtually everything I had to say. I will only indicate this further, that

if we do not do something to bring this program under control in terms of cost, we will have to reduce the number of students because the cost will simply go beyond the capacity for us to operate the university system.

"Therefore, I feel very strongly that the principal feature here is that those who have been helped will help the others coming up behind them. I think that's only right and fair."

Senator Saiki then commented as follows:

"Mr. President, I would like to make a few comments here. I appreciate the comments of the previous senators but I think they are a little confused about this program.

"I don't think that we need to get this mixed up with how much return or pay back or obligation individuals are due or should pay back to the state. In fact I, as a University of Hawaii graduate, feel very guilty very often when I am not as active in the alumni association as I would like to be, and that I have not contributed as much to the future of other students who are following in my footsteps.

"The comment was made that very few students are involved in this program. That's very true. The reason why very few students are involved in this program is not because they are an elite group, but because the legislature limits the funding of the numbers of students who could be available to be accepted.

"For instance, last year we had approximately 35 pre-professional students make applications to the program in dentistry. We had funds for seven students. We had approximately 30 qualified youngsters in veterinary medicine; we funded six. We're talking in groups of 30 and 35. In the budget for 1980, we are requesting 35 slots; 35 students will benefit from this program. We would be very happy to accommodate a hundred and thirty-five if this legislature will help fund the program.

"As far as qualifications are concerned, it is the schools who admit the students. The WICHE program in itself or as commissioners, are not involved in the admission program--the schools are. Therefore the qualifications of our students are ranked with the qualifications of all of the other students in the West.

"There are twelve other states participating in this program and our students have to compete with them, and they are doing a terrific job of it. They are qualifying!

"Therefore, all I can say, Mr. President, is that is not a program for the elite.

This is a program for your sons and mine, for Andy Anderson's daughter, for Dennis O'Connor's daughter, for Senator Campbell's daughter (I'm partial to daughters tonight), but this program is to benefit our children.

"We are providing for them the educational opportunities that we cannot provide here in our state. I don't think they need to be punished, Mr. President, nor should they be chastised because of their predecessors who may not have contributed directly to this program. All of the professional people who have returned to this state have contributed their share in state taxes, and I think as far as their moral support is concerned, they certainly endorse this program. Thank you."

Senator George then stated as follows:

"Mr. President, I'd like to offer an analogy that might be useful to us in our consideration of Senate Bill No. 1965-80. I think, perhaps, many of us in this room and certainly many people of this state are aware that one of the most profoundly influential things that was done in this country after World War II was to provide for the GI Bill, which gave an opportunity for the education in professional fields of people who would not otherwise be able to gain entry into those professions.

"The point that I would like to make is that the pay-back has been enormous, not just in the improvement of the person, in the absolutely nifty people that came out of that kind of training, but in the monies that these people who have admittedly gotten into the high brackets, as far as income is concerned. They paid a lot back in taxes, and in that way this money that has come into the state has permitted us to indulge ourselves in pouring money back into the education of further people.

"I don't think there has to be a direct charitable, if it were, pay-back of the funds by personal option or requirement for these people whether it is the GI Bill or WICHE program, to pay back a certain percentage of the money that they received. I think we have all been the gainers and we will again if we continue this program, and we'll be the losers if we erode it as I think this measure would. Thank you, Mr. President."

Senator Cobb then commented: "Mr. President, one very brief observation--speaking as a recipient of the GI Bill, the pay-back is imposed in advance, not after the fact."

The motion was put by the Chair and carried, and S.B. No. 1965-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN REGIONAL EDUCATION COMPACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Anderson, Carroll, George, Hara, O'Connor, Saiki, Soares, Ushijima, Yee and Wong).

At 11:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:20 o'clock p.m.

Senate Bill No. 1838-80, S.D. 3:

Senator Cayetano moved that S.B. No. 1838-80, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Campbell then spoke as follows:

"Mr. President, this bill extends the life of the Hawaii Crime Commission. The measure also restructures the Commission for the purpose of making it an effective and efficient organization to counteract crime in our State.

"The survival of the Crime Commission was discussed with considerable intensity and deliberation when its proponents came before the Senate Judiciary Committee. The Judiciary Committee decided that the crime unit should be a 'citizen's commission' and its primary function would be research collection of evidence necessary to study crime.

"I was compelled to sign the committee report 'I do not concur' for several reasons. First, I strongly felt and still feel that the people of Hawaii want a Crime Commission with a majority of members having backgrounds in fighting crime. My opinion was not the majority view on the Committee.

"Second, for such a commission to be strong and effective, it should be adequately funded and sufficiently provided with authority to seriously get involved in making an impact upon the rising crime rate in our State. Here again my view was in the minority.

"I urge the Senate Judiciary Committee to do some of the following things:

- (1) Make the commission a strong, viable force in the field of crime-fighting by giving it full funding--a minimum of \$500,000. By so doing, its capability to impact on crime in this State would

be increased.

(2) Expand the authority of the Commission to a level which would make it effective in fighting crime. If this funding and authority cannot be granted, I was prepared to vote to abolish the Commission because without these provisions, the Commission becomes a meaningless symbol.

(3) Change membership of the Commission so as to provide for a majority of experts in crime-fighting, such as ex-police, ex-prosecutors, ex-judges, etc.

(4) Provide that the Legislature, as the oversight body, have access to the program materials and files of the Commission. This would make the Legislature more responsible as an oversight and funding agency.

(5) Do not make of the Commission a research group. This move would be a waste of the taxpayers' money. The Commission would quickly lose the confidence of the people, many of whom are banking on the Crime Commission to give just that leverage necessary to make a significant dent in the growing crime rate in this State. The Committee was sympathetic, but could not be swayed.

"When Senate Bill No. 1838-80, S.D. 2, emerged from the Ways and Means Committee, I was delighted to see that it had addressed many of the concerns I had expressed to the subject matter committee.

"While I am in support of the measure in its present form, I have some reservations. First, if the Commission is going to be effective, the funding should be no less than \$500,000.

"Secondly, the chairman, as the executive officer of the Commission, should be a salaried full-time person devoting his full-time efforts to directing the activities to the staff and members of the Commission.

"With these concerns, I urge the support of this measure."

Senator Ushijima then asked if the Chairman of the Judiciary Committee would yield to a question, to which Senator O'Connor replied in the affirmative.

Senator Ushijima then inquired as follows: "I am a member of the Judiciary Committee and I don't seem to recognize the Senate Draft 2 as compared to the Senate Draft 1. I note in the Committee Report that there are eleven amendments made to the Senate Draft 1. Would

you consider these amendments to be amendments of substance?"

Senator O'Connor replied that he would.

Senator Ushijima then proceeded: "If so, are you satisfied that the amendments had been made in compliance with Rule 16 of the Senate concerning prior concurrence?"

Senator O'Connor answered: "There was no prior concurrence to most of the changes made in this bill. There was to some but not all."

Senator Ushijima then stated: "On that basis, Mr. President, I'll have to vote 'no' on this bill."

Senator Cayetano then commented: "Mr. President, the amendments made to this bill were made to make the Crime Commission more cost efficient."

Senator Carroll then inquired if the Chairman of the Judiciary Committee would yield to a question, to which Senator O'Connor replied that he would.

Senator Carroll then asked: "In reference to the question posed by the Senator from the First District, has there been concurrence subsequent to the drafting of the finalization of the bill in the draft before us?"

Senator O'Connor replied that there had not been.

Senator O'Connor then continued:

"Mr. President, I would like to clarify one matter in this bill. On page 3 of the committee report at the bottom, there is a statement having to do with the word 'investigate' which is a very crucial statement, I believe, as regards the Crime Commission we propose.

"The very last sentence on that page reads: 'such amendments will allow the Commission to effectively collect evidence for the working up towards the prosecution of criminal cases.'

"I have very strong feelings about this Crime Commission ever working up a case for prosecution. It is not today nor will it ever be in my mind equipped technically with the appropriate personnel or the appropriate professional equipment necessary to work a case up for prosecution and to avoid the technical errors that time after time cause the prosecutors both in the FBI and our County Prosecutor's office to bomb out on cases.

"One of the things we considered in the Judiciary Committee very carefully in looking at this measure, was a cut-off point so that the Crime Commission

would stop its investigation after it is rather sure that a crime had been committed and turn the matter over to an appropriate criminal investigating agency to work it up from there on.

"Because I feel rather strongly on this point, I would like to ask for the record if the Chairman of the Ways and Means Committee would yield to a question to indicate what he means by that sentence."

Senator Cayetano replied that he would yield to a question.

Senator O'Connor then queried: "Mr. Chairman, can we know whether or not that sentence would limit the investigation of crimes so that the actual work-up for prosecution will be done by an agency that is qualified to do it?"

Senator Cayetano answered: "Mr. President, I believe the sentence is not contrary to what the Chairman of the Judiciary Committee is alluding to. Perhaps it could have been worded in a more specific manner but his intentions as to the Crime Commission, I believe, were taken into account.

"I don't think I would be exaggerating if I said that it was also the intent of the Ways and Means Committee that when the Crime Commission did acquire evidence or facts that indicated a law may have been violated that they would turn that over to the appropriate agency; for example, if it is a federal law, the appropriate federal agencies, or if it is a local law, then the appropriate local enforcement agency. It's just a question of how you read the sentence; I believe the interpretation is the same."

At 11:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:27 o'clock p.m.

The motion was put by the Chair and carried, and S.B. No. 1838-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (George, Hara, Saiki and Ushijima).

Standing Committee Report No. 678-80 (S.B. No. 1164, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 678-80 was adopted

and S.B. No. 1164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT AND TRANSFER OF DEVELOPMENT RIGHTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 680-80 (S.B. No. 1989-80, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 680-80 be adopted and S.B. No. 1989-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, if this bill is not going to be deferred as the other one was for the same reasons, I'm going to be forced to vote 'no,' not because I don't believe it should be done, but I don't think I comprehend adequately at this point the advantages and disadvantages."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 680-80 was adopted and S.B. No. 1989-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Hara and Kawasaki).

Senate Bill No. 2764-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2764-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, 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 Wednesday, March 19, 1980.

Senate Bill No. 2179-80, S.D. 1:

Senator Chong moved that S.B. No. 2179-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yim.

Senator Chong then spoke for the bill as follows:

"Mr. President, the committee report quite adequately relates the changes we made to the original lifeline bill. I strongly urge all members of this honorable body to read the committee report because it effectively puts what we are doing into proper historical perspective. It also effectively takes objections to the bill and explains how your Committee handled them.

"In addition to the wealth of factual information put forth in that committee report, I simply would like to add that this is the only measure before this honorable body, this session, that handles the very real consumer protection issue of electric rate relief. All of the bills in the energy area before us tonight are focused primarily on the issue of incentive to private industry to produce non-fossil fuel, non-nuclear energy. Indeed, some of the bills, such as Senate Bill No. 1900-80, could contribute towards further rate increases to electricity consumers.

"This bill, which is patterned after the California and New Jersey enabling legislations for lifeline rate structures, essentially provides for a voluntary mechanism that could produce a certain amount of rate relief.

"It is my pleasure to point out, Mr. President, that I had the honor to introduce a lifeline bill in 1977, so it is with extra feeling that I urge this honorable body to vote 'aye' on Senate Bill No. 2179-80, S.D. 1."

The motion was put by the Chair and carried, and S.B. No. 2179-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF LIFELINE RATES FOR GAS AND ELECTRICITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Ajifu, Anderson, Cobb, George, Hara, O'Connor, Saiki, Soares, Ushijima and Yee).

Senate Bill No. 1970-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Yim and carried, S.B. No. 1970-80, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR REVIEW AND APPEAL OF DECISIONS OF THE JUDICIAL SELECTION COMMISSION", having been read throughout, passed Third 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, 1 (Ushijima).

Standing Committee Report No. 513-80 (S.B. No. 1934-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 513-80 be adopted and S.B. No. 1934-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Campbell then stated as follows:

"Mr. President, I rise to speak in favor of Senate Bill No. 1934-80, S.D. 2. This bill would require that by 1983, students graduating from high school must pass a qualifying examination in addition to successfully completing other requirements.

"Not only will this bill restore meaning to the high school diploma, but this bill will have the effect of motivating students to master basic reading, writing and math skills. Ultimately, the effect of this measure could be the reestablishment of public confidence in our public schools.

"This bill supports the Department of Education in a program which is already in place. I urge the members of this body to vote 'aye' on this measure."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 513-80 was adopted and S.B. No. 1934-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE QUALIFYING EXAMINATION FOR STUDENTS SEEKING HIGH SCHOOL CERTIFICATES OF GRADUATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Carroll, Mizuguchi, Saiki and Ushijima).

Standing Committee Report No. 543-80 (S.B. No. 2693-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 543-80 be adopted and S.B. No. 2693-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kawasaki then stated as follows:

"Mr. President, I am voting for this bill with some reservations which I hope will be worked out in the conference committee. Specifically, the appointment of the members of the Board of Historical Sites Commission as it is constituted at present, I think lacks real public input.

"The ordinary private property owner citizen's point of view, I think, is many

times completely ignored, if actually not trampled on. And as a consequence of such a posture on the part of the present commission as it is made up, we have found that the Attorney General ruled that the State now has to take off the register some 576 parcels which were designated historical sites without even the decency of a notice to the property owners.

"After five years and cost at the taxpayers' expense, this defect now requires removal of these sites on the list of historical sites considered to be worthy of preservation.

"I would hope that in conference committee we can work out language so that public input is very definitely a part of the appointment procedure for the members of this Historical Sites Commission."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 543-80 was adopted and S.B. No. 2693-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL OBJECTS AND SITES; CULTURE AND ARTS; AND HISTORY AND THE HUMANITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1519, S.D. 1:

Senator Cobb moved that S.B. No. 1519, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Ushijima then asked for a ruling of the Chair of a possible conflict of interest as he is associated with a bank.

The Chair ruled that there was a conflict and Senator Ushijima was excused from voting on the measure.

Senator Yee then asked for a ruling of the Chair concerning a possible conflict of interest as he is also associated with a bank.

The Chair ruled that there was a conflict and Senator Yee was excused from voting on the bill.

Senator Ajifu then asked for a ruling of the Chair as to a possible conflict of interest as he is an employee of a bank.

The Chair ruled that there was no conflict and Senator Ajifu was allowed to vote on the bill.

The motion was put by the Chair and carried, and S.B. No. 1519, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII BANK ACT OF 1931", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson and Saiiki). Excused, 2 (Ushijima and Yee).

ADJOURNMENT

At 11:40 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 13, 1980.

THIRTY-SIXTH DAY

Thursday, March 13, 1980

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

The Divine Blessing was invoked by Reverend Donald Asman of the Manoa Valley Church, United Church of Christ, after which the Roll was called showing all Senators present, with the exception of Senators Cayetano and Kawasaki who were excused.

The President announced that he had read and approved the Journal of the Thirty-Fifth Day.

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

Senator O'Connor introduced his friends from Boston, Massachusetts, Mr. and Mrs. Paul Lazro, who were accompanied by Mr. and Mrs. Jim Ohlman.

Senator Toyofuku then introduced 38 students from Waimea High and Intermediate School on Kauai, accompanied by their teacher Mrs. Frances Moriguchi and parent Mrs. Mitsue Ibara.

Senator Yee, on behalf of the Senate, introduced 25 students from St. Louis High School who were accompanied by their teacher Mr. Rod Santos. Senator Yee stated that Mr. Santos, for the past five or six years, has brought students to the Capitol during the Legislative Session for a better understanding of their local government.

Senator Anderson then introduced a group of 46 members of the Palo-Kai Senior Citizens Club of Palolo.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 105), transmitting a copy of a report on the necessity of increasing various emergency treatment services; the feasibility of coordinating these services; and the progress on any coordination attempts, prepared by the Department of Health, in response to S.R. No. 45 (1979), was read by the Clerk and was referred to the Committee on Health.

DEPARTMENTAL COMMUNICATION

A communication from the Department of Planning and Economic Development (Dept. Com. No. 22), transmitting the comments of the members of the State Plan Policy Council on the State Housing Plan (draft presented on January 28, 1980), in response to Section 226-54(c),

Hawaii Revised Statutes, was read by the Clerk and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 248 to 303) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 248), transmitting House Bill No. 584, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 584, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH", passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 249), transmitting House Bill No. 1610, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1610, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 250), transmitting House Bill No. 1772-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1772-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 251), transmitting House Bill No. 1852-80, which passed Third Reading in the House of Representatives

on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1852-80, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 252), transmitting House Bill No. 1933-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1933-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREER PLANNING AND EMPLOYMENT COUNSELING", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 253), transmitting House Bill No. 1961-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1961-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VACATION OF PUBLIC OFFICERS AND EMPLOYEES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 254), transmitting House Bill No. 2072-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2072-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 255), transmitting House Bill No. 2141-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2141-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS",

passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 256), transmitting House Bill No. 2153-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2153-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEDICABS", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 257), transmitting House Bill No. 2215-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2215-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 258), transmitting House Bill No. 2216-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2216-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 259), transmitting House Bill No. 2217-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2217-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPLACED HOMEMAKERS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 260), transmitting

House Bill No. 2294-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2294-80, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE EDUCATION FOR ALIENATED STUDENTS IN THE HONOLULU AND LEEWARD EDUCATION DISTRICTS", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 261), transmitting House Bill No. 2296-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2296-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGENTS OF PRIVATE SCHOOLS AND CORRESPONDENCE SCHOOLS", passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 262), transmitting House Bill No. 2343-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2343-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 263), transmitting House Bill No. 2344-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2344-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 264), transmitting House Bill

No. 2496-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2496-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 265), transmitting House Bill No. 2633-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2633-80, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE DEPARTMENT OF EDUCATION", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 266), transmitting House Bill No. 2634-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2634-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 267), transmitting House Bill No. 2723-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2723-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 268), transmitting House Bill No. 2945-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on

file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2945-80, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 269), transmitting House Bill No. 2645-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2645-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 270), transmitting House Bill No. 2647-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2647-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 271), transmitting House Bill No. 2672-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2672-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 272), transmitting House Bill No. 2752-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2752-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE INITIAL APPOINTMENT OF CIVIL SERVICE EMPLOYEES", passed First Reading by title and was referred to

the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 273), transmitting House Bill No. 2983-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2983-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPLEMENTATION OF THE JUVENILE JUSTICE PLAN", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 274), transmitting House Bill No. 3052-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3052-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 275), transmitting House Bill No. 501, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 501, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 276), transmitting House Bill No. 1611, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1611, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS IN THE DEPARTMENT OF THE ATTORNEY GENERAL", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 277), transmitting House Bill No. 1853-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1853-80, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 278), transmitting House Bill No. 2167-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2167-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 279), transmitting House Bill No. 2222-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2222-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT PARKING CONTROL", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 280), transmitting House Bill No. 2409-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2409-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RADIOLOGICAL SAFETY TASK FORCE", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 281), transmitting House Bill No. 2444-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried,

H.B. No. 2444-80, entitled: "A BILL FOR AN ACT RELATING TO INDEXING OF THE HAWAII REVISED STATUTES", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 282), transmitting House Bill No. 2552-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2552-80, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 283), transmitting House Bill No. 2753-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2753-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES COVERED BY CHAPTER 77, HAWAII REVISED STATUTES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 284), transmitting House Bill No. 2897-80, H.D. 3, which passed Third Reading in the House of Representatives on March 12, 1980, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2897-80, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 285), transmitting House Bill No. 2980-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and

carried, H.B. No. 2980-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 286), transmitting House Bill No. 2022-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2022-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HISTORIC PRESERVATION PROGRAM", passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 287), transmitting House Bill No. 2023-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2023-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND ARTS", passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 288), transmitting House Bill No. 2574-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2574-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF A STATE LAND BANK", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 289), transmitting House Bill No. 2673-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2673-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed

First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 290), transmitting House Bill No. 2720-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2720-80, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 291), transmitting House Bill No. 2729-80, H.D. 3, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2729-80, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE HAWAII FISHERIES COORDINATING COUNCIL", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 292), transmitting House Bill No. 2815-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2815-80, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 293), transmitting House Bill No. 3006-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3006-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CHILDREN AND YOUTH", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 294), transmitting House Bill No. 1361, H.D. 3, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1361, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX CREDITS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 295), transmitting House Bill No. 2029-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2029-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 296), transmitting House Bill No. 2086-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2086-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 297), transmitting House Bill No. 2171-80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2171-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES", passed First Reading by title and was referred to the Committee on Government Operations and Efficiency.

A communication from the House (Hse. Com. No. 298), transmitting House Bill No. 2539-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2539-80, entitled: "A BILL FOR AN ACT RELATING TO TAX REBATES

AND PROVIDING AN APPROPRIATION THEREFOR", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 299), transmitting House Bill No. 2834-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2834-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE VEHICLE WEIGHT TAX EXEMPTIONS", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 300), transmitting House Bill No. 2847-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2847-80, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPAIR AND MAINTENANCE OF PUBLIC FACILITIES", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 301), transmitting House Bill No. 1865-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1865-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 302), transmitting House Bill No. 2541-80, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2541-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VAN GO HAWAII", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 303), transmitting House Bill No. 1912-80, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1912-80, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1979 TO JUNE 30, 1981", passed First Reading by title and was referred to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 179 to 181) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 179), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES ARMY CORPS OF ENGINEERS TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING A SMALL BOAT REFUGE HARBOR NEAR LAUPAHOEHOE POINT ON THE BIG ISLAND", was jointly offered by Senators Ushijima, Carpenter and Hara.

By unanimous consent, S.R. No. 179 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 180), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO IMMEDIATELY REPAIR AND CLEAN UP THE KAWAIHAE SMALL BOAT HARBOR", was jointly offered by Senators Ushijima and Carpenter.

By unanimous consent, S.R. No. 180 was referred to the Committee on Transportation.

A resolution (S.R. No. 181), entitled: "SENATE RESOLUTION CONGRATULATING THE NATIONAL DECA DELEGATES FOR ITS OUTSTANDING ACHIEVEMENTS AT THE NATIONAL DECA CONFERENCE, TEXAS", was jointly offered by Senators Young, Mizuguchi, Yamasaki, Cobb, Carroll, Soares, Chong, Ajifu, Ushijima, George, Yee, Hara, Anderson, Campbell, Yim, Kuroda, Cayetano, Machida, Saiki, Abercrombie, Toyofuku and Carpenter.

On motion by Senator Young, seconded

by Senator Mizuguchi and carried, S.R. No. 181 was adopted.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 711-80) informing the Senate that Senate Concurrent Resolution No. 39 and Senate Resolution Nos. 175 to 178 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.

ORDER OF THE DAY

MATTER DEFERRED FROM MARCH 12, 1980

Senate Bill No. 2134-80, H.D. 1:

By unanimous consent, action on S.B. No. 2134-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", was deferred until Friday, March 14, 1980.

MATTER DEFERRED FROM MARCH 11, 1980

Senate Bill No. 1115, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 1115, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES", was deferred until Friday, March 14, 1980.

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

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

At this time, Senator Kuroda introduced to the members of the Senate the Waipahu High School Stage Band, under the direction of Mr. George Nomura, who entertained in the Capitol rotunda this morning.

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 14, 1980.

THIRTY-SEVENTH DAY

Friday, March 14, 1980

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

The Divine Blessing was invoked by Mrs. Linda B. Cravalho, a member of the parish at St. Anthony's Church in Kailua, after which the Roll was called showing all Senators present with the exception of Senator Wong who was excused.

The Vice President announced that the President had read and approved the Journal of the Thirty-Sixth Day.

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

Senator Yee introduced 100 students from the fifth grade at the Ala Wai Elementary School with their teachers, Mrs. Thelma Odo, Mrs. Jean Dollar, Mrs. Betty Muraoka and Mrs. Alice Arakaki.

Senator Anderson introduced a group of forty-eight members of a senior citizens group from Makiki. Senator Chong introduced Mr. and Mrs. Kenneth Chun from among that group.

Senator Chong then introduced three seniors from Iolani High School: Karlton Tomomitsu, Mark Hirokawa and Ed Taniguchi, who are studying the Legislature at work.

Senator Carpenter introduced Police Captain Charles Rose of the Criminal Investigation Division of the County of Hawaii Police Department.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 304), transmitting House Concurrent Resolution No. 41, which was adopted by the House of Representatives on March 13, 1980, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII TO RECOGNIZE APRIL 1980 AS CANCER CONTROL MONTH", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 182 to 186) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 182), entitled: "SENATE RESOLUTION HONORING JACQUELINE P. WAIWAIOLÉ FOR COMMUNITY SERVICE ACHIEVEMENTS", was jointly offered by Senators Yim, Wong, Kawasaki, Campbell, Mizuguchi, Saiki, Ajifu, Soares, Carroll, Yee, Machida, Ushijima, Yamasaki, Kuroda, Hara, Carpenter, Abercrombie, Anderson, Toyofuku, Chong, O'Connor, Cobb, Young, George and Cayetano.

On motion by Senator Yim, seconded by Senator Mizuguchi and carried, S.R. No. 182 was adopted.

A resolution (S.R. No. 183), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE VIABILITY AND IMPACT OF A STATE-RUN LOTTERY", was jointly offered by Senators Hara, Abercrombie, Toyofuku, Machida, Kuroda, Carpenter and Cayetano.

By unanimous consent, S.R. No. 183 was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

A resolution (S.R. No. 184), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE EFFECTS OF HIGH VOLTAGE POWER LINES ON THE HEALTH AND WELL-BEING OF THE CITIZENS OF HAWAII", was jointly offered by Senators Cobb and Chong.

By unanimous consent, S.R. No. 184 was referred to the Committee on Health.

A resolution (S.R. No. 185), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ELECTRIC SMOG IN HAWAII INCLUDING ITS EFFECT ON THE CITIZENS OF THIS STATE", was jointly offered by Senators Chong, Cobb and Carpenter.

By unanimous consent, S.R. No. 185 was referred to the Committee on Health.

A resolution (S.R. No. 186), entitled: "SENATE RESOLUTION CONGRATULATING THE SPONSOR AND THE FIVE HUNDRED PARTICIPANTS OF THE SECOND ANNUAL POKAI BAY BONANZA JACKPOT FISHING TOURNAMENT", was jointly offered by Senators Kuroda, Yee, Young, Saiki, George, Cobb, O'Connor, Anderson, Cayetano, Toyofuku, Machida, Ushijima, Hara, Abercrombie, Carpenter, Chong, Yim, Kawasaki, Yamasaki, Ajifu, Carroll and Soares.

On motion by Senator Yee, seconded by Senator Mizuguchi and carried, S.R. No. 186 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee

on Legislative Management, presented a report (Stand. Com. Rep. No. 712-80) informing the Senate that Senate Resolution Nos. 179 to 181 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 Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 713-80) recommending that Senate Resolution No. 80, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.R. No. 80, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE IMPLEMENTATION OF A CENTRALIZED COPIER AND COPIER/ DUPLICATOR MANAGEMENT PROGRAM AND REVIEW OF THE COMPETITIVE BIDDING FOR COPIER AND COPIER/DUPLICATOR EQUIPMENT IN HAWAII", was adopted.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 714-80) recommending that Senate Concurrent Resolution No. 15, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.C.R. No. 15, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF A CENTRALIZED COPIER AND COPIER/DUPLICATOR MANAGEMENT PROGRAM AND REVIEW OF THE COMPETITIVE BIDDING FOR COPIER AND COPIER/DUPLICATOR EQUIPMENT IN HAWAII", was adopted.

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

The Senate reconvened at 11: 47 o'clock a.m.

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 13, 1980

Senate Bill No. 2134-80, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2134-80 and requested a conference on the subject matter thereof.

The Vice President then appointed Senators Carpenter, Chairman and Cobb and Yee as Managers on the part of the Senate at such conference.

FINAL READING

Senate Bill No. 1115, S.D. 2, H.D. 2:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 1115, S.D. 2 and that S.B. No. 1115, S.D. 2, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

Senator Campbell then stated as follows:

"Mr. President, I rise to speak in favor of Senate Bill No. 1115, S.D. 2, H.D. 2.

"It is about time that the legislature came to the rescue of the beleaguered automobile owner. If there is any segment of the Hawaii population which has been made the target of every kind of conceivable tax, it has been the automobile owner.

"In January 1978, the automobile owner was slapped with a dollar registration fee. He has to pay a weight tax to the county and the State. The City and County of Honolulu has increased its gasoline tax 3¢ as of this year which makes a total of 11-1/2¢ for the auto owner.

"It goes without saying that the passage of the windfall profits tax on oil companies is going to mean an increase in the cost of gasoline at the stations for our citizens. At the present time, retail gasoline prices at the station keeps going up.

"At a recent session of the legislature, the temporary 3.5% gasoline tax was made permanent over the strong objections of some of us in the State Legislature. I pointed out at that time that the confidence level of our people will be seriously damaged if we made the tax permanent because we had promised the people that this tax would be phased out and that it would not be made permanent.

"In addition to the tax burden which the automobile owner has to bear, the 1977 session of the legislature added an additional burden to him. It extended for five years, the open rating period for the automobile insurance companies.

"Automobile insurance rates have been going up consistently and it seems logical to me that the rates would stabilize if we closed the open rating period and mandated the State Insurance Commissioner to step in and regulate these rates.

"Mr. President, when I was a member of the House of Representatives, I addressed that body concerning my serious reservations about the long extension of the present open competitive rating system.

"Mr. President, I had another reservation which I shared with members of the House several years ago. I said at that time and I say again today that our State should not be involved in making auto insurance mandatory, giving insurance companies a captive audience and at the same time giving these companies the right to set their own insurance rates.

"I have a strong feeling that our legislature has abdicated its objective role as a consumer advocate in following this policy. Today I am positively impressed by the modest attempts of Senate Bill No. 1115, S.D. 2, H.D. 2, to come to the rescue of besieged automobile owners.

"While this bill simply scratches the surface when it comes to aiding our driving public, it does help as the insured seeks the most reasonable rates against the high insurance rates we find in existence today.

"I strongly urge support of this bill hopefully as a basis for launching the elimination of the open rating period."

The motion was then put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1115, S.D. 2, and S.B. No. 1115, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Wong).

At 11: 50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11: 51 o'clock a.m.

RE-REFERRAL OF HOUSE BILLS

The Vice President then made the

following re-referral of a House bill that was received on Monday, March 12, 1979:

House Bill Referred to:

No. 1655 Jointly to the Committee on Health and the Committee on Consumer Protection and Commerce

The Vice President then made the following re-referral of House bills that were received on Wednesday, March 12, 1980:

House Bill Referred to:

No. 2328-80 Committee on Ecology, Environment and Recreation, then to the Committee on Transportation

No. 2458-80 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

RECONSIDERATION OF ACTION TAKEN

Conference Committee Report No. 1-80 (H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1):

Senator O'Connor moved that the Senate reconsider its action taken on March 4, 1980, in adopting Conf. Com. Rep. No. 1-80 and passing H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1, on Final Reading, seconded by Senator Cobb and carried.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 1-80 and H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", were recommitted to the Committee on Conference.

ADJOURNMENT

At 11: 53 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried by a rising vote, the Senate adjourned until 11: 30 o'clock a.m., Monday, March 17, 1980 in memory of the twenty-two members of the United States amateur boxing team who were killed in a crash of a Polish jetliner on a flight from New York to Warsaw, Poland.

THIRTY-EIGHTH DAY

Monday, March 17, 1980

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

The Diving Blessing was invoked by Father Bartholomew O'Leary of St. Stephen's Seminary, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Seventh Day.

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

Senator Anderson introduced a group of 32 members of the Laimi Senior Citizens Club of Nuuanu.

Senator Toyofuku then introduced 18 members of the HGEA, Unit 3, Legislative Committee, accompanied by Mrs. Priscilla Hayashi, Chairperson of Unit 3, and Mrs. Clara Kakalia, Legislative Committee Chairperson.

Senator Carpenter, on behalf of the Senators from the 1st Senatorial District, introduced Mr. Franklin Baptiste, Big Island representative on the UPW Legislative Committee.

Senator Chong then introduced some of the Hawaii Delegates to the White House Conference on Library and Information Services as follows: Mr. Wilfred Hokama, Executive Director, Waianae Coast Day Care Center, Inc.; Ms. Donna Marie Garcia, Kauai District Administrator, Office of Library Services, Department of Education; Ms. Sally E. La'i, teacher, Waihee School, Department of Education; and Mr. Clinton K. Akana, police officer, Honolulu Police Department; accompanied by Miss Ruth Itamura, State Librarian, and Mrs. Masae Gotanda, Director of Research, State Library Services.

Senator Yee, after viewing a movie last night with Kevin O'Connor in "Bogey", introduced the "Bogey" of the State Senate, Senator Dennis O'Connor.

Senator Yamasaki then introduced Mr. Charles Iwata, Maui Chairman of the UPW Legislative Committee, and members of the UPW Legislative Committee who were sitting in the gallery.

The Chair then introduced Mr. Jimmy Brown, President of UPW.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of

the Chair.

The Senate reconvened at 11:46 o'clock a.m.

HOUSE COMMUNICATIONS

A communication from the House (Hse. Com. No. 305) advising the Senate that the House of Representatives on March 14, 1980, reconsidered its action previously taken on House Bill No. 1494, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", and has recalled the bill from the Governor, was read by the Clerk and was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. No. 187 to 190) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 187), entitled: "SENATE RESOLUTION HONORING AND COMMENDING THE HAWAII DELEGATES TO THE WHITE HOUSE CONFERENCE ON LIBRARY AND INFORMATION SERVICES", was jointly offered by Senators Chong, Young, Yamasaki, Carpenter, Machida, Cobb, Toyofuku, Ushijima, Kawasaki, Yim, Saiki, Wong, Hara, Kuroda, Ajifu, Abercrombie, Campbell, Mizuguchi, Cayetano, O'Connor, Anderson, Yee, Carroll, George and Soares.

On motion by Senator Chong, seconded by Senator Young and carried, S.R. No. 187 was adopted.

At this time, Senator Chong, on behalf of the Senate, recognized Senator Charles Campbell, a Hawaii Delegate to the White House Conference, and introduced to the members of the Senate Delegate Agnes Conrad, Archivist, State of Hawaii, leader of the delegation. Senator Campbell and Ms. Conrad were then presented with leis and copies of the resolution by Senators Chong and Young.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

A resolution (S.R. No. 188), entitled: "SENATE RESOLUTION TO REQUIRE THE PUBLIC UTILITIES COMMISSION TO CONDUCT HEARINGS AND INVESTIGATION INTO THE ANTITRUST EXEMPTION OF THE WESTERN MOTOR TARIFF BUREAU", was offered by Senator Chong.

By unanimous consent, S.R. No. 188 was referred to the Committee on Public Utilities then to the Committee on Judiciary.

A resolution (S.R. No. 189), entitled: "SENATE RESOLUTION CALLING UPON THE REAL ESTATE COMMISSION TO EXPLAIN WHY IT HAS FAILED TO ACT ON ITS OWN RECOMMENDATIONS FOR IMPROVING REAL ESTATE BROKER EDUCATION IN HAWAII", was offered by Senator Chong.

By unanimous consent, S.R. No. 189 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 190), entitled: "SENATE RESOLUTION RELATING TO SAINT PATRICK O' EIRE (OR PATRICIUS), HIS SONS AND DAUGHTERS (REAL OR TEMPORARY) O' ERIN, AN' ALL THE NIGH-GOOD FESTIVITIES O' THE DAY", was jointly offered by Senators O'Connor, Carroll, Abercrombie, Cobb, Ajifu, Hara, Carpenter, Chong, Young, Wong, Toyofuku, Kuroda, Campbell, Yim, Saiki, Machida, Mizuguchi, Soares and Shannon George.

At this time time, Senator O'Connor rose to read portions of the resolution, prior to the motion for adoption.

Senator O'Connor then moved that S.R. No. 190 be adopted, seconded by Senator Carroll.

Senator George then rose to express her reservations on the resolution as follows:

"Mr. President, as a true daughter of County Derry, which I noticed was not mentioned in the resolution, I would like to speak expressing grave reservations, orange reservations, about the passage of this document with serious flaws.

"The first thing I would like to bring up for your attention is enough already with all this green.

"We now have this custom of turning the lights on green that makes us look rather like newts on a golf course, something none of us need ... we all look quite ill.

"This green resolution encourages the proliferation of ads in the newspapers from such ersatz Irishmen as Frank Loo and Ike Sutton and I think for that reason, because of the enrichment of the newspapers, Senator O'Kawasaki ought to join me in urging voting against it.

"It forces good Portagees like Senator Soares into unbecoming shades of green

and as Senator Soares will testify, all Portagees look much better in becoming shades of maroon. It pushes me into annual display of this ridiculous Halloween costume. It turns perfectly good Sassenachs like Senator Abercrombie into temporary leprechauns. It persuades other sensible haoles like John Carroll into unconvincing brogue to tell ethnic jokes and this is a habit which many of us know has gotten many a politician into deep trouble.

"It forms us into an unruly choir to warble such Irish ditties as 'Irish Eyes Are Smiling' to the despair of Joan Hayes and Citizens Against Noise. It adds green Easter egg dye to perfectly good beer.

"Quite apart from all these reasons from considering very seriously voting against the resolution, I'd like to point out that the resolution is plagiarized from a variety of earlier such. I found at least five years worth of resolutions that differ very little from this one.

"It's an anti-home rule proposal, I'm sure you all recognize. We have no business meddling in the internal affairs of foreign jurisdictions.

"Our Clerk couldn't begin to pronounce the Gaelic here. Senator O'Connor, you note, who is the proponent, carefully skipped over all of the parts that are written in the Gaelic and I venture there is no one in this chamber, Father O'Leary apart, who could pronounce the Gaelic in this.

"One of the proponents of the resolution is due to preside, I understand, somewhat later at noon, as bartender at Boyd's and judging from the flawed nature of the resolution it gives one to wonder whether or not he might have been nipping at the sauce a bit early.

"Ladies and gentlemen, I urge you to vote against this resolution."

Senator Carroll then added as follows:

"Mr. President, I rise to speak in favor of the resolution and I'd like to point out that in the comments of the previous speaker, our learned colleague from Kailua, she failed to make one point that she has made on a recurring basis, although she did allude to it, and that is the fact that the resolution is an old and hackneyed one; but I'd like to point out that this year it is quite redone, and I'd like to credit the young colleen from Green Manoa Valley, Miss 'Sheila' O'Yee who put together these comments."

Senator O'Connor announced that the boutonnieres and corsages on everyone's desk were provided by Senators Carroll and O'Connor and then stated as follows:

"Mr. President, I would like to say that you must realize that the lovely land of Ireland is somewhat split. There is a small segment to the North that continues to be at war with the world and that they do wear orange and they do say nasty things about those Irishmen that wear green and live to the South. So you must take it with a grain of salt that that bit of intemperate comment from that otherwise sagacious and judicious lady from Kailua, who today is somewhat swayed by the fact that she continues to wear that terrible orange shirt of hers.

"Be that as it may, Mr. President, we do urge all today to be temporary Irishmen for today there are enough difficult and hard and nasty things around this building and this chamber on an ongoing basis that we can't have a little fun and everyone for a short period of time for gaiety in his and her existence and be an Irishman.

"Thank you very much."

The motion was put by the Chair and carried and S.R. No. 190 was adopted.

At this time, Senator O'Connor introduced to the members of the Senate Mr. Arthur Patrick Murphy, Chairman of the Board of Directors of the Friendly Sons of Saint Patrick of Hawaii, and recognized Father O'Leary who earlier gave the invocation. The Irish gentlemen were then presented with leis by Senators George and Saiki and copies of the resolution by Senator O'Connor.

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 715-80), informing the Senate that Senate Resolution Nos. 182 to 186 and Standing Committee Report Nos. 713-80 and 714-80 have been printed and are ready for distribution.

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

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 716-80), recommending that Senate Resolution No. 51, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 716-80 and S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF HAWAII'S LIMITED BRANCH BANKING LAW", was deferred until Tuesday, March 18, 1980.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 717-80), recommending that Senate Concurrent Resolution No. 12, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 717-80 and S.C.R. No. 12, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF HAWAII'S LIMITED BRANCH BANKING LAW", was deferred until Tuesday, March 18, 1980.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following committee assignments of House Bills that were received on Thursday, March 13, 1980:

House Bills	Referred to:
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No. 2022-80, H.D. 1	Committee on Education, then to the Committee on Ways and Means
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No. 2023-80, H.D. 2	Committee on Education, then to the Committee on Ways and Means
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ADJOURNMENT

At 12:06 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 18, 1980.

THIRTY-NINTH DAY

Tuesday, March 18, 1980

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

The Divine Blessing was invoked by the Reverend John Witte, Director, Hospitality House of the Christian Reformed Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie and Saiki, who were excused.

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

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 106), transmitting the Sixth Annual Progress Report on Mental Health Services for Children and Youth, prepared by the Department of Health pursuant to Section 321-176, Hawaii Revised Statutes, was read by the Clerk and was referred to the Committee on Health.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 306), informing the Senate that the House of Representatives had reconsidered its action taken on March 5, 1980, on Senate Bill No. 1703, S.D. 1, H.D. 1, C.D. 2, was read by the Clerk and was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 191 to 193) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 191), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF MANAGEMENT SYSTEM OPTIONS FOR A HAWAII MASS TRANSPORTATION SYSTEM", was jointly offered by Senators Anderson, Saiki, Soares, George, Yee, Carroll and Yim.

By unanimous consent, S.R. No. 191 was referred to the Committee on Transportation.

A resolution (S.R. No. 192), entitled: "SENATE RESOLUTION CONGRATULATING THE CASTLE HIGH SCHOOL KNIGHTS ON WINNING THE 1980 HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION BOYS HIGH SCHOOL SOCCER CHAMPIONSHIP,

THE OAHU INTERSCHOLASTIC ASSOCIATION (OIA) TITLE AND THE OIA EASTERN DIVISION TITLE", was jointly offered by Senators Anderson, George, Saiki, Machida, Young, Cobb, Hara, Mizuguchi, Ushijima, Yamasaki, Yee, Abercrombie and Kawasaki.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 192 was adopted.

A resolution (S.R. No. 193), entitled: "SENATE RESOLUTION CONGRATULATING THE CASTLE HIGH SCHOOL KNIGHTS ON WINNING THE 1980 OAHU INTERSCHOLASTIC ASSOCIATION GIRLS SOCCER CHAMPIONSHIP", was jointly offered by Senators Anderson, George, Saiki, Hara, Machida, Young, Cobb, Mizuguchi, Ushijima, Yamasaki, Yee, Abercrombie and Kawasaki.

On motion by Senator Anderson, seconded by Senator George and carried, S.R. No. 193 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 718-80) informing the Senate that Senate Resolution Nos. 187 to 190 and Standing Committee Report Nos. 716-80 and 717-80 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 Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 719-80) recommending that House Bill No. 1945-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 719-80 was received and placed on file.

The President then re-referred H.B. No. 1945-80, H.D. 1, to the Committee on Economic Development, then to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 1945-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a

report (Stand. Com. Rep. No. 720-80) recommending that House Bill No. 1982-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1982-80, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 20, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1982-80.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 721-80) recommending that House Bill No. 1983-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS".

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 722-80) recommending that House Bill No. 2185-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 2185-80, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE OFFICE OF THE ASSISTANT REGISTRAR OF THE LAND COURT IN THE STATE BUREAU OF CONVEYANCES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 723-80) recommending that House Bill No. 2418-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 2418-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PRODUCTION FACILITIES IN AGRICULTURE DISTRICTS",

passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 20, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2418-80, H.D. 1, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 724-80) recommending that House Bill No. 2535-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 2535-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE BY FUEL IMPORTERS, MANUFACTURERS, DISTRIBUTORS, AND EXPORTERS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 20, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2535-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 725-80) recommending that the Senate consent to the nomination of James H. Wakatsuki as Fourth Judge for the Circuit Court of the First Circuit, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 92.

By unanimous consent, action on Stand. Com. Rep. No. 725-80 and Gov. Msg. No. 92 was deferred until Wednesday, March 19, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 726-80) recommending that the Senate consent to the nomination of Wendell K. Huddy as Sixth Judge for the Circuit Court of the First Circuit, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 93.

By unanimous consent, action on Stand. Com. Rep. No. 726-80 and Gov. Msg. No. 93 was deferred until Wednesday, March 19, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 727-80) recommending that the Senate consent to the nomination of Simeon R. Acoba, Jr., as Twelfth Judge

for the Circuit Court of the First Circuit, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 94.

By unanimous consent, action on Stand. Com. Rep. No. 727-80 and Gov. Msg. No. 94 was deferred until Wednesday, March 19, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 728-80) recommending that the Senate consent to the nomination of Philip T. Chun, as Fourteenth Judge for the Circuit Court of the First Circuit, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 95.

By unanimous consent, action on Stand. Com. Rep. No. 728-80 and Gov. Msg. No. 95 was deferred until Wednesday, March 19, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 729-80) recommending that the Senate consent to the nomination of Ronald B. Greig, as Fifteenth Judge for the Circuit Court of the First Circuit, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 96.

By unanimous consent, action on Stand. Com. Rep. No. 729-80 and Gov. Msg. No. 96 was deferred until Wednesday, March 19, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 730-80) recommending that the Senate consent to the nomination of Kei Hirano, as Circuit Judge of the Fifth Circuit, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 100.

By unanimous consent, action on Stand. Com. Rep. No. 730-80 and Gov. Msg. No. 100 was deferred until Wednesday, March 19, 1980.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 731-80) recommending that House Bill No. 713, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 713, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 20, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 713, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 732-80) recommending that House Bill No. 714, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 714, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAVINGS AND LOAN ASSOCIATIONS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 20, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 714, S.D. 1.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 733-80) recommending that House Bill No. 25, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and H.B. No. 25, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 734-80) recommending that House Bill No. 1162, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chong, for the Committee on

Public Utilities, presented a report (Stand. Com. Rep. No. 735-80) recommending that House Bill No. 1222, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1222, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12)", passed Second Reading and was referred to the Committee on Judiciary.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 17, 1980

Standing Committee Report No. 716-80 (S.R. No. 51, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 716-80 be received and placed on file, seconded by Senator Chong and carried.

On motion by Senator Cobb, seconded by Senator Chong and carried, S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF HAWAII'S LIMITED BRANCH BANKING LAW", was referred to the Committee on Legislative Management.

Standing Committee Report No. 717-80 (S.C.R. No. 12, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 717-80 be adopted and S.C.R. No. 12, S.D. 1, be adopted, seconded by Senator Chong.

Senator Anderson then spoke against the resolution as follows:

"Mr. President, I'm going to vote 'no' on this as I don't like the limitations of the study.

"I don't mind the study, Mr. President, but on page 2 of the resolution, it states that the limited branch banking law should be repealed. That's one determination already made.

"It also requests that a study be made on whether or not similar branching

restrictions should be placed on the savings and loan associations. That's the second determination, and I don't think it really gives the party studying the limited branch banking law the latitude that it needs to truly study it."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 717-80 was adopted and Roll Call vote having been requested, S.C.R. No. 12, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF HAWAII'S LIMITED BRANCH BANKING LAW", was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Anderson).
Excused, 2 (Abercrombie and Saiki).

MATTER DEFERRED FROM MARCH 7, 1980

Senate Bill No. 1703, S.D. 1, H.D. 1, C.D. 2:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1703, S.D. 1, H.D. 1, C.D. 2, 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, 23. Noes, none. Excused, 2 (Abercrombie and Saiki).

MISCELLANEOUS COMMUNICATION

A communication from the Honorable Daniel K. Inouye, United States Senator, (Misc. Com. No. 11) acknowledging receipt of Senate Resolution No. 159 (1980), was read by the Clerk and was placed on file.

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of a House bill that was received on Friday, March 7, 1980:

House Bill Referred to:

No. 2026-80, H.D. 1 Committee on
Consumer Protection and Commerce

The President made the following re-referral of a House bill that was received on Wednesday, March 12, 1980:

House Bill Referred to:

No. 1985-80, H.D. 1 Committee on

Judiciary

The President then made the following re-referral of a House Bill that was received on Thursday, March 12, 1980:

House Bill Referred to:

No. 1611 Committee on Ways and Means

APPOINTMENT OF
ADDITIONAL CONFeree

Senate Bill No. 2134-80, H.D. 1:

The President appointed Senator

Campbell as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to Senate Bill No. 2134-80.

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Wednesday, March 19, 1980.

FORTIETH DAY

Wednesday, March 19, 1980

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

The Divine Blessing was invoked by Reverend Tetsuun Ama of the Honpa Hongwanji Mission, Hawaii Betsuin, after which the Roll was called showing all Senators present, with the exception of Senator Saiki who was excused.

The President announced that he had read and approved the Journal of the Thirty-Ninth Day.

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

Senator Kawasaki introduced guests from the State of Oregon, home of the great statesman, Senator Wayne Morse, Republican (District 41) State Representative Mary McCauley Burrows and her husband, Chuck, from Eugene, Oregon.

Senator Anderson then introduced 37 members of the Area Wide Horizons Senior Citizens Club of Waiialua, Oahu.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 107), transmitting the State Housing Plan, a functional plan designed to implement the Hawaii State Plan, prepared by the Hawaii Housing Authority in compliance with Chapter 226, Hawaii Revised Statutes, was read by the Clerk and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 307 to 309), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 307), 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. 1703, S.D. 1, was adopted by the House; and Senate Bill No. 1703, S.D. 1, H.D. 1, C.D. 2, passed Final Reading in the House of Representatives on March 18, 1980, by not less than two-thirds vote of all of the members to which the House is entitled, was placed on file.

A communication from the House (Hse. Com. No. 308), informing the Senate

that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2134-80, and the request for a conference on the subject matter thereof of said amendments, on March 18, 1980, the Speaker appointed Representatives Blair, Chairman, Aki, Kobayashi, Segawa, Shito, Ikeda and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 309), informing the Senate that the House has reconsidered its action taken on March 18, 1980 in passing Senate Bill No. 1703, S.D. 1, H.D. 1, C.D. 2, on Final Reading, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 40), entitled: "SENATE CONCURRENT RESOLUTION ADOPTING A FUNCTIONAL PLAN FOR HOUSING", was offered by Senator Wong, by request, and was read by the Clerk.

By unanimous consent, S.C.R. No. 40 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE RESOLUTION

A resolution (S.R. No. 194), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING YAEKO ONO FOR HER OUTSTANDING CONTRIBUTIONS TO EDUCATION", was jointly offered by Senators Young, Mizuguchi, Cayetano, Kuroda, Cobb, Machida, Toyofuku, Ushijima, Yamasaki, Wong, Chong, Campbell, George, Saiki, Ajifu, Anderson, Carpenter, Soares, Carroll, Abercrombie, O'Connor, Yim, Yee, Hara and Kawasaki, and was read by the Clerk.

On motion by Senator Young, seconded by Senator Mizuguchi and carried, S.R. No. 194 was adopted.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 736-80), informing the Senate that Senate Resolution Nos. 191 to 193 and Standing Committee Report Nos. 719-80 to 735-80 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.

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 12, 1980

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

By unanimous consent, action on Stand. Com. Rep. No. 679-80 and S.B. No. 1829-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT", was deferred until Thursday, March 27, 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 Thursday, March 27, 1980.

Standing Committee Report No. 725-80
(Gov. Msg. No. 92):

By unanimous consent, action on Stand. Com. Rep. No. 725-80 and Gov. Msg. No. 92 was deferred to the end of the calendar.

Standing Committee Report No. 726-80
(Gov. Msg. No. 93):

Senator O'Connor moved that Stand. Com. Rep. No. 726-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of Wendell K. Huddy as Sixth Judge, Circuit Court of the First Circuit, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

Senator O'Connor then rose to speak in favor of the nomination as follows:

"Mr. President, I rise to speak in favor of this nomination and the consent to the nomination.

"Mr. Huddy, now serving as a temporary judge of the First Circuit Court, has had a distinguished practice of law in the State of Hawaii and has served consecutively as District Court Judge with a good record and as temporary Circuit Court Judge with a good record.

"As Circuit Court Judge he has handled a variety of cases including criminal cases, waiver cases for the Family Court and civil cases. All of his records that we investigated, on the part of the Judiciary Committee, were excellent and we highly recommend the Senate consent of Judge Huddy."

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

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

Standing Committee Report No. 727-80 (Gov. Msg. No. 94):

Senator O'Connor moved that Stand. Com. Rep. No. 727-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of Simeon R. Acoba, Jr., Twelfth Judge, Circuit Court of the First Circuit, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

Senator O'Connor then rose to speak in favor of the nomination as follows:

"Mr. President, I rise to speak in favor of this motion to consent.

"Mr. Simeon R. Acoba, Jr., has practiced law as a private practitioner in the State of Hawaii for the last 12 years. He has had a distinguished practice; he has been involved in almost every type of legal case imaginable; his record is excellent and, overall, he has demonstrated the integrity and morality which one would expect of a circuit court judge.

"For those reasons and because of his intelligence and ability as an individual, your Judiciary Committee strongly urges that the Senate consent to Mr. Simeon R. Acoba, Jr."

Senator Carroll also rose to speak in favor of the nomination as follows:

"Mr. President, speaking in favor of this nomination, anybody who can share office space and get along with Ben Cayetano for seven years demonstrates not only a judicial, but judicious temperament and I urge the consent of this nomination."

Senator Cayetano, after the statement of the previous speaker, requested

the Chair for a ruling on a conflict of interest and the Chair ruled that Senator Cayetano was not in conflict.

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

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

Standing Committee Report No. 728-80 (Gov. Msg. No. 95):

Senator O'Connor moved that Stand. Com. Rep. No. 728-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of Philip T. Chun, Fourteenth Judge, Circuit Court of the First Circuit, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

Senator O'Connor then rose to speak in favor of this nomination as follows:

"Mr. President, I rise to speak in favor of the nomination.

"Mr. Philip T. Chun has served in a variety of legal capacities in this community, including the Corporation Counsel of the City and County of Honolulu, and in private practice as an attorney for approximately 15 years. His entire record has been excellent.

"In the last five years he has served both as a District Court Judge and as an acting Circuit Court Judge. He has had an excellent record in those areas.

"The Judiciary Committee, after carefully reviewing the record of Judge Chun, soundly recommends that he be consented to as a First Circuit Court Judge."

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

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

Standing Committee Report No. 729-80 (Gov. Msg. No. 96):

Senator O'Connor moved that Stand. Com. Rep. No. 729-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination

of Ronald B. Greig, Fifteenth Judge, Circuit Court of the First Circuit, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

Senator O'Connor then rose to speak in favor of the nomination as follows:

"Mr. President, I rise to speak in favor of the consent to the nomination of Ronald B. Greig to the First Circuit Court.

"Judge Greig has been in private practice of law in our community for in excess of 20 years,

"For the past seven years he has served, first, as a District Court Judge, and has, recently, served as a temporary Circuit Court Judge. His private practice has been exemplary; his decisions on the bench have been excellent; he is extremely well qualified, and the Judiciary Committee firmly recommends that he be consented to as a First Circuit Court Judge."

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

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

Standing Committee Report No. 730-80 (Gov. Msg. No. 100):

Senator O'Connor moved that Stand. Com. Rep. No. 730-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of Kei Hirano as Circuit Judge of the Fifth Circuit, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Constitution of the Hawaii State Constitution, seconded by Senator Cobb.

At this time, Senator O'Connor rose to speak in favor of the nomination as follows:

"Mr. President, I rise to speak in favor of the Senate's consent to the nomination of Kei Hirano as the Judge of the Fifth Circuit.

"Judge Hirano is a Kauai boy who grew up on Kauai, went back there after he passed the bar and has practiced on Kauai for all his life. He was the Corporation Counsel for the County of Kauai and served as District Judge for many years until being appointed

as the temporary Circuit Court Judge on the Island of Kauai.

"His overall background, his education, his intelligence and his general outlook on life have just been excellent. We cannot more highly recommend Kei Hirano to be judge of the Fifth Circuit."

Senator Carroll also rose to speak in favor of the nomination as follows:

"Mr. President, I rise to speak in favor of Judge Hirano.

"The other judges which have been mentioned today -- Huddy, Acoba, Chun and Greig -- are all well-known in this community. With Judge Hirano, this is not the case.

"I had the occasion to appear before him and I have found him to be as competent or more competent than any of the circuit court judges that we have in this circuit. The particular case I am referring to was an inflammatory and very convoluted matter and I was extremely pleased with the conduct, the judicial temperament, and the ability of this gentleman. I think he will become more well-known in the community on the circuit court bench. I strongly urge the consent of his nomination."

Senator Kawasaki then rose to speak in favor of the consent of Judge Hirano as follows:

"Mr. President, I too would like to urge the unanimous consent of Judge Hirano.

"I don't know the man personally, but I've respected and admired his recent decision . . . his judicial decision to uphold the law. That is the case in which he fined one of our labor unions \$30,000 -- similar action other judges may have been reluctant to emulate.

"I think this man proved that the law applies equally to all segments of our community here, including the labor unions, and I think he demonstrated his judicial integrity and his courage.

"I urge the unanimous consent of this man as a paragon of what judges should be in this state."

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

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

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of a House Bill that was received on Monday, March 3, 1980:

House Bill	Referred to:
No. 2064-80	Committee
on Judiciary	

The President made the following re-referral of House Bills that were received on Monday, March 10, 1980:

House Bill	Referred to:
No. 2071-80, H.D. 1	Committee
on Ways and Means	

No. 2361-80, H.D. 1	Committee
on Ways and Means	

The President made the following re-referral of House Bills that were received on Wednesday, March 12, 1980:

House Bill	Referred to:
No. 1958-80	Committee
on Ways and Means	

No. 2035-80, H.D. 2	Committee
on Ways and Means	

The President made the following re-referral of House Bills that were received on Thursday, March 13, 1980:

House Bill	Referred to:
No. 1772-80, H.D. 2	Committee
on Ways and Means	

No. 2217-80, H.D. 1	Committee
on Ways and Means	

No. 2752-80, H.D. 2	Committee
on Ways and Means	

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 725-80 (Gov. Msg. No. 92):

Senator O'Connor moved that Stand. Com. Rep. No. 725-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of James H. Wakatsuki, Fourth Judge, Circuit Court of the First Circuit, for a ten-year term, in accordance

with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

At this time, Senator Ajifu moved to reject the nomination of Speaker Wakatsuki as a judge of the Circuit Court of Hawaii, seconded by Senator Soares.

The Chair then asked: "Is it my understanding, Senator Ajifu, that you are amending the committee report?"

Senator Ajifu replied: "No, Mr. President, I am amending the main motion as proposed by the chairman of the Judiciary Committee."

Senator Mizuguchi, rising on a point of order, stated as follows:

"Mr. President, I believe that the motion is improper and it should be ruled out of order. I believe that after discussion and debate of the respective nominee that the movant and the whole Senate will have an opportunity to vote to consent or to reject that nominee. For that reason, Mr. President, the motion should be ruled out of order."

Senator Anderson then rose to object on the point of order and stated as follows:

"Mr. President, while I don't support the amendment, I think the amendment is in order and I respect the right of Senator Ajifu to make it."

"I ask for a roll call vote on the motion, please."

The Chair replied in the affirmative and stated that "the Chair will recognize the motion for an amendment to the committee report. Those voting in favor approve the amendment. Those against will be against the amendment, then we will go to the main motion to consent." (Note: The Chair made a correction to this ruling on the 41st Day to the effect that committee reports are not amendable on the floor.)

Senator Abercrombie, rising on a point of information, asked: "Mr. President, is it your rule then that the amendment is in order?" and the Chair replied in the affirmative.

Senator Soares then asked the Chair for a discussion on the amendment and the President allowed him to proceed.

Senator Ajifu, at this time, rose to speak in favor of the rejection and stated as follows:

"Mr. President, based on the revised Hawaii State Constitution, the function of this body with regard to confirmation of judicial appointments has been changed. In the past, the Senate had to take action

to confirm an appointment before a judicial nominee could take office. Since the changes by the Constitutional Convention were made, our role has been changed. Now, the appointment is automatically confirmed if the Senate does not act to reject the nomination.

"Mr. President, I think it is vital that we, as the confirming body for judicial appointments, take a very serious look at the caliber of appointments to the Hawaii court bench. We will have no role at all in confirmations of judges if we say nothing and take no action. The reasons for my motion today are many.

"Particularly in the case of the appointment of a sitting member of the Legislature, it is incumbent upon us to act with great caution and sensitivity.

"This nomination in particular will reflect upon the actions of the entire Legislature if the individual in question remains in his elective office through the end of the session.

"It is our responsibility to make sure that the integrity of this Legislature is maintained and not placed in question and also to guard the reputation and high standards of our courts.

"This body was never meant to act as a rubber stamp for judicial appointments. And no appointment should ever be assured of a guaranteed place on the bench so long as the Senate is mandated by the Constitution to review any recommendations.

"In this case, Speaker Wakatsuki would essentially be holding two positions at the same time, that of Speaker of the House of Representatives as well as that of circuit court judge.

"He would be placing himself as well as the rest of us into a conflict situation because he would be holding his legislative position at the same time that numerous bills are acted upon which relate to the Judiciary, the penal code and criminal justice system in general. As Speaker, he is in an influential position to determine the fate of such legislation. Even if he abstained from voting, his influence would be felt among his fellow legislators.

"It is again our responsibility to assure that appointments we confirm are above reproach. I submit here that the Speaker is inviting reproach, public concern and questioning by insisting upon retaining his legislative position.

"If he is to be appointed, if he wants to conduct himself in a careful, judicious manner, then I recommend to this appointee that he leave his legislative position to avoid any possibility of criticism and community concern.

"Mr. President, may I remind the members of this Honorable Body, for those of you who are supporting Speaker Wakatsuki, you should vote 'no' on that motion.

"I urge your support for this motion. Thank you."

Senator O'Connor then rose to question as follows:

"Mr. President, as I understand it, the motion to amend is to amend the motion to consent by striking the word 'consent' and adopting the word 'reject' and that the next vote that we take will be on whether or not the amendment should be allowed, and that if the amendment is allowed we will then, if it's allowed, vote on it. If not, then we'll vote on the main motion?"

The Chair replied in the affirmative stating that "we will go back to the main motion."

At this time, Senator Carpenter rose on a point of information as follows:

"Mr. President, as I understand it, the motion before us is an amendment and in fact is, or perhaps, dual -- an amendment and a substitute motion.

"In the light of the language of the Constitution which speaks of the Senate's position for rejection, the question I'd like to pose to the Chair is, does this motion supersede the motion to consent?"

The Chair replied that it does not supersede the motion to consent, that "it's merely an amendment to the motion to consent by deleting the word 'consent' and inserting the word 'reject'" and asked, "Am I correct, Senator Ajifu?"

Senator Ajifu replied as follows:

"Mr. President, my amendment really is a substitute amendment.

"There are five methods of amending the motion and the amendment procedure that I'm going through is asking for a substitution. If the motion to substitute is defeated, then we'll go back to the original motion as was made by the chairman of the Judiciary Committee."

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

The Senate reconvened at 11:40 o'clock a.m.

At this time, Senator O'Connor rose to speak against the amendment and briefly stated as follows:

"Mr. President, I simply would like to urge all members to vote against the amendment; thereby, in voting against the amendment, vote to consent, eventually, to the main motion."

Senator Cayetano then rose to ask the chairman of the Judiciary Committee to yield to a question and the chairman replied in the affirmative.

Senator Cayetano asked as follows:

"Mr. Chairman, will you explain to this body your understanding of the Constitutional Amendment regarding the consent to judgments?"

Senator O'Connor replied as follows:

"Mr. President, the Constitutional Amendment gives the Senate a 30-day period within which to reject a nomination made by the Governor. The nomination is submitted to the Senate to consent or reject. If no action is taken within 30 days, then the Senate is impliedly acknowledging, under the wording of the Constitution, to consent to the nomination.

"If the Senate votes to reject, then of course the nomination is rejected and we go back to the Governor for another nomination."

Senator Cayetano further inquired as follows:

"Mr. President, I want to ask the chairman if it is his understanding that this body must affirmatively reject the nominee in order to not consent to the Governor's nomination. I think that is the point of confusion here today, and before I vote on this amendment I would like to know and would like to have it cleared up."

Senator O'Connor replied: "Mr. President, that is correct. If the body did not consent to a nomination it would then have to reject the nomination."

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

At this time, Senator Anderson rose to state as follows:

"Mr. President, I have a copy before

me of the Rules of the Senate and on page 22 under Rule 51 it says, 'All amendments proposed to any bill or resolution shall be in writing, ...'.

"I don't have a copy of this amendment before me in writing and I question whether it's in order."

The Chair answered as follows:

"Senator Anderson, floor amendments are allowed to be made from the floor and the Chair will recognize floor amendments; however, it would be in proper order to have things placed on the senators' desks, but the Chair would have to recognize floor amendments as part of the procedure in parliamentary discussion and debate."

Senator Anderson further inquired, "Mr. President, will this stand good for all future bills coming before us, is it going to set a precedent?"

The Chair replied, "I would much prefer that amendments be placed in writing, but there are allowances in Cushing's for floor amendments."

Senator Ajifu then rose on a point of clarification and stated as follows:

"Mr. President, my amendment does not amend the committee report. My amendment is only a procedural point, it is not amending the committee report. It's just a procedural point in terms of parliamentary point, so, I think, this is what should be considered."

Senator Cayetano then further remarked as follows:

"Mr. President, one final point on this entire matter."

"The Con Con, the way it worded this amendment, has left us, I think, with a lot of confusion and doubt as to the procedure."

"I see nothing in the Constitutional Amendment which states that the consent of the Senate has to be given in the manner as it has been proposed by the chairman of the Judiciary Committee today. I see nothing in the amendment which prohibits any member from making a motion on the floor. There is nothing in this amendment which says that this matter has to go to committee, and I don't think this whole matter is affected any by our Senate rules."

Senator O'Connor then rose to clarify the matter as follows:

"Mr. President, I'm going to attempt to clarify our present situation."

"The Constitution says and I quote, '... that the appointment of the Governor shall be made from within a list supplied by the Judicial Selection Committee with the consent of the Senate. If the Senate fails to reject any appointment within 30 days thereof, it shall be deemed to have given its consent to such appointment.' It goes on to say what happens if there is rejection."

"Reading that section of the Constitution together with the Rules of the Senate, where such appointments are referred to committee for committee action and for the committee to report back to the body, taking all of that together, the normal procedure would be to have the Senate consent upon a motion, as we have for every other judge up to this time, and to seek a majority of votes for that consent."

"Normally, if such a vote were not obtained and there were less than the requisite number of votes to consent, then the appropriate motion at that time would be to reject, and I would anticipate a vote would be taken to reject."

"In the present circumstance, my good and learned colleague from Kailua has chosen to place the motion to amend and place the rejection first. I'm not debating, at this juncture, whether or not that's appropriate or inappropriate."

"The motion to amend is what we are presently voting on -- whether or not the main motion should be amended. If that vote is in the affirmative then there should be a motion of vote taken on the main motion as amended."

"What we are faced with right now is simply a motion to amend the main motion, to take first the question of rejection which, in the scheme of things, ordinarily would be taken after the regular vote."

"Again, I would urge everybody to vote against it."

Senator Soares, at this time, rose to speak in favor of the motion to reject and stated as follows:

"Mr. President, I am not a lawyer, although I've been called a 'sidewalk' attorney."

"I must evaluate the Speaker's qualifications for this judicial office as a man. As a man with whom I have interacted under the most intimate and telling circumstances for fourteen years. Fourteen years, Mr. President, and I might add, along with you and many others in this hall when we were in

the House of Representatives.

"I must evaluate this man according to my ideas of what a judge must be -- fair, impartial and just. In my view, the critical quality a judge must have is the ability to remove himself and his personality from a situation in order to assess the facts and the law and then act accordingly. In my fourteen-year relationship with the Speaker, I have not seen these qualities of impartiality and fairness.

"Finally, it is essential that the men and women we appoint to our courts have a sense of justice to all. They must not be biased in their dealings with others who are not part of a chosen group. They must not look the other way from minorities, and I say minorities in describing the minority of the majority as it still exists in these halls and have been there for the last 10 years, and others who are not in power.

"Such has not been the case with the nominee before us today, however. While exercising crucial decision-making positions in the Legislature, he has not dealt with groups equally or fairly. 'All men have not been created equal' in his eyes. He has treated many as 'more equal' than others and still does so. He's gotten the job done, but in so doing, he has created an atmosphere of distrust and resentment and unkept agreements.

"Mr. President, if his political skill is to be rewarded it must not be with a job which requires the very qualities he has ignored in accomplishing his political success.

"This political success cannot be the criterion by which we evaluate a person's judicial credentials.

"The people of Hawaii deserve fairness, and compassion and, yes, justice from their judges. And, I do not believe this nominee provides these qualities.

"Mr. President, I am also concerned and distressed to hear some of the schools of thought in this body on why they want to vote for the nominee. 'Vote yes and get him out of here once and for all.' Yes, once and for all vote to put the man on the bench for 10 years and pass him off to the public ... or, 'why bother, he's got the votes anyway.'

"Mr. President, the new politics for the Senate is not going to be a rubber stamp.

"I think it's very important for all of us to search our conscience and find

out whether the qualities in this nominee are the qualities for a judgeship. This is the decision ... not being Speaker of the House, not whether he resigns or not, not whether or not we've been on his side or against him, but, is he fair, objective, can he compromise, can he bring people together for the good of our society.

"Mr. President, those are the reasons why I am voting for this amendment. A rejection is what I believe to be the right thing to do. I ask all my colleagues to vote for this amendment.

"Thank you."

At this time, Senator Abercrombie rose to speak in favor of the amendment as follows:

"Mr. President, I rise to speak in favor of the amendment.

"Mr. President, Oliver Wendell Holmes, in a book on Common Law written in 1881, stated that the life of the law has not been logic, it has been experience.

"There is an emerging controversy over Speaker Wakatsuki and the purpose of the Constitutional Amendment on appoint of justices and judges. Involved is a dispute between those who believe there should be a separation of powers and the recognition of incompatibility of office, and those who believe that it is right and proper for us to have politics as usual not only in the Legislature but in the judiciary.

"The Constitutional Amendment on appointment of justices and judges was based on the formulation by the Constitutional Convention, presented to the people of our state that this was a bona fide attempt...an attempt made in good faith, asking for the public trust to establish a Judicial Selection Commission which would bring before the Governor, with the consent of the Senate, names for vacancies in the office of the Chief Justice of the Supreme Court, etc., in respective other courts. The Judicial Selection Commission would present six nominees and, as the very able chairman of the Judiciary Committee has pointed out, a procedure was then to be followed.

"It has become obvious that this procedure, as outlined in the Constitution and as analyzed by the Legislative Reference Bureau in its Constitutional Amendments information sheet, is a difficult one to implement. It's difficult precisely because it was an attempt to try and limit the amount of politics

that was involved, that is to say, to take, as much as was possible, politicians out of the process. I don't think anyone seriously thought even for a moment that politics per se would leave this selection process, but it was an attempt to put the politics into a circumstance in which it was felt that qualified people, judging their peers, would make recommendations to the Governor in such a manner that what politics was taking place within the bar, within the legal profession as such, would nonetheless focus upon qualification and would be a bona fide attempt to raise the level of the integrity, that is to say, the perception by the public of the integrity and capacity of our judges to render justice in our state. This is at point today.

"As a result, we are now facing a situation in which we are not trying to deal with whether someone shall be both a legislator and a judge at the same time, but whether someone shall be both a politician and a judge at the same time, rendering inert, neutral, or even bastardized in the public eye the attempt that was made in the passage of the Constitutional Amendment in the first place.

"We are at a point where crime is regarded by our people as an issue that even supersedes that of inflation, a remarkable consequence in terms of the social order. We are at a point where our judiciary has been questioned in terms of its competence, in terms of its commitment to the Constitution and to justice, often unfairly -- in fact, probably more often than not, unfairly -- but nonetheless it falls to us, then, as guardians of the public virtue with all our failings and with all our needs and with all our egos, and with all our desires. Nonetheless, we have been put here by the people of this state as trustees on behalf of the Constitution and their good faith and their goodwill, and, in fact, in the public trust to oversee this process.

"Not even the Constitutional Convention desired, at the end, to remove completely from this body the capacity to affirm a judge because it was felt that, regardless of what kind of circumstances the Judicial Selection Commission would put into effect, in terms of trying to be as fair as they possibly could be, as objective as they possibly could be, this nonetheless was a political circumstance, in the sense that those who have been elected to guard the public trust should have the opportunity, I would rather say, the obligation of passing judgment in public as to whether or not someone should serve at this august level ... that is to say, to make decisions over the lives of other men and women, in

a way that is not given to you or me, Mr. President.

"We may make laws, but we do not have the awesome responsibility of then judging how those laws shall be applied in the lives of our fellow citizens. There is a distinction there that has to be recognized, Mr. President, in case after case, after case, that I can cite and will only briefly.

"I put to you, Mr. President, to my fellow senators, that my views here about the proper purpose that we are about today is grounded on Holmes' distinction. His insights, it seems to me, are particularly appropriate in responding to the present controversy. Few legal minds have been more seminal in coming to grips with the propositions involved and few have been more incisive in disseminating that thought to the lay public.

"In Mr. Eugene Rostow's book The Sovereign Perogative he quotes Holmes as saying 'a page of history may not be worth a volume of logic.' This view is in seeming contradiction to that expressed in the epigraph which I began my talk on, my plea I should say. What Rostow seeks to emphasize, however, is Holmes' awareness of the contrapuntal themes necessary to the creation of legal orchestrations. Holmes maintained in The Common Law, and I quote: '... the law embodies the story of a nation's development through many centuries and it cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics. We must alternately consult history and existing theories of legislation. But the most difficult labor will be to understand the combination of the two into new products at every stage ...'.

"That is what we're confronted with here today, not the legalisms of a poorly written document from the Attorney General's Office that hangs its hat on a sorry hook of a single case in the State of Alabama in 1943 involving two gentlemen who were both seeking the same seat, not one gentleman who is seeking to keep two seats.

"Rostow makes clear that he believes Holmes' great contribution to the definition of law was his approach in 'the future tense.' Holmes stressed the necessity of anticipating where the law would and should go by focusing on the sources of present pressure for societal alteration and by developing personal resources of social analysis that resemble the calling of what to him was a Renaissance

Man. For Holmes, law was 'the witness and external deposit of our moral life' and its history was 'the history of the moral development of the race.'

"In Mr. Rostow's view, this attitude is central to understanding the jurisprudence of the past quarter century, Mr. Speaker, Mr. President, ... you see, I have him in my mind, I really do ... (I think this is so important today). It manifests the 'evolution of "the law that is" into the law we think it ought to become.'

"You see, that's where we come into the picture. Speaker Wakatsuki is not practicing law in the other house, he is making law, just as we are. We're making law today, we're making precedent today just as a judge does in a court when the Speaker becomes a judge, and it's incumbent upon us today to recognize what we're doing and why we're doing it and be able to answer for ourselves.

"In the dilemma just created, judges, in Holmes' view, 'are called on to exercise the sovereign prerogative of choice.' This imperative, Rostow sees as the foundation of judge-made law in what he terms 'American Legal Realism or Sociological Jurisprudence.'

"No one, I think, today, who pays any attention to the circumstances of decision-making in the judiciary believes other than that.

"Obviously, with decision after decision made in the judiciary there are social consequences which may be called sociological jurisprudence, for lack of another term, but nonetheless that covers it. It is imperative that we understand that and if in the process we have someone who is both making law, who is then subsequently to judge the law that he made while he is a judge and qualifies under the law to be a judge, whether or not he has taken an oath or assumed an office or getting paid. If that is the circumstance, then we are in a situation in which we are at what Holmes called the very foundation of what constitutes the judiciary in the sovereign prerogative of choice.

"For some, this choice raises enormous ambiguity as regards the universe governed by idealized concept of universal justice. I'm not talking about that today; I'm not talking about some kind of idealized versions; I'm talking about politics pure and simple and politicians exercising their sovereign prerogatives of choice ... where bills go and don't go, who kills what, what kind of excuses are to be made, what kind of deals could be made.

"It is not a question of the personality,

in my judgment, at this level, of the Speaker or even of his character. It is a question and a point to be raised to the public-at-large as to whether or not we are creating circumstances for an individual to take advantage. This is the key. It matters not that one could stand and say he is an honorable man.

"I can quote all of Mark Anthony's speech in that respect. This is not the question. The question is, are we institutionalizing a situation in which we will have established that one may be both a judge and a politician at the same time when the Constitutional Amendment that we have adopted in this state clearly operates in the opposite direction? True, there are states, there are jurisdictions in which judges are elected, but this is not one of them.

"We have to be true to this Constitution and this approach, which the people of this state have made manifest by virtue of voting for it by an overwhelming majority, and we are bound to obey that Constitution.

"Holmes said 'that the universe has in it more than we understand...has no bearing on our conduct. We may leave the unknown the supposed final evaluation of that which in any event has value to us. It is enough that the universe has produced us and has within it, as less than it, all that we believe and love...If our imagination is strong enough to accept the vision of ourselves as parts inseverable from the rest, and to extend our interest beyond that boundary of our skin, it justified the sacrifice even of our lives for ends outside ourselves.' And that's what we are called upon to do today.

"We are engaged in a political act, that's quite true, but it has a boundary far outside our skin. It has a boundary and is establishing a perspective for the public for generations to come for legislators after us. Establishing a perspective which, if not in true adherence to the Constitutional Amendment, will put us in danger, I believe, of being seen as individuals who could not rise to the occasion but rather took the expedient way.

"The Honolulu Advertiser of March 15, 1980 offers an excellent summation of the rather disparate pseudo-reasoning currently being employed to justify this farce over Representative Wakatsuki's transparent effort to be both a judge and a politician-legislator, thus, serving the interest not of the Constitution but of politics.

"My analysis draws nothing from the Hawaii Supreme Court's Office of Disciplinary Council, contrary to the implication of the Advertiser. I could care less what the Council thinks for precisely the same reason cited by both the Advertiser and those who raised the issue of the Council's irrelevance in the current debate, as retired Judge Masato Doi and Representative Richard Kawakami have done. The reason is, in sum, that the Constitution provides the legislators may not be held to answer before any other tribunal for their actions. Rather, we as legislators are the sole determinators of our responsibility to each other. I agree and said so long before the aforementioned individuals or newspaper.

"Representative Kawakami has gone on to differentiate legislators and legislator-attorneys by stating that legislators who are attorneys make laws. They are not practicing law when engaged in their legislative function. I agree again, fully. Conversely, he says the canons of ethics for attorneys do not prescribe what lawyers may do as legislators but only focuses on conduct before the bar. Again, I agree fully.

"The business of rejection of Representative Wakatsuki as a judge is entirely an internal matter of the Senate -- a test of its fidelity and commitment to the public trust. The problem is a failure to extend the above reasoning to its obvious conclusion. We are not talking about Speaker Wakatsuki as a member of the Legislature if he is affirmed here today. He will be a judge and no amount of verbal gymnastics will alter that reality. He will not be a lawyer practicing law in the Legislature, he will be a judge making laws in the Legislature -- an intolerable affront to the separation of powers.

"The Advertiser is its own worst advocate, as usual. It states, and I quote, 'The fact is the Legislature is full of lawyers who appear regularly in court and also pass laws and budget and salary bills dealing with the judiciary.' This is not only true but entirely true with our part-time legislative system. But I have yet to hear those same attorneys who pass laws, in turn, passing judgment on those laws, or those who appear in court under them as does a member of the judiciary.

"Does anyone in the Senate care to dispute that, should a judge become a candidate for legislative office, let alone elected, that judge would immediately be in conflict with his or her duty? Does anyone seriously care to dispute that resignation should be immediate upon the filing for candidacy by a judge

for public office? Can you picture the situation of a judge-candidate commenting on cases which may be at the center of attention in the very same Advertiser to which I've referred? Can you picture the scene of a judge being a candidate, let alone elected to office, continue to conduct trials, rule on evidence, hand down sentences? The public and the judiciary will be outraged.

"The charge, if not the actuality, if only by default of politics and politicking from the bench, would be manifest to everyone. Yet, who are we to say it's politics as usual when the whole process has been changed in an attempt to reduce, if not eliminate, the political factors by the passage of the Constitutional Amendment?

"Can we seriously dispute that in continuing in the Legislature, Speaker Wakatsuki will be involved in passing laws, for instance, the revamping of the juvenile justice system, the possible revamping of corporation law, campaign spending, to name only three of dozens of potential conflicts which as a judge he may face in a course of judicial decision-making.

"It cannot be argued that other legislator-lawyers have also voted on laws which they later administered as judges subsequent to their days as legislators because we are not addressing that instance. Here we are speaking of a legislator-judge voting on laws which he will later administer on formally... upon formally assuming the bench.

"Far from removing politics from the making of judicial appointments the Advertiser is championing the immersion of the nominations and politics of the lowest order.

"It is an old political trick, Mr. President, to assign to one's adversaries the title and/or circumstances which most closely resemble your own as a way of deflecting examination of one's own motivation or reasoning.

"In the instance of the Advertiser, after trumpeting that only the Legislature may make policy in this matter, it denounces those of us who oppose the nomination for not having 'produced a convincing, practical or reliable legal reason.'

"Alexander Solzhenitsyn, the Russian Nobel Prize Winner for Literature, has commented only too accurately on the increasing reliance on tortured legalisms as a deliberate avoidance mechanism for implementing and avoiding simple justice. That is, if something

isn't outright illegal, then anything goes.

"If you want to raise a question of fairness, of public confidence, if you want to address the regard for the interest and the spirit of the law, you are to be laughed out of the room or consigned to the category of an amusing anachronism. If you can find a loophole or, better yet, pretend one exists, then ram what you want through it and to hell with the propriety or the justice of it.

"It is obvious, Mr. President, from this analysis that Speaker Wakatsuki could remain as a member of the House but not simultaneously become affirmed as a judge in the interest of preserving the integrity of the separation of powers. It is not, and I will show you, it is not, a question of taking an oath. It is a question of qualifying under the law, and it is a question of the incompatibility of office. It is rooted so deeply into common law that it goes back hundreds of years. You cannot have a judge making the laws he or she will subsequently administer. You may have a legislator do so but to acquiesce to the former instance is to mock the Constitution. Nor is eligibility at question here in respect to Speaker Wakatsuki's nomination.

"I fully agree with the Attorney General in his citation of *Answorth v. Hogan*, which I have here, establishing the fact of eligibility. I do not dispute it. *James C. Van Answorth v. Elwood L. Hogan*, January 1969, again the Supreme Court of Alabama. (Perhaps we should all move to Alabama where these things are more easily explained.) It is the intent to remain a politician-legislator which is at point. It has been held over and over again that it is the incompatibility of the offices which is the key whether an office may be held simultaneously, whether or not an oath has been taken. Thus, in the end, the Attorney General relies totally on a single paragraph, from a single case, loaded with half phrases, quoted to make his point, which leaves connective material out and which, in turn, focuses its conclusion on a separate case which had little or nothing to do with the case before us except by extreme indirection; and even the case itself, as I've pointed out, involves a situation in which a person was nominated for an acting appointment as prosecutor in a county in Alabama by one governor and a subsequent governor nominated somebody else and there was an argument over which one should have the seat. Now, that can be related to what's going on here today by the Attorney General ... that is a trick that is worthy of a circus.

"The fact is that the Attorney General's Opinion is a put-up job and a poorly

done one at that. The haste with which it was put together is no excuse for the poverty of its legal scholarship. I do not blame the Attorney General; he is, after all, an attorney acting on behalf of the client and making presumably the best case that he can.

"Unfortunately, senators, the Attorney General is not our attorney. I cannot accept, at face value, such a starved concoction as this opinion represents. It is an insult to one's intelligence to receive this opinion and say that it completes the matter. You would have to stuff your fist in your mouth to keep from laughing in the face of the person who told such a thing. To take this opinion seriously is to suspend your critical faculties to the point at which an emergency medical team should be called in to see if basic life signs could still be detected. For the benefit of the Attorney General and those senators who may still be breathing, I would like to cite a few instances concerning the issue before us, and I will cite only a few.

"For those who might be interested, I can assure you, and I hope you will take my word on it, that I have researched on virtue of annotation excerpts and effects of election to or acceptance of one office by an incumbent of another where both cannot be held by the same person. I hope that you will accept that there are at least 15 citations in here that I could make to you concerning this issue. I would like to quote from a very few, including one from Hawaii which was very conveniently left out by the Attorney General, and indicates as follows, because I think some of the philosophy that's involved here from judges in other states are extremely important inasmuch as the State of Alabama was referred to by the Attorney General as a reason for allowing us to do this thing today, which is to affirm both a judge and legislator-politician at the same time as not being incompatible in terms of office.

"The distinction between a constitutional or statutory provision against double office holding and one relating to 'eligibility' of a person already in office to be elected or appointed to another office is well pointed out... They cite a particular case in Georgia, and I quote: 'It does not merely render membership in that body incompatible and inconsistent with the holding of any of the other offices mentioned ... nor is it mere provision against holding of two offices at the same time... for in the latter case the effect would have been to oust the person elected to the general assembly, and taking a seat by virtue of such election, from

the office previously held. But where ineligibility to the second office results from the holding of the prior office, then the result is that the election to the second office is void and his right to hold the other remains unaffected.¹ That's not what we're talking about in this eligibility question. It's a complete red herring. It's not a question of whether the Speaker would be ineligible to hold the second office; it's a question of trying to hold both at once.

"At common law. It is a well-settled rule of the common law that a person cannot at one and the same time rightfully hold two offices which are incompatible, and, thus, when he accepts appointment to the second office, which is incompatible, and qualifies, he vacates, or by implication resigns, the first office.¹

"Mr. President, it cannot be said that if the Speaker is affirmed today by virtue of the rejection of this amendment that he is not a judge; that he has not accepted it. In the absence of a clear recitation to you, to the public, that he will not accept the judgeship; he is in effect a judge.

"The whole question in common law over and over again has been acceptance. Whether you take the oath at a different time, actually, assume the office as you have assumed the office of President and assumed the podium, that may be at one time or another, as a matter of fact, in the 1943 Alabama case, cited by the Attorney General, it's January 18, 1943, that's when Mr. Knight rolled in there. Now, we're not talking about that here; we're not even mentioning that at all, any more than, Mr. President, than you and I were not qualified under the law to be senators when we were elected.

"The fact that on the third Wednesday in January when we took oath and then assumed the seat on the floor and you assumed the presidency, either on that day or one day thereafter (it's a bit blurred in my mind, and probably yours too) ... the fact of the matter is that you were nonethelsss, under the law, qualified as a senator of this state. It's just that your duties, in particular, in respect to the session, had not been assumed at that point, and you had accepted that. This is the key. Not only the common sense key but the common law key, and that's what, I think, we have to keep in mind here.

"There is no vacancy because the oath of office has not been taken. Then the question as related to us by the Attorney General, in respect of having taken the oath of office, relates to an argument

between two people over who took the oath of office first, in terms of whether or not they are entitled to keep that office. It has nothing to do with what we're talking about here today. It mocks the Constitution.

"I can cite, as I cite these cases ... I would like to read another from Pombo v. Fleming, which might be of interest inasmuch as it took place in Hawaii in 1933.

"...the court says that the acceptance of a second offer incompatible with one already held vacates the first, even though the title to the second office fails, as where the election is void; ...' and it goes even further. Even if the second office turns out to be void, in terms of whether or not that election or appointment is a valid one, you nonetheless vacate the first. This was in relation to the office of chairman and executive officer and the office of supervisor which the particular individual had held prior to his acceptance. I'm quoting now from the Supreme Court of the State of Hawaii, Pombo v. Fleming (1933) 32 Hawaii, 818. As a mere supervisor his duties were much more restricted than were those of the supervisor who was also chairman and executive officer. If he had remained in the office of supervisor to which he was elected he of course could not have performed the duties that were imposed by law upon the chairman and executive officer. The two offices, therefore, were incompatible. The rule is well-settled that the acceptance of the second office incompatible with the one already held vacates the first and this is true even though the title to the second office fails as where an election is void. This is in the State of Hawaii, not in Alabama, and that makes good common sense as well as good common law.

"In the instance of People v. Russell, New York State, the court held on the effect of appointment of election to two offices at the same time, 'The law does not favor the multiplication of offices in one person, and where they are inconsistent with each other, or where such multiplication has a tendency to impair the public service,' very important, '...it will be held that the occupant must surrender the one or the other if both appointments were conferred upon him at the same time, or, if they were conferred at different times, the acceptance of the one last made forfeits the first.'

"Now, the public convenience...we have been trying here and I have heard it said over and over again not only in committees in which I have attended but in the Judiciary

Committee, upon occasion, when I've been there, that we do not have enough judges; that we have case loads that are too high; and, yet, we say that we are to allow another 30 days to the Speaker to clear up his law practice and then he will take the oath of office.

"Now, if this multiplication of role in offices has a tendency to impair public service, it is quite clear that it should be eliminated. There are annotations in respect, and these are under the American Law Report, I'm sure the lawyers in this room are quite familiar with them, on judges holding other public offices, which I think, Mr. President, is extremely important for the reason that I wish to present to you a situation, if we took it from the opposite side of view, where the judiciary is, and I wish to quote here under *People v. Sanderson*, and I would be very happy, of course, to provide these.

"I trust, my friends, that you will take my word that I am, in fact, holding these annotations and reading to you from them correctly. I am reading, of course, those things which would make the best case for me. It's easy to do because virtually everything I found makes the case for me. The Attorney General is doing the same thing; it's just that he's done it so poorly.

"Now, if this is the case, it still comes down to a judgment call here. I don't deny that. I wouldn't deny it for a moment. I'm certainly not going to go careening all over the state law library in an attempt to find two or three cases out of thousands that might have been ruled the other way. It might have been, by the way, so minor, that it didn't go on then to the Supreme Court of the United States where an entirely different adjudication might have taken place. I would like to remind us of that.

"Let me quote from *People v. Sanderson*, because I think there's a philosophy here that is really going to prevail or not prevail on the vote. 'The acceptance of an office in either of said departments shall, of itself, and at once, vacate any and all offices held by the person so accepting in either of the other departments, the offices of the justice of the peace and mayor in this instance are not tenable by one person at the same time; and the acceptance of the office of mayor by a justice of the peace is, of itself, a vacation of the first office.' It's acceptance here; that's all we're talking about.

"In another, *People v. Provines*, in California, 'it was held that the office of police commissioner, not being an office belonging to one of the departments

of the state as defined in the constitution, was not incompatible with the office of police judge.'

"I'm not trying to pull fast ones here. What they're trying to say here is that there is case law that has been made over and over again on this question of incompatibility, and it has often been ruled that in certain instances, as the one I've just cited, it is not an incompatibility of office, but I cannot find a single case where judges are concerned at the level of which we are speaking. I cannot find a single case which does not say that a clear incompatibility exists and therefore is anathema to the Constitution.

"In a very telling, to my mind a very telling commentary in the case, *Watson v. Cobb* in Kansas, the judges said as follows: 'It involves the question of whether a vacancy existed in the office of the chief justice' in that state and it involves the question of whether one could hold two offices at the same time. 'The court stated that the object sought to be accomplished was to remove high judicial officers as far as possible from the temptation to use the power and influence of their position and authority for their own advancement, and to prevent their minds from being distracted from their legitimate duties by ambitious hopes and struggles for preferment, to raise them above from those political and partisan contests so unbecoming the desired purity, impartiality, and calmness of the judicial character.'

"How on earth is Judge Wakatsuki to remain impartial and calm of judicial character and be above partisan and political contest so undesirable and unbecoming of that office for the next 30 days?

"In comparing the provisions applicable to the legislature or to the executive offices, the court states' (and I think this is particularly apropos of what we are going to do) 'that one cannot examine these several provisions without perceiving at once that the purpose of the judiciary clause is to prevent a vacancy by the acceptance or holding of any other office during the term for which the incumbent was elected, while the purpose of the provision for the legislative and executive offices is to create a vacancy in case of their acceptance of certain specified classes of offices. If the governor of the state, while in office, be elected as one of the justices of the supreme court, his acceptance of the latter position would vacate at once the former.'

"Now, are we to say then that as another branch of government, the true equal of the executive branch, in terms of the power and in terms of the obligations and duties decreed to us by the Constitution, that we not find ourselves in exactly the same kind of position in respect to the judiciary?"

"The decision concludes, 'The ineligibility of the "justices and judges" attaches to them as individuals, and not merely in office, and extends not only while they hold office, but during the term for which they are elected. Nor is the principle changed when the office emanates from another authority. The constitutional inhibition remains the same. It is still the law which governs the courts of this state -- an unchanging and unbending rule from which there is no escape.' There will be no escape unless we create one today, Mr. President.

"I will state further to you, Mr. President, in the case of *Howard v. Harrington*, something I think that speaks eloquently to the point. 'It is well-settled that one person cannot hold two incompatible offices, and that the acceptance of the latter office vacates ipso facto the prior one.' How many times would the Attorney General have gone through just this little bit of research and found exactly the same thing? 'Where one has two incompatible offices, both cannot be retained. The public has a right to know which is held and which is surrendered.' I want to repeat that, 'The public has a right to know which is held and which is surrendered. It should not be left to chance, or the uncertain and fluctuating whim of the office holder to determine. The general rule, therefore, that the acceptance of and qualification for an office, incompatible with one then held, is a resignation of the former, is one certain and reliable, as well as one indispensable for the protection of the public.'

"It is not up to the whim of you or I or the Speaker or anyone else as to whether or not he or she wants to remain in the Legislature or assume the duties of a judge. On the contrary, the incompatibility of office mandates that one make a choice and make it not by semantical definitions of oath taking, but rather, as is stated here, that the public has the right to know whether or not the public trust has been maintained.

"I wish then to move to my final argument by discussing the public trust, both from case law point of view and from the point of view of my conclusions upon reflecting on this material.

"In *Richardson v. Richardson* in 1928 in New York, where the governor

appointed a supreme court justice to act as a commissioner in proceedings for the removal from office of the president of the borough of Queens, a discussion ensued as to what in fact were the duties of the judiciary, and how they should be best maintained, how best they could be maintained. It was held that the service of the supreme court justice as a commissioner in such a removal proceeding was prohibited, and the interesting reason why it was prohibited I would like to read to you because they concern the public trust, and I quote: 'Since within the constitutional prohibition there was an acceptance of a "public trust." ... In such circumstances, the "public trust" does not cease to be continuing and permanent because the judge may be willing to fulfill it on one occasion and unwilling on another.' Willing on one occasion and unwilling on another -- willing 30 days from now when the session is over but not unwilling when he takes an oath some time after that.

"We directed that the Constitutional Convention come about. We gave people the opportunity to vote on it and they did it. It was the direct result of the efforts of many of the people who are here today in this Legislature that the Constitutional Convention came about, and regardless of what we may think or not think of the efficacy of that convention, we are nonetheless bound by what resulted from it as affirmed by the voters.

"The court goes on, 'The policy at the root of the constitutional prohibition reinforces this conclusion. The policy is to conserve the time of the judges for the performance of their work as judges and to save them from the entanglement, at times the partisan suspicions, so often the result of other and conflicting duties. Some of these possibilities find significant illustration in the very cases before us now. Here is an inquiry which has already separated the respondent for more than two months from the discharge of his judicial duties, and which is likely to continue for many more weeks to come.'

"Does anyone doubt that the Speaker, in clearing up private law practice, will be disenabled from doing so with any great dispatch for at least the next 30 days because he is going to be in the Legislature? And if we have a session which runs beyond the 18th of April, it will be longer. 'Interference so prolonged with assignments to judicial duty is the very evil that was meant to be hit by the prohibitions of the constitution directed against

dual office.' I don't think it can be much clearer.

"I would like to conclude then by going over State v. St. John which is the key to the Attorney General's opinion that it is allowable for the Speaker to continue as a Speaker, while nonetheless qualifying under the law as a judge.

"I want to point out also that the Attorney General neglected to mention that he is only putting forward in his opinion a definition, part of a definition of office holding which does not speak to the actual opinion that was rendered in the case. And in that definition, very conveniently rejects to point out, '...a person elected to office of county solicitor was not required to wait until the date when the term of office began before taking oath of office, but he had a right to delay taking oath of office until that time.' Interesting how oath of office came into it. There's no talk here in this case that is cited by the Attorney General about whether he had the right to delay the oath of office. I don't deny that the Speaker can delay taking the oath of office probably till 'kingdom come.' He may delay it until the time of the election, or beyond, I don't know, but that has nothing to do with the instant case. It has nothing to do with the instant case now in this Legislature.

"The arguments, as I stated, was over which governor had the right of appointment in naming the solicitor of an Alabama county. But, the Attorney General has made, in my judgment, a fatal error. The holding office definition is not made in isolation. The decision in respect of addressing the question of holding two offices and, secondly, what holding office means states without equivocation that the operative key is 'qualifies according to law.' Two simple points, I believe, destroy the Attorney General's Opinion, and, in fact, senators, indicate beyond doubt in my mind the following.

"I believe that it is flatly illegal for Speaker Wakatsuki to remain in the House of Representatives upon the expiration of 30 days from the time of his nomination, unless he himself rejects accepting the judgeship offered him within that time frame. The Attorney General's case citation itself helps to prove that, and I want you to take particular note of that please, because we have just gone through a period of confusion and argument and discussion here on this floor as to what in fact is involved in this expiration of time and what the exact role of the Senate is.

"My contention is that once the name comes forward, and I'm sure the Judiciary

chairman could affirm it, that there are series of steps that take place. The Constitutional Amendment would see to it that, whether this Senate rejects or does not reject or whether the Governor brings down the name or whether he does not bring down the name, the Judicial Selection Commission itself has the right of appointment, at the conclusion of the various steps, if they are not satisfactory in terms of having a judge appointed. All it takes is 30 days. What we're doing here is courtesy. The Governor does not even have to bring down this name until the day of the appointment. Read it!

"If the Governor fails to make an appointment within the 30 days of presentation or within 10 days of the Senate's rejection of any previous appointment, the appointment shall be made by the Judicial Selection Commission from the list, with the consent of the Senate. If the Senate fails to reject, it shall be deemed to have given its consent to such appointment. It's 30 days that makes a judge, whether we are in session or not in session, it makes no difference.

"Without equivocation, in State v. St. John, the constitution of the State of Alabama, on the point of holding two office, it refers without equivocation, I should say, that qualifying under law is the determinant in what constitutes qualifying according to that law. Repeats itself, in other words. All it means is read what the constitution says, and the constitution says qualifying under law.

"Speaker Wakatsuki will qualify under law after 30 days as a judge unless he is rejected. There can be no dispute that he qualifies under the law as a judge after 30 days, unless he is rejected. And if he qualifies under the law, under the Constitution, then the two offices come into play no matter when the hell the oath taking takes place.

"In Hawaii, in order to qualify according to law, it is not necessary for anything to happen other than for 30 days to elapse before one becomes a judge after proper nomination. That's the beginning and ending of it. No hearings are necessary, no Senate votes are necessary, no discussion of any kind is necessary or required. Such activities might be useful in the public interest but have nothing whatsoever to do with qualifying the nominee, under the Constitution, to become a judge. It is automatic upon the lapsing of the time period. The Senate may choose to reject the nominee but that activity bears no relation to the nominee's

qualifying under the law of the Constitution other than to prevent the assumption of the nominee to the judicial post; that is, the Senate's power is strictly limited to rejection and then only if the name actually comes before the body. There's no provision in law requiring that this be done or even requiring that nominees be made while the Senate is in session.

"Senators, in other words, we are ostensibly removing politics from the process of judicial selection. Our Constitution is not that of Alabama in 1943. I daresay, Alabama's constitution is not as it was in 1943. To my knowledge, there was no provision in the Alabama constitution in 1943 that, provided upon nomination, a candidate for judicial office would become a judge in the absence of express rejection by the Alabama Senate within a 30-day period. The Hawaii State Constitution, however, does provide for exactly that proposition and provision. That is what constitutes qualification under the law.

"Mr. President, we go before the public, we go before student bodies, we go before our constituents, and we say to them that we are concerned with the law; that we are concerned that the law be obeyed.

"Mr. President, I will contend to you and to fellow senators the necessity of voting 'aye' on this amendment to substitute the word 'reject.' The necessity is such that I do not believe we can come before the public and say that we have done as is the will embodied in the Constitution if we do not reject the Speaker as a judge.

"I find no great pleasure in saying this, regardless of the fact of what I might feel or not feel about how I was treated in the House, or what's happening now to bills. However it works, that's all part of the swirl of political life. But, I also never anticipated that I will find myself in a position where bills that I was associated with, and activities that I engaged in during the course of my legislative existence, would be subject to the will and/or whim of someone who was a judge and no longer a legislator, someone who was a judge and no longer a politician.

"I've worked too hard and I've been involved too long with my constituents and my supporters. As the Speaker indicated in his testimony in the Judiciary Committee, that his first obligation was to his constituents and his supporters, not to the Constitution and not to the people of this state, but to a sub-political entity made up of individuals who voted for him for office. This is not the intent nor the spirit of the Constitutional Amendment.

It is anathema to find a situation existing in which someone can take that kind of attitude and still say that he is qualified to be a judge and to accept that judgeship, not upon his affirmation or the lack of rejection, or however it's going to be phrased here today, but upon his deciding as an individual exempt from all that all the rest of us find ourselves not only in relation to, but under, the majesty of law, that which we are sworn to uphold -- that kind of oath that we took here.

"It's not for my convenience... after all, if I vote 'no' and the Speaker becomes a judge, how is it an advantage to me? How is it an advantage to anyone who votes 'no,' and he succeeds? Contrarily, how is it to the advantage, one might say, of affirming him as a judge? Do you go to the Speaker and say 'don't be mad at me, I voted for you, because now you're a judge and you can still be a legislator; remember that I voted 'yes.' Is that how one is supposed to do it, because that's exactly the way it's going to happen. It's going to happen psychologically, if not in terms of actuality of the relationship of this body to the other.

"This is a two-house Legislature, that too has been affirmed by our people, that they want two houses in the Legislature and we are supposed to be a check and balance on one another. How are we then as a Senate to come whole before the House of Representatives if we have done this deed today in affirming the Speaker as a judge and allowing him to continue as a politician? It's not fair to my constituents, it's not fair to my supporters, it's not fair to the Constitution of this state, it's not fair to the constituency of the state, that is to say, every citizen and resident alien in the state who comes under the Constitution's protection, and it's not fair to the supporters of that Constitution to have the Speaker remain.

"Finally, there is the argument about politics. We want to get the Speaker out. Would that we could under those circumstances. Is that political? Of course, it's political. But the Constitution doesn't say anything in here that I'm able to find... this Constitution shall prevail so long as it's convenient politically. I don't see that anywhere in here. I don't see any where in this Constitution that it says that one person shall have advantages that others do not have because it's more convenient for that particular faction or party. And most certainly then, that charge is two-edged; this is the sword that cuts very deep with both sides because if it is political to want

the Speaker to resign and there is no merit in asking the Speaker to resign upon becoming a judge, then what indeed is political about that judge remaining a Speaker of the House of Representatives? If that isn't political, then I don't know what is. Will he not make judgments every day? Will he not conduct the affairs of the House as Speaker? Will he not make references and referrals? Will he not name conference committees? Will he not cast votes? If that isn't political then the word political doesn't exist.

"Mr. President, if the Speaker is allowed to do as he wishes to do, that is to say remain a politician and a judge at the same time, when expressly forbidden, then I think that he has every right to be contemptuous of this Senate. I think that he has every right to say that if someone is dumb enough to let me do what I want to do, I'm going to be smart enough to take advantage of it. I think that he would find himself in a position of being able to conduct business entirely outside the realm of the articles of faith that we have in this body and I'm saying this body as a Legislature. He could operate entirely outside the realm because he will no longer be of it, but he most certainly will be in it.

"There is no choice then for me, regardless of the consequences and regardless of the designations that shall be placed upon the motivation, let alone the reasoning involved in my action. There is no choice but to uphold the Constitution, both of the United States and this state, in voting 'aye' on this amendment and substitute the word 'reject,' for in doing so, we will in fact be affirming not the judge in the politician, but affirming the fact of our fidelity to the Constitution and our capacity to act on behalf of the public trust."

At this time, Senator Ushijima rose on a point of clarification as follows:

"Mr. President, as a matter of procedure, I am a little confused as to what is before this body. I understand there is an amendment to the committee report."

The Chair answered: "There is a substitute motion to delete the word 'consent.'"

Senator Ushijima then asked as follows:

"Mr. President, in all the years that I've had the experience of being in the Legislature, this is the first time that there is a motion to amend a committee report. We don't have anything else before the body except the committee report. Are we in this motion amending the committee report? Is that it?"

The Chair replied in the affirmative.

Senator Ushijima further remarked and asked as follows:

"Mr. President, I think the proper motion before this body here is the action on the Governor's Message. That is the action before this body, and I think the proper motion is either to reject the Governor's Message or to approve, or consent to the Governor's Message.

"Never in my experience have I ever gone through with all the debate of amending a committee report. Is this the right procedure?"

The Chair replied as follows:

"Senator Ushijima, the Chair has ruled that the motion is proper and we'll be voting on the motion, if there are no further discussions."

Senator Kawasaki then rose to speak in favor of the motion to reject and stated as follows:

"Mr. President, I speak in favor of the motion to substitute the word 'reject' for the word 'consent' ... the intent that's intended here.

"I will not prolong the vote on this particular issue because I couldn't have heard a more brilliant exposition by any member of the Senate in the 13 years that I've been here, a more brilliant presentation of sound, profound arguments in favor of the proposition to reject the nominee.

"I just want to add one thought and one bit of information here. I had spoken to the Speaker of the House, because he is a good friend of mine, to tell him that I respected his abilities and his service to the community as a Speaker, as a member of the House of Representatives for many years, that I would be inclined to vote for his confirmation; however, I questioned him on the propriety of his continuing to serve after confirmation by the Senate, and I advanced the same reasons that the senator from the 6th District so brilliantly expounded here. I told him, 'Jimmie, while I will vote for you, if you resign, you force my hand on the basis of propriety, on the basis of principle that I would like to expect. I am going to vote "no" on your confirmation, and, likely, others of a same inclination are going to vote to reject your confirmation. The decision is entirely yours, would you please keep this in mind.'

"When the Speaker decided as he had told the media and people in the

other body that he will not resign, he brought upon himself the votes that are going to sustain a rejection point of view.

"I don't believe that we have the 13 votes to completely effectuate a rejection, but, I think, more important than the number of votes that are going to be here to reject, is the maintenance, at least in this body, that we respect the very principles expounded by Senator Abercrombie an hour ago.

"There have been times here in this body, in my 13 years, that I've been appalled at speeches and fatuous reasoning advanced for and against a proposition, a bill under discussion, in this chamber. This is not one of those days. Never in my 13 years have I been more proud to have been a member of a body, which has in its body, members who are capable of doing deep research, who are capable of doing profound reasoning to advance his point of view. In this particular case, a vote to substitute.

"I say that no one here could more adequately have presented a case for a rejection of this nominee. And as the previous speaker has also said, this is not a vote against an individual, this is a vote to sustain a principle that has to be sustained if we are to keep faith with what our Constitution is all about. For that reason, I urge a 'yes' vote on the amendment to substitute the word 'reject' for 'consent.'"

Senator Anderson then rose to speak against the amendment as follows:

"Mr. President, I rise to speak against the amendment. I hadn't planned to, this morning, but ... in my 16 years in the Legislature, I've never heard more political rhetoric over nothing.

"I don't live in Alabama, Mr. President, I live in Hawaii. I'm sworn to uphold the Hawaiian Constitution, Mr. President. I'm sworn to uphold the Constitution as it's interpreted by the Attorney General until it's challenged and proved otherwise in the court, the third branch of government.

"Mr. President, if I've had you or previous Democratic presidents wave an Attorney General's opinion to me once from the rostrum, I've had it waved to me a hundred times over my 16 years.

"The Attorney General states, the Attorney General says, ... the Clerk's desk is full of 'Attorney General's' that each and everyone of you have used at one time or another to uphold your own personal point of view, no matter how wrong, at that particular time, you or I might have thought you might

have been.

"I don't live in Alabama; I uphold the Hawaiian Constitution. We too as Republicans were concerned about the procedure, the timing. We participated with the President's office in getting clarification from the Attorney General's office, the office upstairs established by law for rulings and opinions under the Hawaiian Constitution. That man rules, right or wrong, that man rules, and I'm upholding it.

"I believe the Speaker is properly qualified. I think the Attorney General is very clear in his ruling. If he's not clear, any speaker or any president who wants to challenge it can go to the court across the street and challenge it.

"No one would believe that Mr. Wakatsuki is a one man power in the House. That's a 51-member body. Does that man have all the power to pass all the laws, or to kill everything that goes on over there? I can't believe that. One side of your voice tells me that we're not rubber stamps and that we shouldn't be rubber stamps. Are you then telling me that the 50 members there are rubber stamps, and that Wakatsuki says that this should die and it's going to die; or, if this is going to pass, it's going to pass. I don't believe it.

"I don't believe that the Democratic majority policy would let Speaker Wakatsuki put that entire body into jeopardy. I've got to believe that the 50 members, these other members in that House have some prestige, some credibility, some responsibility. I've got to believe the chairmanships to the various committees aren't going to let Speaker Wakatsuki, just because he's going to be a judge next month, kill any particular bills. This is a lot of nonsense, Mr. President.

"This amendment should die, and the arguments put forth should have been put forth before the consent of all the other five or six judges going through the same procedure that we're now challenging.

"I'm not sure whether the senator from Manoa is angry with the Attorney General; I'm not sure whether he's angry with the Constitutional Convention; or I'm not sure if he's angry with the Speaker. I ask that you all vote this motion down."

Senator Cobb also rose to speak against the amendment as follows:

"Mr. President, the hour is late and I apologize for speaking when

I had not planned to, but, I think a couple of items need to be clarified.

"During one of our hearings in the Judiciary Committee on the question of one of the nominees to the Supreme Court of the State of Hawaii, I asked the individual a question because I was concerned about his long and involved background in the labor movement, as to how he would be ruling on a question involving unemployment compensation for striking employees. He could not answer that question because he was, at that time, involved in litigation on that very point, before the Ninth Circuit Court of Appeals in San Francisco.

"It is apparent that that individual conducted a brilliant appeal because he prevailed in that case. Even though the court's ruling is contrary to my own feelings, I accept that.

"This is a very clear example of where an individual who has been confirmed by the Senate has continued very actively in his legal practice until such time as his affairs are settled. There was no precondition established by the Senate on this individual, nor do I think there should have been.

"Mr. President, there are a number of us here today who are fugitives from the House of Representatives, and I use the term literally, fugitives.

"When we were in the House and when we were dissidents, we used to say 'vote it up or down on the merits with no preconditions.' Well, Mr. President, I still believe that.

"I didn't impose any conditions on any nominee to the Supreme Court and I'm not about to start imposing any conditions on any nominee to the Circuit Court. When that individual has time to complete his work and take his oath of office and begin receiving his pay, well and good. But I think we should vote him up or down on the merits and not worry about any conditions, because if we start imposing conditions, then the same kind of conditions could go back and be imposed on some of our nominees to the Supreme Court of the State of Hawaii who have other work to complete before they end their law practice and before they become a judge, before they take that oath of office and receive pay in performance of their duties.

"I don't want it to be said that I, as an individual, would want to impose any preconditions on the other House, that by removing the Speaker from his position and thereby weakening that House, that would be a precondition. I think it would be unacceptable as far

as I am concerned.

"When I look at what happened with our Supreme Court nominee and the brilliant work that individual has done, even though I may not agree philosophically with that work, just as I have had my disputes with Speaker Wakatsuki and I've spent my time in 'Siberia,' as well ... I know the feeling; I know how hard we fought; I know how bitter some of those struggles have become, and I recognize the judgment call also as to whether or not the individual is fair or impartial, and I look at him and I recognize he is playing a role too; that he was cast in a role; and that all the times that we fought him, and sometimes bitterly, we were involved in a role. But, I cannot allow my prior disagreements with the Speaker to interfere with my judgment as to whether or not that individual should become a judge because I have yet to hear in the committee a sound argument against his legal qualifications to hold the judicial seat that his name is before the Senate for.

"Mr. President, I would practice what we preached in the House, let's vote on the merits with no precondition."

At this time, Senator Cayetano, rose to speak in favor of the amendment as follows:

"Mr. President, I think the two previous speakers missed the point completely.

"My vote on this matter has caused me much trouble. I too am a fugitive from the House. During the four years I spent there I had many disagreements with the Speaker, fought him bitterly on issues, but I also got to know him well, I think, as a man, as a human being.

"Mr. President, I have no reservations about the Speaker's intellectual ability, his ability to become an outstanding member of the bench. I have no doubts or reservations about his ability and courage to make difficult decisions under fire. I have no reservations about his basic honesty and integrity. When I heard that he had been nominated for the judgeship by our Governor, it was a moment of personal pleasure for me. I called him and offered my congratulations. Of course, I assumed that he would resign. I was surprised to find the next day that he did not intend to resign. And for me, there is the crux of the matter, if you want to put it that way.

"I don't want to go into a long philosophical

discussion about separation of powers. I think that was done quite well by the senator from Manoa; I don't want to repeat that again.

"This is a judgment call, but I think if the integrity and the concept and the honor of the principle of separation of powers is to be upheld, I have to support this amendment, notwithstanding my personal feelings for Speaker Wakatsuki."

The Chair then announced as follows:

"There is an amendment before this body. The amendment is to delete the word 'consent' and substitute in its place the word 'reject.' Those that will vote to support the amendment vote 'aye.' Those who are opposed to the amendment vote 'no.'"

Roll Call having been ordered, the motion to reject the nomination of Speaker Wakatsuki as a judge of the Circuit Court of Hawaii, failed to pass on the following showing of Ayes and Noes:

Ayes, 5. Noes, 18 (Anderson, Campbell, Carpenter, Chong, Cobb, George, Hara, Kuroda, Machida, Mizuguchi, O'Connor, Toyofuku, Ushijima, Yamasaki, Yee, Yim, Young and Wong). Excused, 2 (Carroll and Saiki).

At this time, Senator O'Connor rose to speak in favor of the motion to consent as follows:

"Mr. President, I rise to speak in favor of the motion.

"Mr. President, Mr. James Wakatsuki has practiced law in this jurisdiction for in excess of 20 years. During that time he has had a distinguished law practice, primarily in the business and corporate area. He has served in a variety of governmental jobs; he is knowledgeable and knowing in the law; he has a decent and fair approach and an excellent

judicial temperament which should serve him well as a judge of the First Circuit Court.

"I urge all to vote 'aye' in favor of this nomination."

Senator Abercrombie then rose to speak against the motion as follows:

"Mr. President, speaking to defeat the motion, very briefly.

"In reference to the previous speaker, inasmuch as my name was used and is appropriate now, I do believe that I was not speaking in anger. I heard only angry words from the senator who was engaged in characterizing my comments in that fashion. I was speaking much more in sorrow, I assure you, than in anger."

Senator Cayetano then stated as follows:

"Mr. President, in my opinion, this motion is now completely unnecessary. The Senate made its decision on voting on the previous motion. I respect that decision and I intend to vote 'yes.'"

Roll Call having been ordered, the motion to consent to the nomination of James H. Wakatsuki, Fourth Judge, Circuit Court of the First Circuit, for a term of 10 years, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Abercrombie, Ajifu, Kawasaki and Soares). Excused, 2 (Carroll and Saiki).

ADJOURNMENT

At 1:15 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Thursday, March 20, 1980.

FORTY-FIRST DAY

Thursday, March 20, 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 Jack Belton of the United Methodist Church of Ewa Beach, after which the Roll was called showing all Senators present with the exception of Senator Ajifu and Saiki, who were excused.

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

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

Senator Kuroda introduced Mr. Karl T. Kurtz from Denver, Colorado. Mr. Kurtz is the Director of Operations for the National Conference of State Legislatures (NCSL).

Senator Machida introduced 55 students from the eighth grade at Iao School on the island of Maui, with their teachers, Mr. Ken Nomura and Mr. Glen Shibuya; parents, Mr. and Mrs. Fusao Nishibun, Mrs. Masae Borge, Mrs. Maybelle Kageyama and Mrs. Francis Nakamoto; and a staff member of the Department of Education, Mrs. Shigeko Ogawa.

Senator Hara then introduced fourteen students from various high schools on the island of Hawaii who are participating in the Legislative Experience Program, together with their supervisor, Ms. Marsha Oato.

Senator Toyofuku introduced twelve student leaders from the island of Kauai with their advisors, Mrs. Janice Nitta, Mrs. Joan Shaw and Mr. Allen Yamada.

Senator Abercrombie then made an introduction as follows:

"Mr. President, I would like to make an introduction of two people who are on the floor of the Senate. I shall be introducing a resolution in respect of both gentlemen who are here and some of the other people who were participating in the Hawaii International Powerlifting Championship last night.

"We did not have the resolution today as we were not sure who would be able to attend today. Unfortunately many of the people who were participating left very early this morning on the

plane, but I would like to give the members here an opportunity to meet them.

"First of all, I'd like to introduce to the members and to the audience assembled here, the organizer of the Hawaii International Powerlifting Championship. He is in the super heavyweight class. I used to lift weights with him up at the University of Hawaii when he was a good deal lighter than the 334 pounds he is right now.

"I want to indicate to you that as a result of the work that he has done that Hawaii has become the premier place in the United States, in fact, worldwide, because the members in attendance last night in terms of competition were in fact international champions, including Lars Hedlund whom you may have seen on the Super Stars Sports Spectacular.

"The other person whom you saw who was playing in the competition and winning in the competition representing Hawaii was the gentleman I want to introduce now, Mr. Gus Rethwisch.

"For contrast to Gus, I would like to introduce to you a friend from New Zealand, the kiwi country as Senator Hara says, the world champion, international champion, pound for pound the strongest man in the world. It is a genuine pleasure to introduce to this body a man who has won the world championship in 1972, 1973, 1974 and 1978. In 1979 he was second in the world with the world record total of 1,344 pounds in the powerlifting, which, as many of you may know, and for those of you who don't, is to be able to take the weight on your shoulder, to squat with the weight, come back up with it, to take weight off the bench and bring it to your chest, push it back up, and the dead-lift, which is to lift weight from the floor and stand straight up with it.

"Now I would like to introduce to you a gentleman at the height of 4 foot 11 inches and the weight of 123 pounds, Mr. Precious McKenzie.

"Mr. President, I would like to add that one of the people who was unable to make it with us here today was Mr. Dwayne Fely from Kahuku. For those senators who may want to get in touch with him if they need some heavy lifting done, he is in fact at 19 years of age, the strongest teenager in the world. He just managed last night to bench-press 512 pounds, so if you happen to be out Kahuku way and if you see the sun being blotted out, chances are it's Dwayne."

Senators George and Young presented

leis to Mr. Rethwisch and Mr. McKenzie.

At 11:16 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:19 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 108 and 109) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 108), transmitting the 1979 Annual Report to the Governor as prepared by the Progressive Neighborhoods Program Task Force, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 109), transmitting a report entitled, "Job Sharing as a Management Tool", a feasibility study of the concept of job sharing for Hawaii State Civil Service System employees, which was prepared by the Department of Personnel Services, was referred to the Committee on Human Resources.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 310), transmitting House Concurrent Resolution No. 106 which was adopted by the House of Representatives on March 19, 1980, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION WELCOMING THE 61ST ANNUAL CONVENTION OF THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.", was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 41 to 43) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 41), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING MR. LES EHRINGER, ALSO KNOWN AS 'UNITED'S AMBASSADOR TO HAWAII', ON HIS RETIREMENT", was jointly offered by Senators Soares, Young, Yamasaki, Kawasaki, Carpenter, O'Connor, George, Mizuguchi, Chong, Ushijima, Wong, Anderson, Carroll, Campbell, Cobb and Machida.

Senator Soares moved that S.C.R.

No. 41 be adopted, seconded by Senator Young.

Senator Soares then spoke for the adoption of the resolution as follows:

"Mr. President, this evening in Chicago, Illinois, there will be a banquet honoring Mr. Les Ehringer, known as Hawaii's Ambassador with United Air Lines, and I'm sorry I couldn't get this resolution to Chicago to be presented to him tonight.

"Mr. Ehringer has been working throughout his career on Hawaii's behalf, in sponsoring a number of conferences of other carriers throughout the country, to come to Hawaii and thereby promoting Hawaii through these conferences and marketing programs, golf and tennis tournaments, etc. He has always called Hawaii his home.

"Mr. President, I urge the members of the Senate to support this resolution for a man who has done so much for this State. Thank you."

The motion was put by the Chair and carried, and S.C.R. No. 41 was adopted.

A concurrent resolution (S.C.R. No. 42), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SPEEDY ACTION OF THE UNITED STATES SENATE TO RATIFY THE HUMAN RIGHTS COVENANTS", was jointly offered by Senators Chong, Carpenter, Yim, Cayetano, Kuroda, Carroll, Ajifu, Yamasaki, Toyofuku and O'Connor.

By unanimous consent, S.C.R. No. 42 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 43), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A JOINT INTERIM COMMITTEE TO DETERMINE WHETHER A LIMITATION ON THE NUMBER OF BILLS WHICH MAY BE INTRODUCED DURING A REGULAR SESSION SHOULD BE ESTABLISHED", was jointly offered by Senators Cobb, Carroll, George, Kuroda, Mizuguchi, Machida, Carpenter, Ushijima, Yee, Toyofuku and Campbell.

By unanimous consent, S.C.R. No. 43 was referred to the Committee on Legislative Management.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 195 to 202) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 195), entitled: "SENATE RESOLUTION CONGRATULATING MR. LES EHRINGER, ALSO KNOWN AS 'UNITED'S AMBASSADOR TO HAWAII', ON HIS RETIREMENT", was jointly offered by Senators Soares, Young, Yamasaki,

Kawasaki, Carpenter, O'Connor, George, Mizuguchi, Chong, Ushijima, Wong, Anderson, Carroll, Cobb, Campbell and Machida.

On motion by Senator Soares, seconded by Senator Young and carried, S.R. No. 195 was adopted.

A resolution (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 jointly offered by Senators Ajifu and Young.

By unanimous consent, S.R. No. 196 was referred jointly to the Committee on Education and the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 197), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FEASIBILITY STUDY AND PREPARE A PLAN FOR A UNIFORM STATE MEDICAL EXAMINER SYSTEM", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 197 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 198), entitled: "SENATE RESOLUTION IN COMMEMORATION OF DAVID WARD", was jointly offered by Senators Kawasaki, Kuroda, O'Connor, Toyofuku, Young, Cobb, Ushijima, Campbell, Mizuguchi, Wong, Yamasaki, Yee, Yim, Hara, Machida, Carpenter, Anderson, Soares, Ajifu, Carroll, George, Cayetano, Abercrombie and Chong.

Senator Kawasaki moved that S.R. No. 198 be adopted, seconded by Senator Kuroda.

Senator Kawasaki then spoke for the resolution as follows:

"Mr. President, it is with a definite feeling of sadness that I urge the unanimous adoption of this resolution.

"Mr. David Ward, as you know, has served as the Professor of Journalism at the University of Hawaii, and on his own volition, came to testify at the hearings held by the Judiciary Committee and the Consumer Protection and Commerce Committee regarding the newspaper bills and resolutions. He did this on his own volition and added much to our knowledge of what was wrong with the present Newspaper Preservation Act on the books in the State here. We will miss his very

cogent analysis of what he thinks a free press should be. We hope that there will be someone at the University campus to take his place someday.

"Mr. President, we do want to express to his wife and family our deepest sympathy and condolences. I urge the unanimous adoption of this resolution."

Senator Abercrombie spoke in agreement thereto as follows:

"Mr. President, I want to add my comments to those of the previous speaker, over and above the circumstances of professional confidences that Mr. Ward possessed and his willingness and ability to testify on things in respect of the newspapers and journalism in general here in the Legislature.

"His activity at the University of Hawaii is something that the University is going to miss and find very, very difficult to replace, and his friendship to me over the years is something that I will miss and will never be able to replace. Thank you."

The motion was put by the Chair and carried, and S.R. No. 198 was adopted.

A resolution (S.R. No. 199), entitled: "SENATE RESOLUTION REQUESTING SPEEDY ACTION OF THE UNITED STATES SENATE TO RATIFY THE HUMAN RIGHTS COVENANTS", was jointly offered by Senators Chong, Carpenter, Yim, Cayetano, Ajifu, Kuroda, Yamasaki, O'Connor, Toyofuku and Carroll.

By unanimous consent, S.R. No. 199 was referred to the Committee on Judiciary.

A resolution (S.R. No. 200), entitled: "SENATE RESOLUTION REQUESTING A JOINT INTERIM COMMITTEE TO DETERMINE WHETHER A LIMITATION ON THE NUMBER OF BILLS WHICH MAY BE INTRODUCED DURING A REGULAR SESSION SHOULD BE ESTABLISHED", was jointly offered by Senators Cobb, Kuroda, Mizuguchi, George, Machida, Carpenter, Carroll, Yee, Ushijima, Toyofuku and Campbell.

By unanimous consent, S.R. No. 200 was referred to the Committee on Legislative Management.

A resolution (S.R. No. 201), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING THE MILILANI TOWN JAYCEES FOR THEIR OUTSTANDING COMMUNITY SERVICE AND STATE AWARDS", was jointly offered by Senators Young, Mizuguchi, Cayetano, Kuroda, Cobb, Machida, Toyofuku, Ushijima, Yamasaki, Kawasaki, Chong, Campbell, George, Carroll, Saiki, Anderson, Ajifu, Carpenter, Wong, Soares, Abercrombie, O'Connor, Yee, Hara and Yim.

On motion by Senator Young, seconded by Senator Mizuguchi and carried, S.R. No. 201 was adopted.

A resolution (S.R. No. 202), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE 442ND VETERANS CLUB OF HONOLULU ON ITS OBSERVANCE OF THE THIRTY-SEVENTH ANNIVERSARY MARKING THE FORMATION OF THE 442ND REGIMENTAL COMBAT TEAM", was jointly offered by Senators Ushijima, Machida, Cayetano, Kuroda, Hara, Yamasaki, Ajifu, Chong, Cobb, Carpenter, Carroll, Anderson, Yee, Campbell, George, Kawasaki, Young, Soares, Toyofuku and Wong.

On motion by Senator Ushijima, seconded by Senator Machida and carried, S.R. No. 202 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 737-80) informing the Senate that Senate Concurrent Resolution No. 40 and Senate Resolution No. 194 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 Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 738-80) recommending that House Bill No. 2073-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2073-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2073-80, H.D. 1, S.D. 1.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 739-80) recommending that House Bill No. 2590-80, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, the report of the Committee was adopted and H.B. No. 2590-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 740-80) recommending that House Bill No. 2945-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 2945-80, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 741-80) recommending that Senate Concurrent Resolution No. 8 and Senate Resolution No. 40 be adopted.

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

S.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW ON RECOVERY OF STOLEN MOTORCYCLES" and

S.R. No. 40, entitled: "SENATE RESOLUTION REQUESTING A REVIEW ON RECOVERY ON STOLEN MOTORCYCLES",

were adopted.

ORDER OF THE DAY

THIRD READING

House Bill No. 1982-80:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 1982-80, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF PUBLIC LANDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 11:27 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:29 o'clock a.m.

Standing Committee Report No. 721-80 (H.B. No. 1983-80):

By unanimous consent, action on Stand. Com. Rep. No. 721-80 and H.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Friday, March 21, 1980.

House Bill No. 2418-80, H.D. 1, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 2418-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PRODUCTION FACILITIES IN AGRICULTURE DISTRICTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 2535-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 2535-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE BY FUEL IMPORTERS, MANUFACTURERS, DISTRIBUTORS, AND EXPORTERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 713, S.D. 1:

Senator Cobb moved that H.B. No. 713, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Ushijima then asked for a ruling of the Chair as to a possible conflict of interest as he is associated with a bank.

The Chair ruled that there was a conflict and Senator Ushijima was excused from voting on the measure.

Senator Yee then requested a ruling of the Chair as to a possible conflict of interest as he also is associated with a bank.

The Chair ruled that there was a conflict and Senator Yee was excused

from voting on the bill.

The motion was then put by the Chair and carried, and H.B. No. 713, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ajifu, Saiki, Ushijima and Yee).

House Bill No. 714, S.D. 1:

Senator Chong requested a ruling of the Chair as to a possible conflict of interest as he is employed by a savings and loan organization.

The Chair ruled that there was no conflict and Senator Chong was allowed to vote on the measure.

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 714, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAVINGS AND LOAN ASSOCIATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of a House bill that was received on Monday, March 3, 1980:

House Bill Referred to:

No. 2263-80, H.D. 1 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

The President then made the following re-referral of a House bill that was received on Thursday, March 6, 1980:

House Bill Referred to:

No. 2359-80 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 1703, S.D. 1, H.D. 1, C.D. 2:

Senator O'Connor moved that the Senate reconsider its action taken on March 18, 1980 in passing S.B. No. 1703, S.D. 1, H.D. 1, C.D. 2 on Final Reading, seconded by Senator Cobb and carried.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B.

No. 1703, S.D. 1, H.D. 1, C.D. 2, 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", was recommitted to the Committee on Conference.

At 11:32 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:33 o'clock a.m.

At this time, the Chair stated as follows:

"The Chair would like to make an announcement. I'm slightly embarrassed this morning. During yesterday's session while we were considering the nomination of James H. Wakatsuki to be a Circuit Court Judge, I made a ruling that may not be quite correct.

"It was my ruling that Senator Ajifu's substitute motion to reject the nomination

was in effect a motion to amend Standing Committee Report No. 725-80; the amendment being to delete the words 'consent to' and replace it with the word 'reject' in the committee report.

"However, after considering the floor comments of my learned colleague, Senator John Ushijima, and after reviewing prior practices in the Senate and the Rules of the Senate, I now conclude that my ruling was in error.

"It has not been nor is it now the practice of the Senate to amend committee reports on the floor. My apologies to my colleagues and my appreciation for their patience and understanding. Now let us carry on with the business of the Senate."

ADJOURNMENT

At 11:36 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, March 21, 1980.

FORTY-SECOND DAY

Friday, March 21, 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 Vice President presiding in the Chair.

The Divine Blessing was invoked by Mrs. Charlotte Pelle of the Honolulu Baha'i Community Church, after which the Roll was called showing all Senators present, with the exception of Senators Saiki, Wong and Yee, who were excused.

At 11:07 o'clock a.m., the Senate stood in recess subject to the Call of the Chair.

The Senate reconvened at 11:08 o'clock a.m.

The Vice President announced that he had read and approved the Journal of the Forty-First Day.

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

Senator Campbell, on behalf of the Senators from the 5th Senatorial District, introduced 75 third grade students from Kalihi-Kai Elementary School, accompanied by their teachers: Mrs. Mitzi Yamaguchi, Mrs. Nancy Miyoi and Mrs. Laura Amimoto, and room mother, Mrs. Castro.

Senator Anderson, on behalf of Senator Yee and the Senators from the 6th Senatorial District, introduced a group of 103 second grade students from Lunalilo School, accompanied by their teachers: Mrs. Nozoe, Miss Char, Mrs. Takenaga and Miss Miura, and parents: Mrs. Arakaki, Mr. and Mrs. Lau, Mrs. Oki, Mrs. Araki and Mrs. Perry.

Senator Toyofuku then introduced Mr. Wilfred Nakakura and Mr. Malcom Koga of the General Contractors Association of Hawaii.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 110 to 238), were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 110), submitting for consideration and confirmation to the Board of Agriculture, the nomination of Richard I.C. Caldito, term to expire December 31, 1983, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 111), submitting for consideration

and confirmation to the Advisory Committee on Agricultural Products, the nomination of George S. Fujii, term to expire December 31, 1983, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 112), submitting for consideration and confirmation to the Advisory Committee on Flowers and Foliage, the nomination of Michael Goldstein, term to expire December 13, 1983, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 113), submitting for consideration and confirmation to the Advisory Committee on Pesticides, the following nominations:

Asher K. Ota, Ph.D., term to expire December 31, 1983;

Norman E. Blomberg, term to expire December 31, 1983;

Melvin Miranda, term to expire December 31, 1983;

Edward S. Kurokawa, term to expire December 31, 1983;

Patrick Y. Nakagawa, term to expire December 31, 1982; and

Libert Landgraf, term to expire December 31, 1980,

was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 114), submitting for consideration and confirmation to the Board of Public Accountancy, the nomination of Clayton Tsuchiyama, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 115), submitting for consideration and confirmation to the Board of Barbers, the nominations of Barbara M. Yamada and Gary T. Taogoshi, terms to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 116), submitting for consideration and confirmation to the Boxing Commission, the nomination of Louis B. Oclaray, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 117), submitting for consideration and confirmation to the CATV Advisory Committee, the nominations of Milton

K. Hironaka, term to expire December 31, 1981, and Robert M. Imose, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 118), submitting for consideration and confirmation to the Collection Agency Board, the nominations of Rose T. Ohashi, Theodore Palisbo and Robert M. Abe, terms to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 119), submitting for consideration and confirmation to the Contractors License Board, the nominations of Ralph S. Inouye, Deen I. Morita and Norman Janicki, terms to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 120), submitting for consideration and confirmation to the Board of Cosmetology, the nomination of Eudora Akana Lee, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 121), submitting for consideration and confirmation to the Credit Union Review Board, the nomination of Robert K. Maeda, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 122), submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of Edwin N. Fujimoto, D.D.S, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 123), submitting for consideration and confirmation to the Board of Hearing Aid Dealers and Fitters, the nominations of Teruo Hasegawa and June Uehara-Isono, terms to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 124), submitting for consideration and confirmation to the Board of Massage, the nomination of Bill Nishita, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 125), submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of Albert

C.K. Chun-Hoon, M.D., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 126), submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of Samuel M. Haraguchi, M.D., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 127), submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of Ruben P. Mallari, M.D., term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 128), submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nominations of John K. Uyetake and Bryan Mamacalay, terms to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 129), submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of Nelson N. Nishida, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 130), submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of Akira Sato, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 131), submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nomination of Richard Rovin, N.D., term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 132), submitting for consideration and confirmation to the State Board of Nursing, the following nominations:

Yoshiko Shimamoto, term to expire December 31, 1982;

Dorothy K. Ono, term to expire December 31, 1982;

Elizabeth J. Waite, term to expire December 31, 1980;

Claire R. Alfiler, term to expire December 31, 1982; and

Hilario Ramiscal, term to expire December 31, 1982,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 133), submitting for consideration and confirmation to the Board of Examiners of Nursing Home Administrators, the following nominations:

Vernon S. Page, term to expire December 31, 1983;

Anne T. Yamada, term to expire December 31, 1983; and

Hatsune Sekimura, term to expire December 31, 1981,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 134), submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of Gloria M. Mayer, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 135), submitting for consideration and confirmation to the Board of Examiners in Optometry, the following nominations:

Beryl B. Chun, O.D., term to expire December 31, 1983; and

Carolee Stamper, term to expire December 31, 1981,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 136), submitting for consideration and confirmation to the Board of Osteopathic Examiners, the nomination of Douglas P. Hagen, D.O., term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 137), submitting for consideration and confirmation to the Pest Control Board, the nominations of Roy M. Shimotsukasa and Paul Romias, terms to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 138), submitting for consideration and confirmation to the Board of Pharmacy, the nomination of Paul T. Sakimoto, term to expire December 31, 1983, was

referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 139), submitting for consideration and confirmation to the Board of Pilot Commissioners, the following nominations:

Kent H. Bowman, term to expire December 31, 1981;

Steven Loui, term to expire December 31, 1980; and

Jed J. Inouye, term to expire December 31, 1982,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 140), submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nomination of Jeanne W. Woolf, Ph.D., ABPP, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 141), submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of E. A. Berlin, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 142), submitting for consideration and confirmation to the Board of Radiologic Technologists, the nomination of Joan E. McGarry-Nakayama, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 143), submitting for consideration and confirmation to the Real Estate Commission, the nominations of Joseph F. Blanco, Edwin H. Shiroma and Ralph S. Yagi, terms to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 144), submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the following nominations:

Dennis T. Sekine, term to expire December 31, 1982;

Susumu Awaya, term to expire December 31, 1982; and

Vickie M.I. Peiler, term to expire December 31, 1980,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 145), submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of Calvin W.S. Lum, D.V.M., term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 146), submitting for consideration and confirmation to the Animal Species Advisory Commission, the nominations of Dennis M. Devaney, Ph.D., and Robert J. Shallenberger, Ph.D., terms to expire December 31, 1983, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 147), submitting for consideration and confirmation to the Environmental Quality Commission, the following nominations:

Michael J. Chun, Ph.D., term to expire December 31, 1983;

Richard S.C. Mau, term to expire December 31, 1983; and

Herbert Bob Stellmacher, term to expire December 31, 1981,

was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 148), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, City and County of Honolulu, the nominations of Ivan H. Morita and Donald K. Andrews, terms to expire December 31, 1981, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 149), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Kauai, the nomination of John Duarte, term to expire December 31, 1981, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 150), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Kauai, the nomination of Philip M. Yamagata, term to expire December 31, 1981, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 151), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Maui,

the nominations of Adolph H. Desha, Edward H. Tamura and Wallace H. Fujii, terms to December 31, 1981, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 152), submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nomination of Dr. D. Mueller-Dombois, term to expire December 31, 1983, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 153), submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nomination of P. Quentin Tomich, Ph.D., term to expire December 31, 1983, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 154), submitting for consideration and confirmation to the Pacific War Memorial Commission, the nominations of Richard K.T. Au and Tommy Kakesako, terms to expire December 31, 1983, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 155), submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the following nominations:

Curt T. Tagawa, term to expire December 31, 1983, and

Samuel J. Weimer, term to expire December 31, 1980,

was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 156), submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of Takeo Yamamoto, term to expire December 31, 1983, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 157), submitting for consideration and confirmation to the Board of Planning and Economic Development, the following nominations:

Edwin Y. Otsuji, term to expire December 31, 1983;

Raymond T. Sasaki, Jr., term to expire December 31, 1981;

William L. Palakiko, term to expire December 31, 1983;

Manuel Moniz, Jr., term to expire December 31, 1983; and

Randolph G. Moore, term to expire December 31, 1983,

was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 158), submitting for consideration and confirmation to the Commission on Population and the Hawaiian Future, the nominations of A. Edward Kato, Thomas M.W. Lee and Pam H. Kekumano, terms to expire December 31, 1983, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 159), submitting for consideration and confirmation to the Commission on the Year 2000, the nomination of Virginia Dee Costello, term to expire December 31, 1980, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 160), submitting for consideration and confirmation to the State Foundation on Culture and the Arts, the nominations of Margaret H. Cameron, Wayne W.K. Chang and Lucille B. Cooper, terms to expire December 31, 1983, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 161), submitting for consideration and confirmation to the Hawaii Education Council, the nomination of William A.K. Waters, term to expire December 31, 1983, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 162), submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of Elizabeth G. Flateau, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 163), submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of Gard N. Kealoha, term to expire December 31, 1980, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 164), submitting for consideration and confirmation to the the King Kamehameha Celebration Commission, the following nominations:

Daisy L. Aguiar, term to expire December 31, 1983;

Gussie Bento, term to expire December 31, 1983;

Lillian Cameron, term to expire December 31, 1983; and

Thelma Black, term to expire December 31, 1982,

was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 165), submitting for consideration and confirmation to the Library Advisory Commission, City and County of Honolulu, the following nominations:

Edith L. Clements, term to expire December 31, 1983;

Clinton K. Akana, term to expire December 31, 1983;

Lilyan C. Tom, term to expire December 31, 1983; and

Roy K. Sasaki, term to expire December 31, 1981,

was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 166), submitting for consideration and confirmation to the Library Advisory Commission, County of Kauai, the nominations of Leonora Villatora, Hilda D. Cannon and Helen H. Kaneshiro, terms to expire December 31, 1983, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 167), submitting for consideration and confirmation to the Board of Health, the following nominations:

Donald F.B. Char, M.D., term to expire December 31, 1980;

Erika Eberly, term to expire December 31, 1983;

Hester V. Cox, term to expire December 31, 1983; and

Rose Ann Poyzer, term to expire December 31, 1983,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 168), submitting for consideration and confirmation, to the Statewide Health Coordinating Council, the nomination of Marion A. Metz, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 169), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the following nominations:

John M. Ohtani, M.D., term to expire December 31, 1983;

Leonard P. Paresa, Sr., term to expire December 31, 1983;

Robert T. Kunichika, term to expire December 31, 1983;

Marvin B. Hall, term to expire December 31, 1983;

Manuel Buenconsejo, term to expire December 31, 1983;

Susan Y. Fujihara, term to expire December 31, 1983;

Mark B. Perlmutter, term to expire December 31, 1983;

Kimie Lane, term to expire December 31, 1983; and

Mark M. Hamasaki, term to expire December 31, 1982,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 170), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Shirley T. Akita, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 171), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of R. Warwick Armstrong, Ph.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 172), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Kathleen Campbell, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 173), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Andrew I.T. Chang, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 174), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Angie Connor, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 175), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Eileen Dempster, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 176), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Miles S. Kawatachi, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 177), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Dianne M. Miyamoto, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 178), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Dixon Mugiishi, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 179), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Allan C. Oglesby, M.D., term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 180), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of John K. Porter, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 181), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Leonard F. Takamura, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 182), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Lambert K. Wai, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 183), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities,

the nomination of Garrett H. Yanagi, Ph.D., term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 184), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of G. Terry Young, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 185), submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the following nominations:

Matthew S.K. Pyun, Jr., term to expire December 31, 1982;

Carol M. Strait, term to expire December 31, 1983;

W. Thomas Finley, term to expire December 31, 1983;

John R. Penebacker, term to expire December 31, 1983;

Robert C. Marvit, M.D., term to expire December 31, 1980; and

Harry H. Kanada, term to expire December 31, 1983,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 186), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of William Blanchard, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 187), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Merle D. Crow, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 188), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Jeffrey C. Goodman, M.D., term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 189), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Glenn R. Hamberg, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 190), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Alwyn G. Hansen, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 191), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of John H. Ide, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 192), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Barbara K. Ideta, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 193), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Djon Indra Lim, M.D., term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 194), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Natalie L. Pfeifer, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 195), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Shirley K. Takahashi, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 196), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Sakae Uehara, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 197), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nomination of Livingston M.F. Wong, M.D., term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 198), submitting for consideration and confirmation to the Hawaii County Hospital Management Advisory Committee, the nominations of Sumiko K. Tanouye and Roy A. Forbes, terms to expire

December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 199), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, City and County of Honolulu, the following nominations:

Allen B. Oblow, term to expire December 31, 1981;

Norman E.P. Aweau, term to expire December 31, 1983; and

Benedict L. Ho, term to expire December 31, 1983,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 200), submitting for consideration and confirmation to the Maui County Hospital Management Advisory Committee, the nomination of Goro Hokama, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 201), submitting for consideration and confirmation to the Maui County Hospital Management Advisory Committee, the nomination of Patsy S. Kinoshita, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 202), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the following nominations:

Kenneth Asato, term to expire December 31, 1983;

Gerald M.H. Lau, term to expire December 31, 1983;

John A. Imoto, term to expire December 31, 1983;

Ralph T. Miyashiro, Jr., term to expire December 31, 1983;

Stephen Howard Tenby, M.D., term to expire December 31, 1983;

Fern V. Clark, term to expire December 31, 1983; and

Vernon Y.N. Chock, term to expire December 31, 1982,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 203), submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the

following nominations:

Ronald F.M. Lee, term to expire December 31, 1983;

Richard M. Courson, D.D.S., term to expire December 31, 1982;

Richard T. Kato, term to expire December 31, 1983;

Hazel Akim-Naone, term to expire December 31, 1983;

Harry H. Imy, term to expire December 31, 1983;

Herita Agmata, term to expire December 31, 1983; and

Faaagi Taufet'e, term to expire December 31, 1983,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 204), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the following nominations:

Sergio N. Domondon, term to expire December 31, 1983;

Ruby L. Hargrave, term to expire December 31, 1983;

Russell Sowers, term to expire December 31, 1983;

Haulani Leal, term to expire December 31, 1983; and

Melvin Y. Nishimoto, term to expire December 31, 1983,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 205), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the following nominations:

Sandra Baers, term to expire December 31, 1983;

Constance M. Stalker, term to expire December 31, 1983;

June I. Takenaka, term to expire December 31, 1982;

Earle H. Nakagawa, O.D., term to expire December 31, 1983;

Kayo R. Chung, term to expire December 31, 1983;

Edward Tsukasa, term to expire December 31, 1983; and

Virginia M. Burchett, term to expire December 31, 1980,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 206), submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the following nominations:

John J. Volanti, term to expire December 31, 1983;

Katie Moa, term to expire December 31, 1983;

Yvonne H. DeCanto, term to expire December 31, 1983;

Vicki-Ann Barros, term to expire December 31, 1983;

James E. Roscher, term to expire December 31, 1981;

Reverend Charles A. Wothke, term to expire December 31, 1983; and

Anita A. Moore, term to expire December 31, 1983,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 207), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the following nominations:

Gennie Ana Lenuani Kinney, term to expire December 31, 1983;

Mark B. Perlmutter, term to expire December 31, 1983;

Paul N. Tallett, term to expire December 31, 1983;

Mildred Guerrero, term to expire December 31, 1983;

Nellie A. Metcalf, term to expire December 31, 1983;

Ruth A. Kunimura, term to expire December 31, 1983; and

Hannah K. Springer, term to expire December 31, 1981,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 208), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the

following nominations:

Betty June Bell, term to expire December 31, 1983;

George Kanna, D.D.S., term to expire December 31, 1982;

W. Ulu Breen, term to expire December 31, 1983;

William R. Flanders, term to expire December 31, 1982;

MaBel Fujiuchi, term to expire December 31, 1983;

Joseph C. Duvauchelle, term to expire December 31, 1983; and

Chiyozo Joe Shiramizu, term to expire December 31, 1983,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 209), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the following nominations:

Glenn S. Izawa, term to expire December 31, 1983;

Kimie Lane, term to expire December 31, 1983;

Jo-Ann T. Ridao, term to expire December 31, 1983;

James L. Stoll, term to expire December 31, 1983; and

Kathleen R. Johnson, term to expire December 31, 1983,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 210), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Audrey Rocha Reed, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 211), submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nomination of George J. Fukunaga, term to expire December 31, 1983, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 212), submitting for consideration and confirmation to the Western Interstate Commission on Higher Education, the nomination of Sumie F. McCabe, term to expire December 31, 1983, was referred

to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 213), submitting for consideration and confirmation to the Civil Service Commission, the following nominations:

Richard S. Dumancas, term to expire December 31, 1982;

Robert B. Raneses, term to expire December 31, 1983; and

Edward S. Kushi, Jr., term to expire December 31, 1983,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 214), submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the following nominations:

Barbara H. Luppold, term to expire December 31, 1980;

Yaso Abe, term to expire December 31, 1983;

Edwin Y. Chun, term to expire December 31, 1983;

Carol Kikkawa, term to expire December 31, 1983;

Reverend Franco Manuel, term to expire December 31, 1983;

Ethel T. Mori, term to expire December 31, 1983;

Sung Dai Seu, term to expire December 31, 1983;

Satoru Izutsu, Ph.D., term to expire December 31, 1983; and

J. Ward Russell, term to expire December 31, 1982,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 215), submitting for consideration and confirmation to the Hawaii Employment Relations Board, the nomination of Renton L.K. Nip, term to expire December 31, 1983, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 216), submitting for consideration and confirmation to the Commission on the Handicapped, the nominations of Roy A. Williams, Jamie McCormick, Emir Berg and M. Beth Godley Arruda, terms to expire December 31, 1983,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 217), submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the following nominations:

Sandra L. Hammond, term to expire December 31, 1983;

Violet Z. Kam, term to expire December 31, 1983;

Toru Suzuki, term to expire December 31, 1983;

Virgie Chattergy, Ed.D., term to expire December 31, 1983;

Gerri Watanabe, term to expire December 31, 1983;

Cherlyn K. Logan, term to expire December 31, 1983;

Henry V. Rosario, term to expire December 31, 1982;

Michael C.K. Wong, term to expire December 31, 1980; and

Masashi Arinaga, term to expire December 31, 1982,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 218), submitting for consideration and confirmation to the Board of Vocational Rehabilitation, the nomination of Paul Pladera, term to expire December 31, 1983, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 219), submitting for consideration and confirmation to the Hawaiian Homes Commission, the nominations of Jeffery S. Tai and Eleanor K. Ahuna, terms to expire December 31, 1983, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 220), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nominations of Steven M. Nagata, Tamotsu Kitagawa, John W. Anderson, Jr., and Daniel S. Miyasato, terms to expire December 31, 1983, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 221), submitting for consideration and confirmation to the Defender Council,

the nominations of Myrtle Mokiao, H.K. Bruss Keppeler, Terence T. Yoshioka, Thomas R. Cole and Mervyn E. Masumura, terms to expire at the pleasure of the Governor, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 222), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of R.O. Dan Schoenbacher, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 223), submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of Susan Marie Coy, term to expire December 31, 1983, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 224), submitting for consideration and confirmation to the Board of Registration, Island of Hawaii, the nomination of Harry H. Hasegawa, term to expire December 31, 1983, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 225), submitting for consideration and confirmation to the Board of Registration, Kauai and Niihau, the nomination of Evelyn T. Brand, term to expire December 31, 1983, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 226), submitting for consideration and confirmation to the Board of Registration, Maui, Molokai, Lanai, and Kahoolawe, the nomination of Leonilda T. Cairnes, term to expire December 31, 1983, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 227), submitting for consideration and confirmation to the Board of Registration, Island of Oahu, the nomination of Michael M.C. Yee, term to expire December 31, 1983, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 228), submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of Hiroshi Sakai, term to expire December 31, 1983, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 229), submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of Robert S. Toyofuku, term to expire December 31, 1983, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 230), submitting for consideration and confirmation to the Commission on Transportation, the following nominations:

William Kennison, term to expire December 31, 1983;

Keith I. Oda, term to expire December 31, 1983;

William Y. Nakamatsu, term to expire December 31, 1983; and

Kenneth I. Craw, term to expire December 31, 1982,

was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 231), submitting for consideration and confirmation to the State Highway Safety Council, the nomination of Rick Eveleth, term to expire December 31, 1982, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 232), submitting for consideration and confirmation to the Medical Advisory Board, the nomination of Robert Lee, Jr., M.D., term to expire December 31, 1983, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 233), submitting for consideration and confirmation to the Medical Advisory Board, the nomination of B.E. Realica, M.D., term to expire December 31, 1983, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 234), submitting for consideration and confirmation to the Board of Trustees, Employees' Retirement System, the nomination of Kim Tet Lee, term to expire January 1, 1985, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 235), submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District - Oahu, the nomination of Calvin J.H. Chun, term to expire December 31, 1982, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 236), submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District - Oahu, the nomination of Cedric Yamamoto, term to expire December 31, 1983, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 237), submitting for consideration and confirmation to the Board of Taxation Review, Second Taxation District - Maui, the nominations of Earl L. Helm and Kanji Wakamatsu, term to expire December 31, 1983, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 238), submitting for consideration and confirmation to the Board of Taxation Review, Fourth Taxation District - Kauai, the following nominations:

Joseph A. Tokita, term to expire December 31, 1983; and

Rogelio S. Saraos, term to expire December 31, 1980,

was referred to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 203 to 205) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 203), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING JOYCE C. HUNTER, RECIPIENT OF THE NATIONAL THOMAS JEFFERSON AWARD FOR HER PUBLIC SERVICE WORK IN SPOUSE ABUSE", was jointly offered by Senators Kuroda, Chong, Campbell, Carroll, Yamasaki, Young, Cobb, Ushijima, Ajifu, Hara, Carpenter, Toyofuku, Mizuguchi, Abercrombie, Machida, Yee, Cayetano, Soares, Kawasaki, O'Connor, Yim, Wong, George and Anderson.

On motion by Senator Kuroda, seconded by Senator Chong and carried, S.R.No. 203 was adopted.

At this time, Senator Kuroda rose to express a few words regarding the honoree as follows:

"Mr. Vice President, Mrs. Joyce Hunter received the National Thomas Jefferson Award in Washington, D.C., presented to her at the United States Supreme Court Building.

"The Jefferson Award was established in 1973 and recognizes persons who have given outstanding public service in their community. In 1979, the Honolulu Advertiser joined 54 other newspapers and television stations across the country to sponsor the award locally. So, Mr. Vice President, sometimes the Advertiser does good things.

"Mrs. Hunter received one of the ten awards locally, and then in national competition she was selected on June

16, 1979 as the national winner.

"It is interesting to note that the Thomas Jefferson Awards are made in five categories: one for public service by an elected or appointed official; to a private citizen or individual under the age of 35; to someone who is handicapped; and to someone in public service benefiting local communities. Mrs. Hunter was selected in this last category.

"Mrs. Hunter was the person who recognized violence and disturbance among families in Hawaii, particularly, the physical and psychological abuse of women and children, and, thereby, established the Information and Learning Center for Battered and Abused Women in July of 1978."

Senator Kuroda then introduced Mrs. Joyce Hunter and her husband, Mr. Elgin Duarte, formerly from Hakalau of the Big Island and who has served for 23 years in the U.S. Army, to the members of the Senate. The honoree and her husband were then presented with leis by Senators Young and Mizuguchi and a copy of the resolution by Senator Kuroda.

At 11:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:16 o'clock a.m.

At this time, the Chair made the following observation:

"Senator Kuroda, I'm glad you reminded me that the Advertiser does do some good, and considering they paid \$2,000,000 in dividends in 1978 to a single stockholder, Mr. Thurston Twigg-Smith, they are in a position to do a 'hellava' lot more good."

A resolution (S.R. No. 204), entitled: "SENATE RESOLUTION EXTENDING RECOGNITION TO PROFESSOR WILLIAM H. McNEILL", was jointly offered by Senators Abercrombie, Kuroda, Kawasaki, Yee, Machida, Toyofuku, Wong, Yamasaki, Campbell, O'Connor, Young, Cayetano and George.

Senator Abercrombie moved that S.R. 204 be adopted, seconded by Senator Kuroda.

Senator Abercrombie then rose to speak of the honoree as follows:

"Mr. Vice President, it is indeed an honor, as chairman of the Higher Education Committee of the Senate of the State of Hawaii, to be able to move for the adoption of this resolution recognizing Professor William H. McNeill, who, as indicated

by the Clerk, is the John A. Burns Distinguished Visiting Professor of History at the University of Hawaii.

"The programs that have been put forward with the various Chairs at the University are there precisely so that we may invite distinguished scholars from the world over, not only to be in attendance at the University of Hawaii, but so that our students and faculty and members of the community-at-large may have the benefit of the scholarship that they possess.

"Professor McNeill has been involved in a literal whirlwind of teaching and lecturing activities since his arrival here. My only regret, with the circumstances of the Senate meeting now, is that I've not had the opportunity to attend the class he was teaching at the University; however, I was able, along with members of the community, to attend some of the public lectures that he has given.

"I wish to indicate to the Senate that the background on Professor McNeill is such that it is extremely worthy in an intellectual capacity, probably something that he, by now, is a bit tired of hearing, but, I think in terms of reminding ourselves of the necessity of keeping a first-class university orientation in the state, that we need to have this influx and the Chairs are an ideal opportunity to do so.

"I wish to point out only one thing ... unfortunately, I left my paperback copy of 'The Rise of the West' upstairs so I am not able to read from that. I guess I won't embarrass Professor McNeill by reading what Professor Arnold Toynbee, the world-eminent historian, has said of this book, which I hope to have autographed before he leaves the floor.

"In his review of 'The Rise of the West,' Professor Toynbee indicated that this book which is subtitled, 'The History of the Human Community' is, in modern times, perhaps the most profound and complete history of the human community that we have available. This is the kind of scholarship now that is available through the Chair at the University.

"I would like to indicate that this book was a 1964 National Book Award winner. For that work he has been a co-editor of 'Readings in World History' encompassing more than 10 volumes, and his many fellowships, his many participatory boards in terms of membership are too numerous actually to be in this Senate Resolution. Suffice to say that he has been an awardee of the Fulbright Fellowship, the Ford Fellowship, Guggenheim Fellowship, Rockefeller Foundation and American Council of Learned Societies.

"With that as a background in welcoming him as a good neighbor from Vancouver, Canada, where he was born, I would ask that we pass this resolution in his honor."

The motion was put by the Chair and carried and S.R. No. 204 was adopted.

Senator Abercrombie then introduced to the members of the Senate Professor McNeill and his wife Elizabeth, who were presented with leis by Senators George and Ushijima and a copy of the resolution by Senator Abercrombie.

At 11:22 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:24 o'clock a.m.

The Chair then invited Professor McNeill to the rostrum and stated as follows:

"This morning, we are delighted to have such an eminent historian in our midst.

"I note a definite affinity between historians. We have, of course, in the Senate, a gentleman who received his doctorate in American History and sometimes I think he takes advantage of the fact that some of us are not so deeply steeped with history and makes good use of his doctorate in that regard.

"We are delighted to have Professor McNeill and would like to ask him to come to the rostrum to say a few words, perhaps pass a few words of wisdom for some of us who are not as deeply steeped."

Professor McNeill addressed the members of the Senate as follows:

"Words of wisdom are not what I think I have in great supply.

"Let me say that I have enjoyed my stay at the University of Hawaii enormously. The quality of the experience there -- I taught some graduate students as well as giving a series of public lectures -- is of the same quality as the work at the University of Chicago, where I normally pursue my trade. The sense of shared community values, outlook and level of excellence is overwhelming.

"Sometimes, Hawaii carries the image of a tourist haven, sunny beaches and surfboarders, but there are other

things in these islands and the University of Hawaii represents another pool of human activity which has also attained a level of sophistication and excellence that bears comparison, well, as far as my experience goes, with that of any other university, any state university in the United States. I congratulate you all!

"I am grateful to have been asked; grateful, especially perhaps to the John A. Burns Foundation and those who contributed to it, which made it possible for me to come.

"Thank you all very much for the honor you have conferred upon me this morning."

The Chair then thanked Professor McNeill and stated as follows:

"Thank you, Professor McNeill.

"I am of the opinion that while historians are people of great wisdom sometimes they do not have too much wisdom in the way of economics, Senator Abercrombie being the case. He probably could earn \$35,000 as professor of history at the University here but earns \$12,000 in the Senate and is here for the last eight years badgering all of us."

At this time, the Chair asked the Clerk to note the presence of Senator Carroll.

A resolution (S.R. No. 205), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE CALL TO PRAYER", was jointly offered by Senators Wong, Chong, Carpenter, Ushijima, George, Toyofuku, Young, Machida, Hara, Campbell, Cobb, O'Connor, Anderson and Abercrombie.

On motion by Senator Mizuguchi, seconded by Senator Chong and carried, S.R. No. 205 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 742-80), informing the Senate that Senate Concurrent Resolution Nos. 41 to 43, Senate Resolution Nos. 195 to 202 and Standing Committee Report Nos. 738-80 to 741-80 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 Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 743-80), recommending that House Bill No. 1999-80, as amended

in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 1999-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1999-80, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 744-80), recommending that House Bill No. 2850-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2850-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

MATTER DEFERRED FROM MARCH 20, 1980

Standing Committee Report No. 721-80 (H.B. No. 1983-80):

By unanimous consent, action on Stand. Com. Rep. No. 721-80 and H.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Monday, March 24, 1980.

RE-REFERRAL A HOUSE BILL

The Vice President made the following re-referral of a House Bill that was received on Wednesday, March 12, 1980:

House Bill	Referred to:
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No. 1784-80, H.D. 1	Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce
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At this time, Senator O'Connor, Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

H.B. No. 25, S.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
HEALTH CARE",

a.m.

ADJOURNMENT

At 11:30 o'clock a.m., the Senate
stood in recess subject to the call of
the Chair.

The Senate reconvened at 11:31 o'clock

At 11:32 o'clock a.m., on motion
by Senator Mizuguchi, seconded by
Senator Anderson and carried, the
Senate adjourned until 11:30 o'clock
a.m., Monday, March 24, 1980.

FORTY-THIRD DAY

Monday, March 24, 1980

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

The Divine Blessing was invoked by Reverend Norio Sasaki of Iolani School, after which the Roll was called showing all Senators present, with the exception of Senators Abercrombie and Ajifu who were excused.

The President announced that he had read and approved the Journal of the Forty-Second Day.

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

Senator Anderson introduced a group of 40 members of the Paradise Senior Citizens Club of Honolulu.

Senator Kawasaki introduced Becky Wagner, head teacher of the Hawaii Child Care Center, Salt Lake.

Senator Cayetano then introduced a group of parents and children from the Hawaii Child Care Centers in Waipahu and Ewa Beach, accompanied by their teachers: Carolyn Alexander, head teacher at Ewa Beach; Maryann Sang, head teacher at Waipahu; Diane Paiva, Debbie Fennimore, and Carolyn Drojack.

Senator George introduced a group of children and parents from the Hawaii Child Care Centers in Enchanted Lake and Kailua, accompanied by Jan Lee, head teacher at Enchanted Lake, and Edna Logan, head teacher at Kailua.

Senator Toyofuku then introduced staff members of the Kauai Child Care Center, Mrs. Tomoko Furugen (Kauai Headstart), Mrs. Grace Yoon (Stepping Stones), and Mrs. Jackie Jung (Kauai Association for Education of Young Children).

Senator Yamasaki then introduced, on behalf of Senator Machida and himself, Diane Lowson of the Maui Association for Education of Young Children and Paul Pladera of the Maui Headstart.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 239), transmitting a copy of a Report of the Kohala Task Force for 1979, February 1980, prepared by the Department of Agriculture pursuant to Act 226, SLH 1974, relating to planning and development of North Kohala, was read by the Clerk and was referred

to the Committee on Agriculture.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 23), transmitting a copy of the Evaluation of the Job Sharing Pilot Project in the Department of Education, Report No. 80-10, March 1980, prepared by the Legislative Auditor of the State of Hawaii, as required by Section 4 of Act 150, Session of Laws of Hawaii 1978, was read by the Clerk and was referred to the Committee on Education.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 311), returning Senate Concurrent Resolution No. 41, which was adopted by the House of Representatives on March 21, 1980, was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. No. 206 to 212), were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 206), entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF MORE FLEXIBLE AND POSITIVE STANDARDS TO PROVIDE RESIDENTS OF PLANTATION COMMUNITIES, SUBDIVISION AND/OR HOMEOWNERSHIP OPTIONS TO FACILITATE THE PRESERVATION OF PLANTATION COMMUNITIES", was jointly offered by Senators Ushijima, Carpenter and Hara.

By unanimous consent, S.R. No. 206 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 207), entitled: "SENATE RESOLUTION REQUESTING THE ELECTRIC UTILITY COMPANIES TO KEEP THEIR OVERHEAD POWER TRANSMISSION LINES CLEAR FROM TREES AND BRANCHES", was jointly offered by Senators Ushijima, Carpenter and Hara.

By unanimous consent, S.R. No. 207 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 208), entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO INSTITUTE A RECIPROCITY POLICY TO COUNTER OIL PRICE INCREASES BY DECREASING OIL IMPORTS", was jointly offered by Senators Cobb, Young, Machida, Toyofuku, Kawasaki,

Kuroda, Yim, Ushijima, Cayetano, Yamasaki, Campbell, Carpenter, Hara, Chong and Wong.

Bu unanimous consent, S.R. No. 208 was referred to the Committee on Economic Development.

A resolution (S.R. No. 209), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY ANTI-DISCRIMINATION STATUTES THAT DO NOT INCLUDE SEXUAL ORIENTATION RIGHTS", was jointly offered by Senators Chong, Abercrombie, Carroll, Carpenter, O'Connor, Kuroda, George, Campbell, Ushijima, Young, Cayetano, Ajifu, Mizuguchi and Kawasaki.

By unanimous consent, S.R. No. 209 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 210), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO CREATE A SPECIAL DISABILITY CATEGORY FOR AUTISTIC CHILDREN", was jointly offered by Senators Carpenter, Abercrombie, Chong, Yamasaki, Kuroda, Yee, Machida, Young, Soares, Ajifu, Campbell, Yim, Anderson, Cobb, Hara, Kawasaki and Ushijima.

By unanimous consent, S.R. No. 210 was referred jointly to the Committee on Health and to the Committee on Education.

A resolution (S.R. No. 211), entitled: "SENATE RESOLUTION CONGRATULATING AND EXTENDING BEST WISHES TO THE KALIHI-PALAMA COMMUNITY COUNCIL ON ITS 35TH ANNIVERSARY AND FOR THEIR CONTINUED AND OUTSTANDING COMMUNITY SERVICE", was jointly offered by Senators Wong, Yim, Kawasaki, Campbell, Young, Yee, George, Cayetano, Ushijima, Machida, Mizuguchi, Hara, Chong, Carpenter, Abercrombie, Toyofuku, Carroll, Soares, Anderson, Ajifu and Kuroda.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.R. No. 211 was adopted.

A resolution (S.R. No. 212), entitled: "SENATE RESOLUTION HONORING DR. AND MRS. AN WANG FOR THEIR CONTRIBUTION TO HAWAII'S ECONOMIC DEVELOPMENT", was jointly offered Senators Yee, Carroll, Toyofuku, Mizuguchi, Machida, Kawasaki, George, Soares and Saiki.

Senator Yee moved that S.R. No. 212 be adopted, seconded by Senator Carroll.

At this time, Senator Yee rose to express a few words regarding the honoree as follows:

"Mr. President and members of the Senate and audience, it is a great and significant honor for us this morning to have one of the distinguished men in the United States and throughout the world present with us. He is, as the resolution states, Dr. An Wang.

"Dr. Wang was born and raised in Shanghai and pursued his studies there. He then came to the United States on a scholarship and in 1948 graduated from Harvard University with a doctoral degree in applied physics. In 1951, Dr. Wang founded Wang Laboratories, invented Wang processing machines and computers.

"This gentleman, while not only a genius in mathematics and physics, developed his own computers, his own word machines, at the same time serving as president and chairman of the board of his own company. Now, Wang machines are used throughout the world, as well as the United States.

"Dr. Wang in 1978, through the urgings of Governor Ariyoshi and state administrators, has established his Pacific headquarters in the State of Hawaii to take care of all of his expansions in the Pacific area and in the Orient. He will ultimately go on a trip to China where they have already purchased some of his machines and have orders for the future.

"I think he is an exceptional individual and I'm more than proud of this introduction because he's part of the family. Mrs. Wang is ... this is hard to explain, but I'll try to explain ... my mother's adopted sister. Mrs. Wang is a blood cousin of my father and a blood cousin of Mrs. Hiram Fong, my aunt. So, we are all part of the family that Mrs. Wang has here in Hawaii. I'm very happy that they are visiting with us."

The motion was put by the chair and carried, and S.R. No. 212 was adopted.

Senator Yee then introduced to the members of the Senate Dr. An Wang and Mrs. Wang, accompanied by their daughter Julia, Mrs. Hiram Fong, Mr. Dodge Chu, vice president of the Pacific Operations of Wang Laboratories, Inc., and Mrs. Chu. Senators Saiki and Yee presented leis and a copy of the resolution to Dr. and Mrs. Wang.

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

The Senate reconvened at 11:40 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 745-80), informing the Senate that Senate Resolution Nos. 203 to 205 and Standing Committee Report Nos. 743-80 to 744-80 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 O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 746-80), recommending that House Bill No. 1762-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1762-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 747-80), recommending that House Bill No. 1801-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1801-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1801-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 748-80), recommending that House Bill No. 1821-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1821-80, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO BAIL BONDS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 17, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1821-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 749-80), recommending that House Bill No. 1864-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1864-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 750-80), recommending that House Bill No. 2062-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2062-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2062-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 751-80), recommending that House Bill No. 2174-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2174-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPUNGEMENT OF ARREST RECORDS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2174-80, H.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 752-80), recommending that House Bill No. 2191-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2191-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNERSHIP AND POSSESSION OF FIREARMS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2191-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 753-80), recommending that House Bill No. 2258-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2258-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUSPENSION OF SENTENCE AND PROBATION", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2258-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 754-80), recommending that House Bill No. 2265-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2265-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STRIKING NAMES OF DISAQUALIFIED VOTERS FROM THE REGISTER", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2265-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 755-80), recommending that House Bill No. 2357-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2357-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 756-80), recommending that House Bill No. 2558-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2558-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2558-80, H.D. 1, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 757-80), recommending that House Bill No. 2647-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2647-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 758-80), recommending that House Bill No. 2063-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2063-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2063-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 759-80), recommending that House Bill No. 2163-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2163-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2163-80, H.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 760-80), recommending that House Bill No. 2845-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2845-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2845-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 761-80), recommending that House Bill No. 2444-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B.

No. 2444-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEXING OF THE HAWAII REVISED STATUTES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 762-80), recommending that House Bill No. 2093-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2093-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 763-80), recommending that House Bill No. 1981-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1981-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE STATE BUREAU OF CONVEYANCES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 764-80), recommending that House Bill No. 1991-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1991-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 765-80), recommending that House Bill No. 1992-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chong and carried, the

report of the Committee was adopted and H.B. No. 1992-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 766-80), recommending that House Bill No. 2263-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2263-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED PARTNERSHIPS", passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

MATTER DEFERRED FROM MARCH 21, 1980

Standing Committee Report No. 721-80
(H.B. No. 1983-80):

By unanimous consent, action on Stand. Com. Rep. No. 721-80 and H.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Thursday, March 27, 1980.

THIRD READING

House Bill No. 2073-80, H.D. 1, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 2073-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1999-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, H.B. No. 1999-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At this time, Senator Chong introduced to the members of the Senate Mr. Dan Fisher, professional loan counselor.

At 11:55 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 5:00 o'clock p.m. this afternoon.

AFTERNOON SESSION

The Senate reconvened at 5:00 o'clock p.m., with all Senators present with the exception of Senator Carroll who was excused.

STANDING COMMITTEE REPORTS

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 767-80), recommending that House Bill No. 2359-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2359-80, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 768-80), recommending that House Bill No. 2889-80, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2889-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZING COMPENSATION OF WITNESSES BY THE DIRECTOR OF THE OFFICE OF CONSUMER PROTECTION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 769-80), recommending that House Bill No. 2944-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 2944-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 770-80), recommending that House Bill No. 275, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 275, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT FOR SOLAR ENERGY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 771-80), recommending that House Bill No. 1804-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1804-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1804-80, H.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 772-80), recommending that House Bill No. 2183-80 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 2183-80, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Yim, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 773-80), recommending that House Bill No. 2574-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the

report of the majority of the Committee was adopted and H.B. No. 2574-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF A STATE LAND BANK", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 774-80), recommending that House Bill No. 2729-80, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 2729-80, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE HAWAII FISHERIES COORDINATING COUNCIL", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Carpenter and Campbell, for the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 775-80), recommending that House Bill No. 584, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and H.B. No. 584, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 776-80), recommending that House Bill No. 2175-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 2175-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 777-80), recommending that House Bill No. 1947-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee

on Economic Development.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1947-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS", passed Second Reading and was referred to the Committee on Economic Development.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 778-80), recommending that House Bill No. 2496-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 2496-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 779-80), recommending that House Bill No. 273, H.D. 2, passed Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 273, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RENTER'S INCOME TAX CREDIT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 780-80), recommending that House Bill No. 1782-80, H.D. 2, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1782-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 781-80), recommending that House Bill No. 1852-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1852-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 782-80), recommending that House Bill No. 1853-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1853-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 783-80), recommending that House Bill No. 1969-80, H.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1969-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 784-80), recommending that House Bill No. 2029-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2029-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 785-80), recommending that House Bill No. 2067-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2067-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 786-80), recommending that House Bill No. 2072-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2072-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 787-80), recommending that House Bill No. 2344-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2344-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 788-80), recommending that House Bill No. 2660-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2660-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 789-80), recommending that House Bill No. 2723-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2723-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 790-80), recommending that House Bill No. 3052-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 3052-80, H.D. 2, as amended in S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 791-80), recommending that House Bill No. 2339-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2339-80, entitled: "A BILL FOR AN ACT RELATING TO PORT PILOTS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 792-80), recommending that House Bill No. 2541-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2541-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VAN GO HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 793-80), recommending that House Bill No. 2680-80, H.D. 1, as amended in S.D. 1, pass Second

Reading and be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2680-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 794-80), recommending that House Bill No. 2897-80, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2897-80, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 795-80), recommending that House Bill No. 3045-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 3045-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 796-80), recommending that House Bill No. 182, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 182, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 797-80), recommending that House Bill No. 2834-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee

on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2834-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE VEHICLE WEIGHT TAX EXEMPTIONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 798-80), recommending that House Bill No. 2328-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 2328-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", passed Second Reading and was referred to the Committee on Transportation.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 799-80), recommending that House Bill No. 800, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 800, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A WASHINGTON PLACE OVERSIGHT COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 800-80), recommending that House Bill No. 2454-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 2454-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISION POLLUTION CONTROL BONDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep.

No. 801-80), recommending that House Bill No. 1977-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 1977-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1977-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 802-80), recommending that House Bill No. 366 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 366, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 803-80), recommending that House Bill No. 850, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 850, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 804-80), recommending that House Bill No. 995, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 995, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented report (Stand. Com. Rep. No. 805-80), recommending that House Bill No. 1610, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1610, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 806-80), recommending that House Bill No. 1933-80, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and H.B. No. 1933-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREER PLANNING AND EMPLOYMENT COUNSELING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 807-80), recommending that House Bill No. 2141-80, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2141-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 808-80), recommending that House Bill No. 2181-80, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2181-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Second Reading and was referred

to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 809-80), recommending that House Bill No. 2625-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2625-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 810-80), recommending that House Bill No. 2634-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2634-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 811-80), recommending that House Bill No. 3006-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 3006-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CHILDREN AND YOUTH", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 812-80), recommending that House Bill No. 1313, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1313, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT FAMILY BOARDING HOMES", passed Second Reading and was placed on the calendar for Third Reading on

Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1313, H.D. 1.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 813-80), recommending that House Bill No. 1685, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and H.B. No. 1685, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1685, H.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 814-80), recommending that House Bill No. 1805-80, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1805-80, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FORESTER", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1805-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 815-80), recommending that House Bill No. 1813-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1813-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed Second Reading

and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1813-80, H.D. 1, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 816-80), recommending that House Bill No. 1826-80, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1826-80, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1826-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 817-80), recommending that House Bill No. 1957-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1957-80, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF CIVIL SERVICE ELIGIBLES", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1957-80:

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 818-80), recommending that House Bill No. 1997-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1997-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SOCIAL SERVICES", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1997-80.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 819-80), recommending that House Bill No. 2178-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2178-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF FEES", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2178-80, H.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 820-80), recommending that House Bill No. 2179-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2179-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY OF BOILERS, ELEVATORS AND AMUSEMENT RIDES", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2179-80, H.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 821-80), recommending that House Bill No. 2362-80, H.D. 1, as amended in S.D. 1, pass Second Reading and was placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2362-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2362-80, H.D. 1, S.D. 1.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 822-80), recommending that House Bill No. 1802-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 1802-80, entitled: "A BILL FOR AN ACT RELATING TO THE MILITIA", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1802-80.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 823-80), recommending that House Bill No. 1803-80, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 1803-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE GUARD", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1803-80.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 824-80), recommending that House Bill No. 2193-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 2193-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALL FUNCTIONS, POWERS AND DUTIES INVOLVING THE TAXATION OF REAL PROPERTY TO THE COUNTIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented

a report (Stand. Com. Rep. No. 825-80), recommending that House Bill No. 2458-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 2458-80, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 826-80), recommending that House Bill No. 2589-80 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 827-80) recommending that House Bill No. 2294-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and H.B. No. 2294-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE EDUCATION FOR ALIENATED STUDENTS IN THE HONOLULU AND LEEWARD EDUCATION DISTRICTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 828-80) recommending that House Bill No. 2633-80 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 2633-80, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE DEPARTMENT OF EDUCATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority

of the Committee on Education, presented a report (Stand. Com. Rep. No. 829-80) recommending that House Bill No. 2672-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and H.B. No. 2672-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 830-80) recommending that House Bill No. 3047-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and H.B. No. 3047-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 831-80) recommending that House Bill No. 2551-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and H.B. No. 2551-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 832-80) recommending that House Bill No. 2669-80, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 2669-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", passed Second Reading and was referred to the Committee on Judiciary.

Senators Campbell and Mizuguchi, for the Committees on Education and Transportation, presented a joint report (Stand. Com. Rep. No. 833-80) recommending that House Bill No. 2196-80, H.D.

2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, the joint report of the Committees was adopted and H.B. No. 2196-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 834-80) recommending that House Bill No. 2822-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and H.B. No. 2822-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT ACTIVITIES REVOLVING FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 835-80) recommending that House Bill No. 1758, H.D. 2, S.D. 1, as amended in S.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1758, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 836-80) recommending that House Bill No. 1865-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1865-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee

on Judiciary, presented a report (Stand. Com. Rep. No. 837-80) recommending that House Bill No. 2059-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2059-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 838-80) recommending that House Bill No. 2716-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2716-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 839-80) recommending that House Bill No. 2720-80, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2720-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 840-80) recommending that House Bill No. 25, H.D. 1, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 25, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE", was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 841-80) recommending that House Bill No. 1222, H.D. 1; S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

Senator O'Connor moved that the report of the Committee be adopted and H.B. No. 1222, H.D. 1, S.D. 2 be referred to the Committee on Ways and Means.

At this time, Senator Chong rose to comment on the measure as follows:

"Mr. President, I would like to make several comments on the differences between H.B. No. 1222, S.D. 1, the consumer oriented version put out by my committee, and the bill before us today, which is H.B. No. 1222, S.D. 2 of the Senate Judiciary Committee.

"Senate Draft 2 substantially changes the intent and purpose of Senate Draft 1. The overriding intent of Senate Draft 1 was to protect the ratepayer, the consumer, by establishing public policy to maximize the possible rate relief options that revenue bonds could generate.

"Standing Committee Report 735-80 of March 18, 1980 presents the major thrust of Senate Draft 1. What I would like to do here is to elaborate on the contents of Senate Draft 1 and thereby explain why I signed the Committee Report to Senate Draft 2, 'with reservations.'

"There is a complex relationship between the sale of special purpose revenue bonds and the rates paid by consumers. When the special purpose revenue bonds are sold, the interest on the bonds -- debt service -- becomes part of the operating expenses of the utility. The debt service is passed directly on to the ratepayers. However, there is a second impact of the special purpose revenue bonds. The impact is the expansion of the rate base upon which the utility earns its 'rate of return.' For example, if an electric utility uses the special purpose revenue bonds to purchase capital equipment, that equipment becomes included in the rate base.

"The Public Utilities Commission in determining electric rates then takes two components into account: (1) operating expenses - including the direct reimbursement for debt service; and (2) return on rate base - a predetermined rate of return on the utilities capital facilities and working capital.

"These two factors yield a 'revenue requirement.' This 'revenue requirement' is then translated into a rate schedule for residential, commercial and industrial users. Extensive hearings are held to determine how each class of consumers, residential, commercial and industrial, will contribute to the 'revenue requirement'

determined by the Public Utilities Commission.

"The rate making process requires that the Public Utilities Commission allow the utilities to recover the expenses of servicing the special purpose revenue bonds, as well as the return on the rate base. This means that the ratepayers pay for the bonds and a rate of return on the equipment, facilities and installations purchased with bonds. The ratepayers pay twice, once for the operating expenses to service the bonds, and again when the equipment is incorporated in the rate base and the Public Utilities Commission allows the utility to earn a return on that customer for 'purchased and serviced' equipment. Senate Draft 1 attempts to mitigate this duplication of payment by the ratepayers. Senate Draft 2, unfortunately, removed this consumer protesting proviso.

"I would now like to turn to the vital issue of federal tax laws and special purpose revenue bonds.

"In 1978, the Congress enacted the Energy Act, which in part, amended the Internal Revenue Code (I.R.C., Sec. 46(c)) to provide for an investment tax credit for energy and utility facilities. This investment tax credit is designed to return to the corporation additional monies by allowing 'extra' deductions from revenues. This permits, higher net income, available for distribution to stockholders. However, when the utility equipment, eligible for the investment tax credit under the Energy Act of 1978, is funded by special purpose revenue bonds, the equipment is paid for by the ratepayers. Yet, without regulatory control, the investment tax credit goes to the benefit of the utility stockholders by increasing their net income and potential dividends.

"This same potential windfall is available to the utility if the pending accelerated depreciation law is enacted by Congress. This 10/5/3 provision would permit capital equipment to be written off or depreciated within 10 years, rather than the normal longer-term depreciation schedules. Some efforts have been made for 'normalization' of depreciation accounts, but the accelerated depreciation would allow greater net income to the stockholders, despite the fact that the equipment was purchased and funded by the ratepayers through the special purpose revenue bonds.

"To remedy these potential windfalls to utility stockholders created by the federal tax laws, H.B. 1222, S.D. 1, incorporated amendments which would call for a sharing of these tax benefits between the utility and the ratepayers. This sharing of tax benefits has been required by a Commission in the recent

Pacific Telephone & Telegraph case. The amendments provided for in S.D. 1, require that:

'1. For any tax benefits accruing to the utility by virtue of the investment tax credits of accelerated depreciation attributable to capital equipment or facilities purchased by special purpose revenue bonds, those benefits would be passed through to the ratepayers who are servicing the debt by their electric bills. To permit the utility shareholders to secure a federal tax windfall funded by the ratepayers would be inequitable. Senate Draft 2 removed this important amendment.

'2. All equipment and facilities purchased with the special purpose revenue bonds would be excluded from the utilities rate base for rate making purposes, except to the extent the utilities contribute to the "sinking fund." This "rate base exclusionary" principle is designed to prevent double payment for the facilities by the ratepayers. The consumers are already servicing the debt through additions to the revenue requirements of the utilities. To compel these same ratepayers to provide the utilities with a "rate of return" computed on the special purpose revenue bonds inflated rate base would be a form of duplication of payments. The proviso allows that, to the extent that the utility has contributed to the "sinking funds," such amounts shall be included in the rate base for rate making purposes. The "sinking fund" contributions are the corporations' contributions which would otherwise be available to stockholders and should be attributed to the utility. Senate Draft 2, which is before us today, eliminated this important "sinking fund" concept, to the detriment of the ratepayer.'

"The special purpose revenue bonds should be used only for the construction of non-fossil fuel facilities. This is consistent with the mandates of HRS, Sec. 269-27.2, calling for the encouragement of alternate energy sources. It would be inconsistent with existing law, and the Senate's S.B. 1900, calling for pricing alternate energy sources, and other pending legislation designed to alleviate the state's dependence on fossil fuel, to permit the special purpose revenue bonds to be used to develop fossil fuel capacity by the state's utilities. The limitation of the special purpose revenue bonds to non-fossil fuel capacity and equipment in H.B. 1222, S.D.

1, is the only possible way to achieve the objectives of energy independence for Hawaii while providing some hope for eventual rate relief for Hawaii's people. To permit the special purpose revenue bonds to be used to expand conventional fossil fuel capacity would perpetuate the state's reliance on imported energy and eventually lead to excess capacity. This excess capacity would have to be paid for by Hawaii's ratepayers. The Senate Draft before us would enhance Hawaii's dangerous and precarious fossil fuel dependency.

"The reporting requirements of S.D. 1 are designed to identify the precise amounts that are saved by the use of the special purpose revenue bonds. Since the utilities have argued that the special purpose revenue bonds will result in substantial savings for the ratepayers, the utilities who use this financing device and the Public Utilities Commission should be required to annually make an estimate of both the total gross savings and the net savings, which are passed through to the ratepayers. S.D. 2 removes this vital consumer safeguard.

"The provision denying to the state and county governments the right of eminent domain or any taking over of facilities constructed with special purpose revenue bonds is one of the most blatant restrictions on the police power ever incorporated into this state's statutes. This restriction on the state's police power of eminent domain and condemnation is patently unconstitutional, and would not be sustained in a court test of the

statute. The bondholders are adequately protected under existing law requiring compensation for bondholders when the equipment and facilities are condemned and compensation paid, pursuant to existing standards of due process.

"Mr. President, H.B. 1222, S.D. 1, is an effort to accommodate the interests of the utilities and the ratepayers by allocating the benefits of revenue bonds between the utilities and the ratepayers so that neither party receives a 'windfall' profit, and neither is unduly burdened. Senate Draft 1 is also consistent with the modern trends of regulatory policy of progressive public utilities commissions throughout the United States.

"Senate Draft 2 completely removes these consumer oriented measures. It is my hope, Mr. President, that the Senate Ways and Means Committee substantially restores the provisions my committee developed in Senate Draft 1."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 841-80 was adopted and H.B. No. 1222, H.D. 1, S.D. 2, was referred to the Committee on Ways and Means.

ADJOURNMENT

At 5:15 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 26, 1980.

FORTY-FOURTH DAY

Tuesday, March 25, 1980

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

The Divine Blessing was invoked by Rabbi Julius Nodel of the Temple Emanu-el, after which the Roll was called showing all Senators present with the exception of Senators Ajifu and Yim who were excused.

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

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

Senator Anderson introduced 45 members of the Pearl City Senior Citizens Club.

Senator Carpenter introduced Mr. Donald Yamada, a representative of the Hilo Contractors Association, from the island of Hawaii.

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

The Senate reconvened at 11:41 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 213 to 221) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 213), entitled: "SENATE RESOLUTION RECOGNIZING THE EFFORTS OF THE HAWAII DIETETIC ASSOCIATION AND DECLARING THE MONTH OF MARCH, 1980 TO BE NUTRITION MONTH IN HAWAII", was jointly offered by Senators Carpenter, Young, Toyofuku, Yim, George, Yee, Anderson, Machida, Yamasaki, Campbell, Soares, Ushijima, Chong, Cobb, Abercrombie, Hara, Kawasaki and Ajifu.

On motion by Senator Carpenter, seconded by Senator Young and carried, S.R. No. 213 was adopted.

Senator Carpenter then introduced to the members of the Senate Mrs. Matsuko Kawaharada, President, Hawaii Dietetic Association, and Director of Dietary Services, Kapiolani-Children's Medical Center. Senator Carpenter presented Mrs. Kawaharada with a certified copy of the resolution and Senator Mizuguchi presented her with a lei.

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

The Senate reconvened at 11:47 o'clock a.m.

A resolution (S.R. No. 214), entitled: "SENATE RESOLUTION CONGRATULATING KEONE COOK ON HER SELECTION AS MISS LEEWARD OAHU 1980 AND CONGRATULATING HER COURT", was jointly offered by Senators Kuroda, Young, Cayetano, Mizuguchi, Machida, Ajifu, Carroll, Carpenter, Soares, Ushijima, George, Yim, Yamasaki, Wong, Chong, Abercrombie, Toyofuku, Campbell, Hara, Kawasaki, Yee, Cobb, Anderson, O'Connor and Saiki.

On motion by Senator Hara, seconded by Senator Young and carried, S.R. No. 214 was adopted.

Senator Kuroda then introduced to the members of the Senate the following: Miss Keone Cook, Miss Leeward Oahu 1980; First Runner-up, Miss Kathleen Akiona of Ewa Beach; Miss Congeniality, Miss Tammy Takamatsu of the Aiea-Pearl City area; Mr. Clarence Nishihara, Chairman of the Miss Leeward Scholarship Pageant; and Mr. Gordon Matsuoka, President of the Jaycees, who sponsor the annual event in Leeward, Oahu.

Senator Yee then announced that Miss Keone Cook had consented to be the queen for the Ahi Tournament which will be coming up soon, and noted that about three years ago, the Ahi Queen was chosen Miss Hawaii, and extended good wishes to Miss Cook.

Senator Hara presented a lei to Miss Cook, and Senators Cayetano, Kuroda, Young and Saiki presented leis to Miss Akiona, Miss Takamatsu, Mr. Nishihara and Mr. Matsuoka, respectively. Senator George presented each of them with a certified copy of the resolution.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

A resolution (S.R. No. 215), entitled: "SENATE RESOLUTION RECOGNIZING AND EXTENDING CONGRATULATIONS TO THE 36TH DIVISION - 442ND REGIMENTAL COMBAT TEAM JOINT REUNION SCHEDULED FOR AUGUST 28 TO 31, 1980, AT DALLAS, TEXAS", was jointly offered by Senators Ushijima, Machida, Kuroda, Chong, George, Soares, Toyofuku, Mizuguchi, Wong, Yamasaki, Kawasaki, Hara, Ajifu, Young, Campbell, Carpenter, Anderson, Carroll, Yee, Cayetano, Cobb, Saiki,

Yim, Abercrombie and O'Connor.

On motion by Senator Ushijima, seconded by Senator Machida and carried, S.R. No. 215 was adopted on a rising vote.

Senator Ushijima then stated as follows:

"Mr. President, I believe that in the annals of American military history, the Texas 36th Division is regarded as one of the great combat divisions that participated in World War II.

"We of the 442nd Regimental Combat Team first came across the 36th Division in Italy, and elements of the 442nd participated with the 36th Division in some of the great battles before the hills of Casino. This is where I believe the 36th Division really distinguished itself in battle. They suffered and sustained great casualties during those battles.

"We of the 442nd again came across the 36th Division, part of the American Fifth Army, after we captured Rome, pursuing the enemy north of Rome. After that, I believe the 36th Division left Italy to participate in the invasion of Europe from Southern France.

"Again we came across the 36th Division in the battles of Northern France, and I believe this is where they again distinguished themselves in some of the great battles there. We fought alongside them and this created a strong bond between the two units.

"The 36th Division very befittingly and appropriately is holding a reunion in August of this year in Dallas, Texas, and they have invited the 442nd members to participate in this reunion.

"I believe this is very appropriate because this celebration notes the 36th year after the 442nd effected the rescue of the 'lost battalion' of the 141st Regiment, 1st Battalion of the 36th Division.

"There are some special people with us today and I would like to introduce them to you. It is my great pleasure to introduce Mr. Jack L. Scott, the President of the 36th Infantry Division Association of Texas and his wife Donna, and son, Jeremiah. Accompanying them are Mr. Edward M. Tamanaha, President of the 442nd Veterans Club of Honolulu, and Mr. Robert M. Sasaki, Executive Secretary of the 442nd Veterans Club of Honolulu."

Senator Ushijima then presented a certified copy of the resolution to Mr. Scott, Mr. Tamanaha and Mr.

Sasaki.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

A resolution (S.R. No. 216), entitled: "SENATE RESOLUTION CONGRATULATING THE UNIVERSITY HIGH SCHOOL JUNIOR BOWS ON WINNING THE INTERSCHOLASTIC LEAGUE OF HONOLULU VARSITY BASKETBALL CHAMPIONSHIP", was jointly offered by Senators Yee, Carroll, Soares, Machida, George, Toyofuku, Ajifu, Young, Yim, Kawasaki, Chong, Mizuguchi and Cobb.

On motion by Senator Yee, seconded by Senator Carroll and carried, S.R. No. 216 was adopted.

A resolution (S.R. No. 217), entitled: "SENATE RESOLUTION REQUESTING UNIVERSITY OF HAWAII AT MANOA TO STUDY THE FEASIBILITY OF EXTENDED LIBRARY HOURS", was jointly offered by Senators Campbell and Abercrombie.

By unanimous consent, S.R. No. 217 was referred to the Committee on Higher Education.

A resolution (S.R. No. 218), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON ITS POLICIES AND PROCEDURES ON CONSOLIDATING SCHOOLS WITH DECLINING ENROLLMENTS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 218 was referred to the Committee on Education.

A resolution (S.R. No. 219), entitled: "SENATE RESOLUTION REQUESTING THE SENATE EDUCATION COMMITTEE TO CONVENE A YOUNG CITIZENS' GROUP TO ORGANIZE A DRIVE TO IMPROVE THE VOTING RECORD OF THAT AGE GROUP", was offered by Senator Campbell.

By unanimous consent, S.R. No. 219 was referred to the Committee on Education, then to the Committee on Legislative Management.

A resolution (S.R. No. 220), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON NOISE LEVEL LIMITS IN SCHOOL COMMUNITIES", was offered by Senator Campbell.

By unanimous consent, S.R. No. 220 was referred to the Committee on Education, then to the Committee on Legislative Management.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 04 o'clock p.m.

A resolution (S.R. No. 221), entitled: "SENATE RESOLUTION COMMENDING GARY COLEMAN FOR HIS OUTSTANDING ACHIEVEMENTS", was jointly offered by Senators Carroll, Anderson, Soares, Cobb, Cayetano, Carpenter, Toyofuku, O'Connor, Ushijima, Yamasaki, Hara, Campbell, Young, George, Abercrombie, Chong, Kuroda, Saiki, Yim, Wong and Yee.

On motion by Senator Carroll, seconded by Senator Anderson and carried, S.R. No. 221 was adopted.

Senator Carroll then stated as follows:

"Mr. President, it's important to recognize and praise outstanding young persons and Gary Coleman is a young person worthy of acclaim and commendation for the many achievements he has made in his twelve years of life.

"Gary Coleman is best known for his starring role as the street-wise, precocious, and lovable young boy on the successful television series 'Different Strokes' and the acclaim he has received for his television series should not overshadow recognition for his many other amazing accomplishments.

"Gary has been honored with the Cleo Award for distinguished performances in commercials, and has received the International Children's Award in 1979.

"Gary has been acclaimed by other nationally recognized organizations and is currently the National Chairman of the National Kidney Foundation.

"Mr. President, it is indeed an honor for me personally, to introduce to you, Master Gary Coleman and his parents, Mr. and Mrs. W. G. Coleman.

"Also in the audience are Mr. and Mrs. Marvin Wong, their friends, who are hosting them as they vacation here in Hawaii."

Senator Soares presented the certified copy of the resolution to Master Coleman, while Senator Saiki presented him with a lei. Senators George, and Anderson presented leis to Mr. and Mrs. Coleman, respectively.

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

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

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 842-80) informing the Senate that Senate Resolution Nos. 206 to 212 and Standing Committee Report Nos. 746-80 to 841-80 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.

ORDER OF THE DAY

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 12 and 13) were read by the Clerk and were disposed of as follows:

A communication from Mr. Jack H. Watson, Jr., Assistant to the President for Intergovernmental Affairs, The White House, (Misc. Com. No. 12), acknowledging receipt of Senate Concurrent Resolution No. 1 (1980), was placed on file.

A communication from Mr. Luther H. Hodges, Jr., Deputy Secretary of Commerce, Washington, D.C., (Misc. Com. No. 13), acknowledging receipt of Senate Concurrent Resolution No. 24 (1980), was placed on file.

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of a House bill that was received on Friday, March 16, 1979:

House Bill Referred to:

No. 553, H.D. 1 Committee on Ways and Means

The President made the following re-referral of a House bill that was received on Wednesday, March 12, 1980:

House Bill Referred to:

No. 2646-80 Committee on Judiciary

The President made the following re-referral of House bills that were received on Thursday, March 13, 1980:

House Bills Referred to:

No. 2022-80, H.D. 1 Committee on Ways and Means

No. 2023-80, H.D. 1 Committee on Ways and Means

At this time, Senator Cobb, in the absence

of the Chairman of the Judiciary Committee, moved that Standing Committee Report No. 758-80 and House Bill No. 2063-80, S.D. 1, be recommitted to the Committee on Judiciary, seconded by Senator Mizuguchi.

Senator Cobb then explained that the Committee would like to make certain technical amendments to the bill.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 758-80 and H.B. No. 2063-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", were recommitted to the Committee on Judiciary.

Senator Cayetano, Chairman of the Committee on Ways and Means, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

H.B. No. 2029-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY";

H.B. No. 2723-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY";

H.B. No. 3052-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY";

H.B. No. 1222, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12)";

H.B. No. 25, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE";

H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH";

H.B. No. 2945-80, entitled: "A BILL FOR AN ACT RELATING TO HEALTH";

H.B. No. 2897-80, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS";

H.B. No. 2454-80, H.D. 2, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISION POLLUTION CONTROL BONDS";

H.B. No. 2196-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION";

H.B. No. 2672-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM";

H.B. No. 1864-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

H.B. No. 2720-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.";

H.B. No. 1758-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT";

H.B. No. 2729-80, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE HAWAII FISHERIES COORDINATING COUNCIL";

H.B. No. 850, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION"; and

H.B. No. 1772-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED",

and the President granted the waiver.

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

ADJOURNMENT

At 12:17 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 27, 1980.

FORTY-FIFTH DAY

Thursday, March 27, 1980

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

The Divine Blessing was invoked by the Reverend Roy G. Sapp of the First Assembly of God Church, after which the Roll was called showing all Senators present.

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

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

Senator Carroll introduced Mr. Tom Lunn and Captain Howard Geiger of Hawaiian Air Lines.

Senator Hara introduced fifteen students from various high schools on the island of Hawaii, who are participating in the Legislative Experience Program, and Ms. Marsha Oato, their escort.

Senator Kuroda then introduced seven cub scouts from Den 3, Pack 51, from Makakilo, together with their den mothers, Mrs. Maggie Wubbenhorst and Mrs. Kay Davis.

Senator Anderson introduced a group of senior citizens from Waimanalo.

Senator Cayetano introduced the following students from Moanalua High School: Kelly Byrnes, Alan Shafer, Laurie Morita and Hiromi Ogawa, who were accompanied by their teacher, Mrs. Mito.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 240), transmitting a report prepared by the Executive Office on Aging in response to House Resolution No. 390 (1979) which requested the development and implementation of a food advisory service for the elderly, was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 312), transmitting House Concurrent Resolution No. 113 which was adopted by the House of Representatives on March 25, 1980, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator George and carried, H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING STATE SENATOR D.G. 'ANDY' ANDERSON UPON HIS SELECTION AS BUSINESSMAN OF THE YEAR", was adopted.

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

The Senate reconvened at 11:47 o'clock a.m.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 44), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING AND EXTENDING BEST WISHES TO MR. AND MRS. TOMITARO IIDA ON CELEBRATING THEIR GOLDEN ANNIVERSARY", was jointly offered by Senators Ajifu, Young, Yim, Mizuguchi, Soares, Saiki, Toyofuku, Machida, Carroll, Anderson, Ushijima, Wong, Yamasaki, Hara, Kawasaki, Campbell, Cayetano, George, Chong, Cobb, Kuroda, O'Connor, Carpenter, Abercrombie and Yee, and was read by the Clerk.

On motion by Senator Ajifu, seconded by Senator Young and carried, S.C.R. No. 44 was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. No. 222 to 225) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 222), entitled: "SENATE RESOLUTION CONGRATULATING MRS. FLORENCE (HOGA) CHINEN ON THE 35TH ANNIVERSARY IN THE TEACHING OF THE ART OF IKEBANA", was jointly offered by Senators Chong, Carroll, George, Yamasaki, Soares, Campbell, Kawasaki, Abercrombie, Kuroda, Yim, Carpenter, Mizuguchi, Wong, Hara, Machida, Saiki, Toyofuku, Cayetano, Ajifu, Young, Cobb, Ushijima, Yee, O'Connor and Anderson.

On motion by Senator Chong, seconded by Senator Carroll and carried, S.R. No. 222 was adopted.

Senator Chong introduced to the members of the Senate Mrs. Florence (Hoga) Chinen and her husband, Reverend Theodore Chinen; and the General Chairperson of the 35th anniversary celebration of the teaching of the art of Ikebana, Mrs. Elaine Arita.

Senator Chong presented Mrs. Chinen with a certified copy of the resolution and Senator Carroll presented her with a lei.

At 11:50 o'clock a.m., the Senate stood

in recess subject to the call of the Chair.

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

A resolution (S.R. No. 223), entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT TO INTERCEDE ON BEHALF OF DEXTER CATE TO SECURE HIS IMMEDIATE RELEASE AND RETURN TO HAWAII", was jointly offered by Senators Chong, Abercrombie and Carpenter.

By unanimous consent, S.R. No. 223 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 224), entitled: "SENATE RESOLUTION CONGRATULATING FLEETWOOD MAC ON THEIR CONTRIBUTIONS TO POPULAR MUSIC", was jointly offered by Senators Abercrombie, Carroll, George, Cayetano, O'Connor, Young, Ushijima, Yim, Carpenter, Soares, Toyofuku, Machida, Chong, Hara and Campbell.

Senator Abercrombie moved that S.R. No. 224 be adopted, seconded by Senator George.

Senator Abercrombie then spoke for the resolution as follows:

"Mr. President, I have had the extreme good fortune to have a young lady from Punahou School, Jamie Brown, working with me on a volunteer basis. I consider her as a member of my staff. As a matter of fact, in respect of the tremendous amount of work that she has done, not just on my behalf, I might say, but on behalf of people throughout the State by virtue of the absolute fidelity that she has to public service, I'm hoping that at some point in the future, she'll be able to turn the energy and intelligence she has to public service, perhaps even in this body.

"And, Mr. President, in the process of events, she informed me that she is extremely excited about the fact that the most popular musical group in the world, Fleetwood Mac, whose members are most-time residents in the State of Hawaii. When they are not traveling on the road, which they are most of the year, they reside in the State of Hawaii on the Island of Maui, as a matter of fact.

"They were coming to town and she was good enough to draft up the resolution we have before us this morning. I would ask the members of the Senate to read over the resolution, and recognize that the members of the Fleetwood Mac group have committed themselves to a great deal of public

service including the United Nations Fund for Children, and that I'm very pleased, as Miss Brown is, to have them here in town.

"I might say that, in addition, this group is not only the most popular group in the world since the Beatles, I expect, but that they have now set a record here in Honolulu for having three sell-out concerts in a row. There's not a ticket to be found in town. I understand that they're 'scalping' for the price of \$25 each right now, and if we as legislators could only get the same kind of enthusiasm from our constituents, we'd all be very happy, I'm sure.

"So, with that in mind, Mr. President, I ask that we pass this resolution."

The motion was then put by the Chair and carried, and S.R. No. 224 was adopted.

Senator Abercrombie then introduced to the members of the Senate Miss Jamie Brown, a member of his staff and those who accompanied her, Ms. Kathy Ledesma, Ms. Diane Pinkoe and Ms. Lisa Robertson, who are students at Punahou School.

A resolution (S.R. No. 225), entitled: "SENATE RESOLUTION CONGRATULATING AND EXTENDING BEST WISHES TO MR. AND MRS. TOMITARO IIDA ON CELEBRATING THEIR GOLDEN ANNIVERSARY", was jointly offered by Senators Ajifu, Young, Yim, Mizuguchi, Soares, Saiki, Toyofuku, Machida, Carroll, Anderson, Ushijima, Wong, Yamasaki, Hara, Kawasaki, Campbell, Cayetano, George, Chong, Cobb, Kuroda, O'Connor, Carpenter, Abercrombie and Yee.

On motion by Senator Ajifu, seconded by Senator Young and carried, S.R. No. 225 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 843-80) informing the Senate that Senate Resolution Nos. 213 to 221 have been printed and are ready for distribution.

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

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 844-80) recommending that House Bill No. 1816-80 pass Second Reading and be placed on the calendar for Third Reading.

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

No. 1816-80, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1816-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 845-80) recommending that House Bill No. 1817-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1817-80, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1817-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 846-80) recommending that House Bill No. 1989-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1989-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1989-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 847-80) recommending that House Bill No. 2318-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2318-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

DENTAL HYGIENISTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2318-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 848-80) recommending that House Bill No. 2319-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2319-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF VETERINARY EXAMINERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2319-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 849-80) recommending that House Bill No. 2322-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2322-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PRIVATE DETECTIVES AND GUARDS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2322-80, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 850-80) recommending that House Bill No. 1961-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1961-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VACATION OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading

and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1961-80, H.D. 2, S.D. 1.

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 19, 1980

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, March 28, 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, March 28, 1980.

MATTER DEFERRED FROM MARCH 24, 1980

Standing Committee Report No. 721-80 (H.B. No. 1983-80):

By unanimous consent, Stand. Com. Rep. No. 721-80 and H.B. No. 1983-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", were recommitted to the Committee on Economic Development.

THIRD READING

House Bill No. 1801-80, S.D. 1:

Senator O'Connor moved that H.B. No. 1801-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then spoke as follows:

"Mr. President, this is one of eight bills that is going to appear before us today, all of which have to do with gender change. I think these bills are a complete waste of effort on the part of the legislature. They are also piecemeal in nature.

"I find it rather interesting that

at least one of the people supporting these bills coming over from the House objected vehemently to so-called piecemeal legislation and then proceeded to go about introducing as many bills as she could in this area, apparently trying to pile up some kind of record for doing the same thing over and over again.

"It seems to me the way to handle these things is very simple, and I will be putting forward a resolution to that effect, to simply have the Revisor of Statutes go through the Statutes and find out where gender changes are involved and do it, as opposed to having people come through and I suppose waving bills around in the air, or laws, or acts after the session is over, indicating that they've succeeded in getting a gender change, no doubt at the same time indicating against overwhelming opposition at something like that in the legislature.

"I know it's election year and people like to have their bills passed, but this seems to me to be a rather foolish way of doing things, and a rather idiotic way of going about something which is important and should be done, and should not be subject to this kind of piecemeal and one-at-a-time situation. I hope we can have that in mind in respect to the Revisor of Statutes."

Senator O'Connor then responded as follows:

"Mr. President, in brief response to the previous speaker, I might say that some twenty-five of these bills were referred to the Judiciary Committee. The previous speaker will be happy to know that we are only reporting out about three or four.

"The reason that most of them failed technically is because you can't make gender changes or simple changes to some of the more complicated sections of our Hawaii Revised Statutes which are there for specific purposes; to amend the common law or to create certain kinds of property rights. We have had a tremendous amount of difficulty with some of the so-called simple gender change bills in that committee, and I for one who would not like to see anyone go through the Hawaii Revised Statutes simply for the purpose of making of what some people might consider simple changes in that highly technical and long-standing sections of the law are involved which cannot be changed or should not be changed.

"For that reason, we are simply not reporting out a large number of bills of this nature which were referred to the Committee. These are just a few that don't have any other great technical problems."

Senator Abercrombie then spoke as follows:

"Mr. President, perhaps I didn't make it clear enough in my previous remarks. I heartily agree with that assessment by the Judiciary Chairman, and that's why I don't like to see these bills coming forward.

"I think what we need is a recommendation, a comprehensive study and recommendation in the areas where we can make these changes in a straight-forward manner and in those areas in which there are difficulties and in which there are complications which need to be addressed in order to see that the intent of the law is carried forward.

"We should have that kind of recommendation before us, as well. Otherwise, I think we are going to face this kind of thing and the Judiciary Committee will take it up year after year after year."

The motion was put by the Chair and carried, and H.B. No. 1801-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1821-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1821-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2062-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2062-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2174-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2174-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPUNGEMENT OF ARREST RECORDS", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2191-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2191-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNERSHIP AND POSSESSION OF FIREARMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

The Senate reconvened at 12:09 o'clock p.m.

House Bill No. 2258-80, H.D. 1, S.D. 1:

Senator O'Connor moved that H.B. No. 2258-80, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then rose to speak against the bill as follows:

"Mr. President, this bill mandates the revocation of probation or suspension of sentence and re-sentence following a hearing if defendant has inexcusably failed to comply with probation or suspended sentence requirements.

"I believe this is misguided, and particularly because the judge is required to revoke suspension of probation if convicted of a felony.

"I understand very clearly how that might be interpreted in the sense that we use the word 'inexcusably.' But that is a prejudgment in respect of the judge, and in terms of disposition of what happened where someone has been brought before the court in respect of whether probation and/or suspended sentence requirements should be involved.

"And I think that if we have had a constitutional convention which had as its motivation the increased capacity of our judges in the sense of our people's confidence in them, regardless of whether we think that the particular system that's been adopted through the constitutional convention process is all that workable or all that amenable to what the Senate might or might not desire, regardless of that, the motivation is quite clear that there was an attempt to put the judiciary in circumstances in which people might

rely on the judgment of the men and women who are there.

"And yet we come up with a bill that says that we want to take the discretionary judgment that they have away from them. The reason they are judges is to exercise precisely that kind of intellectual and emotional license, if you will, on behalf of justice and public interest.

"In effect what we do when we take away the discretion of judges is to say to them that we do not trust them to do their job and more particularly what happens is that we say that the individual before the bar of justice is not in fact an individual but a category.

"To be sure, they are categories of kind, but individuals commit crimes in this country. We have all too much evidence, I'm afraid, of what happens in other countries when people are treated as categories, and all too often we have before us the evidence of the kind of sentences, if you will, that are carried out when people are treated as categories.

"I realize that at a time when emotions are high in respect of crime and what it is and its effect on our people, individually and collectively, that it is a difficult decision to make to say that judges should retain their discretionary powers, but I think it is one that is essential in terms of reaffirmation, if we are to give the judiciary not only the respect it deserves, but to encourage the judiciary to make the kinds of decisions that it should make on behalf of justice individually and collectively."

The motion was put by the Chair and carried, and H.B. No. 2258-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUSPENSION OF SENTENCE AND PROBATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Cayetano). Excused, 1 (George).

House Bill No. 2265-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2265-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STRIKING NAMES OF DISQUALIFIED VOTERS FROM THE REGISTER", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (George).

House Bill No. 2558-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2558-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", was deferred until Friday, March 28, 1980.

House Bill No. 2163-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2163-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

House Bill No. 2845-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2845-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1804-80, H.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 1804-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (George and Soares).

House Bill No. 1977-80, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, H.B. No. 1977-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (George and Soares).

House Bill No. 1313, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1313, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT FAMILY BOARDING HOMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (George and Soares).

House Bill No. 1685, H.D. 1:

Senator Toyofuku moved that H.B. No. 1685, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I think this is what is known as the 'broad brush' kind of approach that again does not take into consideration individual cases.

"I think that at least in part, this bill is a reaction to accusations, which have been found in some cases to be accurate, of people taking advantage of public assistance. But because we have individuals who have taken advantage of public assistance is not a good reason, then, in my judgment to punish or penalize people who may have had availed themselves of public assistance as a last resort, especially in circumstances which we know all too well in Hawaii relate to the purchase and ultimate ownership of housing.

"People may have worked very, very hard all their lives and in the process have acquired a home and then with circumstances having little or nothing to do with their own volition, find themselves in circumstances of public assistance. I think you would agree that many people, if not most people, turn to public assistance as a very last resort.

"If someone is in such a category, to in effect tell them that we are going to take that property away from them or take any of that property away from them, in order for them to be able to remain qualified or to conduct the remainder of their lives with a measure of dignity which should accrue to any individual in our society--to do that it seems to me is an unwarranted action on our part, and I would request the members to think whether we are trying to take some kind of revenge on those who are taking advantage of us as opposed to prosecuting them and stopping them from doing it.

"If we are doing that, rather than finding ourselves by passing this bill, punishing people who are good citizens, who have worked or are still working and contributing to society as best they can, and then find themselves in effect being told at least \$20,000 of their lives is going to be taken back or taken away from them by the State because they found themselves in unfortunate circumstances over which they had little or no control. This, I think, is what we are doing here.

"I think it amounts in the end to what might be seen on the surface as a laudable attempt to recover at least partially for the State that part of its treasury which it has put forward. But when one examines it a little deeper, one finds that it in fact puts a burden upon the innocent individual which is in fact not fair. I think that this issue or this area deserves attention and deserves meticulous attention. But this is not the way to do it.

"I suppose the principal reason that it offends my sense of fairness is that it becomes more apparent day by day in our state how difficult it is to acquire the ownership of one's home and how hard people have to work in order to achieve it. I have an idea that what we will find with the passage of this bill is that the people who will be most affected by it will be those who are aging, those who find themselves at the end of a long life of hard work, faced with circumstances they cannot address in any other fashion because their earning capacity simply is not there any longer.

"There may be other problems that accrue, health problems. What we are saying to them is that as you reach the end of your life, we are going to group you with people whom we distrust or whom we feel are taking advantage of us, and we are going to see to it that at least a portion of your property and that which might go to your heirs is going to be taken from you.

"In a very real sense, Mr. President, this could be seen as a Marxist bill because anyone who is familiar with Marxist literature or with the theory of communist ideology, one of the fundamental precepts is that you are disenfranchised from being able to pass property on to your heirs. That may or may not be a good idea in the overall discussion of things, but in the American scheme of things we have opted in general to say that rich or poor, whatever treasure you possess, you have at least that right, no matter how meager your circumstances, to pass on to your kin or to those whom you choose to have that property, as humble as it might be.

"Here we are saying that again we are

going to categorize people, group them, and not allow that to take place. I think in certain respects this is almost an ultimate indignity for people under those conditions.

"Thank you."

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

"Mr. President, first of all, under the current law, the people, whom the previous speaker has referred to, would not even be eligible for the kind of assistance we are talking about now, and they would be forced to sell whatever they have before they can be given the assistance which we are able to give under the current standards.

"What this bill does is simply permit the DSSH to allow the people who are in the circumstance where they have got to get some kind of relief, to retain the property that they have built up over a period of years. At the time that they either die or transfer or sell the property, presumably with substantial profit if the course of things continue, then they must pay back the citizens of this state for that assistance which they have been given.

"I tend to agree with a portion of the comments of the previous speaker, and I did not rise in rebuttal to his comments, but I think the alternative to not having this bill is to keep these people who do own property off of the assistance, or away from the assistance which we can give them now. On the other hand, to allow anyone who has accumulated property for whatever purposes to be able to go on the welfare rolls, we certainly do not want.

"I think that this is indeed a humane measure. I think it is an economically sound measure; and I think, most importantly, it will help the people who are not able to pay back this money during their lifetime. If they want to burden the estate of their heirs as they would for any other debts that they might have, then I think that's a choice that these people who are unfortunate enough to have been put in this position must make for themselves.

"So I do not think of this impact on the group in the sense that it has been referred to by my learned colleague from Manoa, but I think of it in the sense that it will be a most beneficial measure to them. I think we would do an unkind or inhumane thing to vote against this bill and I certainly urge that we all vote 'aye'."

Senator Abercrombie then responded as follows:

"Mr. President, I'm afraid I must stand in rebuttal of the previous remarks. If I thought for a moment that someone in a \$200,000 condominium or a \$500,000 piece of property was going to come under these circumstances, I certainly would not have risen and spoken as I did.

"I understand again the motivation of the previous speaker and I commend it, but I certainly do not believe that the people who are going to come under this kind of situation are going to have property which accrues substantial profit over the years.

"I think we both know who's going to get hit with them and some of these houses we're talking about are just ten minutes from this Capitol and you wouldn't have to get Tajiri Lumber Company to come in to knock them down; you could do it with your fists.

"And we know that a lot of this property is probably not even 2,000 square feet; it might even be less. We know that there is a lot of families that can use the housing no matter how old and dilapidated it is, and we know how people try to keep up their property as best they can. We know what kind of dignity they try to maintain. Just because it's old, you know, it doesn't mean that it doesn't have its measure of value to the people that are in it.

"I remember when an executive with one of the hotels came around one time and talked about the particular side of the island, saying it was nothing but a lot of shacks out there anyway. I think that particular person misunderstood a lot of the situation that exists here in Hawaii; just because a dwelling is humble, it doesn't mean that it doesn't have value. It may not have monetary value in the sense of selling and reselling--that kind of thing--but it most certainly has value in terms of housing and in terms of the housing that might be available to heirs of the particular individual.

"What I'm speaking about is that this is going to impact on precisely those families in those areas of our state that are in the oldest kind of housing that has been there in some instances the longest, and we're going to suffer a penalty because they haven't been fortunate enough in life and I don't think it's a question of hard work.

"I say fortunate enough in life to at the end of that life of hard work, have been in a position to have the kinds

of places that I was talking about previously--the \$200,000 condominium, the \$500,000 piece of property. We don't have to worry about those folks.

"I'm standing up here and talking for those people who are going to get hit in those places that are never going to see that kind of money their entire lives no matter how long they work. And I'm not trying to make some kind of soft soap speech for the work ethic and the dignity of poverty, either. I don't think there's any dignity in poverty. I can assure you that I'm not trying to do that kind of thing.

"I'm simply stating that in those cases which will be numerous, I assure you, given the health care circumstances and inflation that is taking place right now, we are in effect saying that we are going to go into those areas of our state (I know on this island; I couldn't speak with certainty about the other islands), but I imagine there are communities, at least from my observation that would fall into the same kind of situation in which people who acquired their homes some time ago under more humble circumstances or under circumstances in which inflation was not raging the way it is now, will find themselves with this kind of situation where the State is going to come in and take \$20,000.

"I think some of these homes couldn't be worth \$20,000 total, and yet someone is going to be kicked out of their house, someone who may have been born there and raised there and now living there with their kids because they can't get other kinds of housing.

"I don't know exactly what is to be accomplished by this, other than to be able to say to people, perhaps in an election year, 'Oh, we did something about these welfare bums.' Well, I'm for doing that too, believe me I am, but is this the way to do it?

"I think that if this bill passes, it will threaten every man and woman in those circumstances that I have outlined with the possibility of being hit with this kind of a lien, \$20,000, which in fact may be more than what their property is worth altogether.

"I think that's a very unfortunate way to go about trying to catch wrongdoers and people who take advantage of others in our society. I think those people should be prosecuted; if necessary, put in jail. Examples can be made of them.

"I don't think it sets a good example for us to take someone's property

away from them because they had the misfortune to find themselves, especially at the end of their life, in circumstances where they required public assistance."

Senator Chong then asked if the Chairman of the Committee on Human Resources would yield to a question, to which Senator Toyofuku replied that he would.

Senator Chong then queried: "Before I ask the question, I'd like to point out that I am not a member of the Committee and I did not have the benefit of your hearings. I just would like to ask, during your hearings on this particular bill, did you uncover or was it brought forth that any person on welfare was actually living in expensive type property and still collecting welfare?"

Senator Toyofuku replied: "Mr. President, I don't think there are people in such situations receiving welfare. This bill is a permissive bill; it provides that the Department may require, and there are many safeguards within this bill. For instance, I direct your attention to page 3. It says that 'the lien shall not be enforced against the home of a beneficiary while it is being occupied by the beneficiary or by any surviving spouse who has not remarried,' and so forth. There are general safeguards in this bill and we are satisfied with this bill."

Senator Chong then proceeded: "To follow up on that question, then, Mr. President, did the DSSH which I assume introduced this bill, feel a compelling need that we pass this kind of a bill now? I mean, if you said that they did not bring out any specific instances or facts of the matter, I was wondering other than that it may be a good idea, why they felt that at this time we should do something when there appeared to be no urgency to act now?"

At 12:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m.

Senator Abercrombie then concluded: "Mr. President, I would just say, in conclusion, that there's merit here all around, but my point here is that we're coming at it from the wrong end. We should come at it from the qualifying point of view. I think we can arrive at that, and quite frankly I think this is depriving someone from due process. I really do believe that that's what it is."

Senator Carroll stated as follows:

"Mr. President, I really hesitate to rise when we've been here so long, but I feel that one example must be cited

as to the impact of this bill.

"I have had constituents--one woman who had cancer and who owned property worth probably \$40-\$50,000--who were unable to qualify for assistance. This woman had an income of somewhere around \$250 a month and owned her property outright. The only solution under the present law would have been for her to sell that property, or else take a mortgage on it which she would have been unable to pay, and therefore would have ended up having to sacrifice the property anyway.

"We do not have a perfect solution, perhaps, in this bill, and often we do not. But I believe that to defeat this particular measure would be to do a tremendous disservice to some of the most needy people, to some of the people who have worked the hardest, and who are now in a position of virtual despair. Some of these are retired teachers; others are people who have worked very hard during their lifetime.

"I share the concerns of my fellow Senator from Manoa, but I think that to defeat this measure at this time would be to do a very wrong thing, and I urge that we all vote 'aye'."

Senator Toyofuku then stated: "Mr. President, under the existing laws, if a person owns property of more than \$40,000, he or she would be denied public assistance. This bill here would broaden the eligibility so people like those referred to by the Senator from Sixth District would be covered, and of course, this bill would permit the Director of DSSH to call for a lien on that particular property, so that this person would qualify.

"Of course, we have many safeguards in this bill that if there is a beneficiary, the surviving widow, for instance, would be permitted to remain there and the lien cannot be called.

"This bill also provides many, many safeguards, but this really is an attempt to take care of many problems we have where people with too much interest in property, more than \$40,000, would be permitted to qualify."

The motion was put by the Chair and carried, and H.B. No. 1685, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie).
Excused, 4 (Ajifu, George, Soares and Yee).

House Bill No. 1805-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1805-80, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FORESTER", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Ajifu, George, Soares and Yee).

House Bill No. 1813-80, H.D. 1, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1813-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Ajifu, George, Soares and Yee).

House Bill No. 1826-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1826-80, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Ajifu, George, Soares and Yee).

House Bill No. 1957-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1957-80, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF CIVIL SERVICE ELIGIBLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Ajifu, George, Soares and Yee).

House Bill No. 1997-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1997-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SOCIAL SERVICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Ajifu, George, Soares and Yee).

House Bill No. 2178-80, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B.

No. 2178-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF FEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ajifu, George, Soares and Yee).

House Bill No. 2179-80, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 2179-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY OF BOILERS, ELEVATORS AND AMUSEMENT RIDES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ajifu, George, Soares and Yee).

House Bill No. 2362-80, H.D. 1, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 2362-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ajifu, George, Soares and Yee).

House Bill No. 1802-80:

Senator Ushijima moved that H.B. No. 1802-80, having been read throughout, pass Third Reading, seconded by Senator Kuroda.

Senator Chong then spoke for the

measure as follows:

"Mr. President, I would just like to make a brief comment on this bill. The bill points out what authority the Governor has in case of a state of war, insurrection, rebellion, or of resistance to the execution of the laws of the United States, or of the State, and it mentions of course, the National Guard.

"I just would like to point out that it's my opinion that there is nothing in there that says that going around pulling out marijuana plants is within the purview of this law. Thank you."

The motion was put by the Chair and carried, and H.B. No. 1802-80, entitled: "A BILL FOR AN ACT RELATING TO THE MILITIA", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ajifu, George, Soares and Yee).

House Bill No. 1803-80:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, H.B. No. 1803-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE GUARD", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Ajifu, George, Soares and Yee).

ADJOURNMENT

At 12: 58 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11: 30 o'clock a.m., Friday, March 28, 1980.

FORTY-SIXTH DAY

Friday, March 28, 1980

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

The Divine Blessing was invoked by Reverend Robert J. DaPonte, Associate Pastor of St. Theresa's Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Fifth Day.

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

Senator Yee, on behalf of the Senators from the 3rd Senatorial District, introduced 80 sixth grade students from St. Ann's School in Kaneohe, accompanied by their teachers, Ms. Lovey DeRego and Sister Marion Dolores; parents, Mrs. Rodrigues, Mrs. Oda, Mrs. Pate, Mrs. Bolivar and Mrs. Cathey.

Senator Anderson, on behalf of the Senators from the 4th Senatorial District, introduced a group of 40 members of the Whitmore Senior Citizens Club.

Senator Chong then introduced the band and choral group from Mt. View High School of Elmonte, California, accompanied by their band director Mr. Dennis Royse and choral director Mrs. Adelle Winslow. The band and choral group had earlier in the morning entertained in the Capitol rotunda.

Senator Machida, on behalf of the Senators from the 2nd Senatorial District, introduced 20 members of the Keywanettes Club of Baldwin High School, Maui, accompanied by their teacher-advisors, Janet Shimada and Joanne Jones.

Senator Cayetano, at this time, made the following introductions, stating as follows:

"Mr. President, on behalf of the Senate, it gives me great pleasure today to introduce three distinguished guests.

"First, we have Mr. Rafael M. Salas who is an Under-Secretary General of the United Nations and Executive Director of the United Nations Fund for Population Activities.

"I'd like to give some background on Mr. Salas, Mr. President.

"Mr. Salas has served as the Executive Director of the United Nations Fund for

Population Activities and as Under-Secretary General of the United Nations since it became operational in 1969. He has been responsible for its growth from a small organization with less than \$2.5 million in resources and a staff of less than five to a large multilateral organization with resources of almost \$600 million pledged by 93 countries, a worldwide staff of more than 250 with a budget of \$120 million in 1979, and a global program which has assisted more than 2,200 population projects in 125 developing countries and territories in five regions throughout the world.

"Mr. Salas is a former official of the Philippine government. He is a graduate of the University of Philippines; he has a law degree and is also a graduate of Harvard University. He has served in numerous high posts in the Philippine government, including that of executive secretary of the Philippine Republic. In this capacity, he was a senior minister of the cabinet from 1966 to 1969. He served as action officer of the Philippine Rice and Corn Sufficiency Program in the late 1960's and initiated the 'green revolution,' which within two years transformed the Philippines from a rice-importing into a rice-exporting nation.

"Mr. Salas has also served as acting chairman and executive director of the National Economic Council and served on numerous Philippine delegations to international groups and conferences, including the U.N. General Assembly, General Sessions of the United Nations Economic Commission for Asia and the Far East. He has also served on the United Nations International Conference on Human Rights, held in Iran in 1968, for which he served as vice president of the conference.

"He is the author of numerous magazine and newspaper articles on government management and population issues, including the International Population Assistance: The First Decade and People: An International Choice.

"Mr. Salas is the recipient of many awards and honorary degrees including being selected as 'Diplomat of the Year' in 1976. That selection was made by the editorial board of Diplomatic World Bulletin.

"He is a member of the Council of Asia of the Society of International Development, the International Advisory Council of the Population Institute, and on the board of directors of both the Worldwatch Institute and the World Population Society.

"Mr. Salas is married to Carmelita Rodrigues, an architect, and has two sons.

"Mr. President, with Mr. Salas today are two of his assistants, Mr. Akio Matsumura who is the Chief Coordinator of Inter-parliamentary Working Group for the United Nations Fund for Population Activities and Dr. Hirofumi Ando, Policy Analysis Officer for the same organization.

"At this time, it gives me great pleasure to introduce Mr. Salas, Mr. Matsumura and Dr. Ando."

The honorees were then presented with leis by Senators Young and George.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

At this time, the Chair asked Dr. Rafael Salas to the rostrum to address the Senate.

Dr. Salas addressed the members of the Senate as follows:

"Mr. Senate President, distinguished Senators, and friends. When the Senate President, last night, invited me to address you for a few minutes, I was very honored with the opportunity to do so, primarily because the State of Hawaii, as far as the countries of the Pacific are concerned, has some special significance. To us, this state symbolizes the openness of the United States and its capacity for cultural tolerance and integration for a national purpose. I am particularly proud that among you is someone whose parents have come from our islands and that is Senator Cayetano. The feeling that this approach is the one that could lead to a lot of international understanding and that successful experiment is already in the State of Hawaii.

"I take this opportunity to give you some account of the work of the organization I represent here today, and that is the United Nations Fund for Population Activities. It is relevant at this point to state that this voluntary organ of the United Nations concerned with helping developing countries in the field of population has been a recipient of funds donated by your government to the United Nations ... the United States being the first donor to this common fund for the past ten years.

"What is population problem in the sense that we understand it globally? I think we are concerned today with the rapid growth of population because

of the inability of many of the countries to carry these numbers with adequate resources to enable people to live meaningful lives.

"Now, the United States and many of the developed countries don't have this particular problem, but many countries, particularly in Asia, are afflicted with the problem of being unable to maintain development in the light of this excessive population growth. The United Nations approaches this problem in a very neutral way. We don't prescribe to countries the proper policy that they would want to adopt; they themselves choose them. So, in the world today, while 80% of the developing countries' population are under governments that want to limit fertility, there are a number of countries, probably 9%, who would like to increase population because of the inadequacy of manpower to man industries and to develop. A very good example of both cases is the case of China and India, for one, that want to reduce fertility, and Mongolia, in the case of the other, that want to increase fertility.

"The issue is the question of balance, the capacity of the resource and the environment to sustain human life. This is the problem. And I am happy to report to you that, according to the recent data available in the United Nations, there is for the first time a decline, globally, of the population in the developing world.

"Population has been declining in the developed world for some time, but in the last decade, for the first time, there is a tapering of fertility increases in the developing countries.

"What does this mean? It does not mean that the population would no longer increase; it still means that by the year 2000 we will have an additional population of two billion or, in short, population will increase still by 50% by the year 2000.

"Now, if we imagine how it is possible to provide the essential services to this additional two billion people, we begin to realize the problem that we have to face, jointly and globally, in this particular sector of global issue.

"The United States has been generous to the United Nations and to the developing countries for having taken the lead to assist countries with this problem in the past ten years. The United Nations are actually controlling today 25% of the flow of resources in the populace from the developed countries

to the developing countries, in this effort to solve the population problem. But for this 25% that have been given by many countries, 92 in all, are transferred to 120 and the request of these countries vary and differ from, as I said, taking of census in Africa to family planning in Asia, and in between questions of urbanization, migration, and other aspects of population dynamics.

"If we look at these problems, we begin to think what would be the future in the next 25 years. I think one should concentrate primarily on the question of the migration and urbanization that is beginning to afflict many of our urban agglomerations. To cite an example, by the year 2000 the City of Mexico alone, that city will have a population of 31 million people. If we speak in terms of countries, this is twice the population of all Scandinavian countries placed in the City of Mexico alone. Then you begin to think of what should be done. Actually, what is being done now has been started 10 or 15 years ago when the countries themselves began to put their own resources to solve this problem.

"Fortunately, there is beginning to be signs that the governments are succeeding in understanding this population growth. Thanks in many ways to the generosity, support, and assistance given by the developed countries, at the lead of which is the United States.

"Thank you."

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:41 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 313 to 335) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 313), returning Senate Bill No. 1827-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1827-80, S.D. 1.

A communication from the House (Hse. Com. No. 314), returning Senate Bill No. 2093-80, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed

on file.

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. 2093-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERS."

A communication from the House (Hse. Com. No. 315), returning Senate Bill No. 2097-80, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

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. 2097-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF COSMETOLOGY."

A communication from the House (Hse. Com. No. 316), returning Senate Bill No. 2120-80, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2120-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 317), returning Senate Bill No. 2186-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2186-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 318), returning Senate Bill No. 2208-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2208-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 319), returning Senate Bill No. 2358-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2358-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO AUDIT AND ACCOUNTING", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 320), returning Senate Bill No. 3145-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 3145-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 321), returning Senate Bill No. 1519, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 322), returning Senate Bill No. 1871-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 323), returning Senate Bill No. 1992-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 324), returning Senate Bill No. 2003-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 325), returning Senate Bill No. 2004-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 326), returning Senate Bill No. 2066-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 327), returning Senate Bill No. 2188-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 328), returning Senate Bill No. 2515-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 329), returning Senate Bill No. 2740-80, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse.

Com. No. 330), returning Senate Bill No. 3026-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 331), returning Senate Bill No. 3085-80, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 332), returning Senate Bill No. 3131-80, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 333), transmitting House Concurrent Resolution No. 67, H.D. 1, which was adopted by the House of Representatives on March 27, 1980, was placed on file.

By unanimous consent, H.C.R. No. 67, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE DEFENSIVE SEA AREAS DESIGNATED BY EXECUTIVE ORDERS NOS. 8681 AND 8987, AT KANEOHE BAY AND ALONG THE ENTIRE HONOLULU COASTLINE", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 334), transmitting House Concurrent Resolution No. 68, H.D. 1, which was adopted by the House of Representatives on March 27, 1980, was placed on file.

By unanimous consent, H.C.R. No. 68, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF CERTAIN EXECUTIVE ORDERS SETTING ASIDE LAND ON THE FORT ARMSTRONG PENINSULA, WHICH MAY BE NECESSARY TO THE TIMELY DEVELOPMENT OF THE STATE PARK", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 335), transmitting House Concurrent Resolution No. 69 which was adopted by the House of Representatives on March 27, 1980, was placed on file.

By unanimous consent, H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE UNITED STATES, SECRETARY OF AGRICULTURE AND THE SOIL CONSERVATION SERVICE ADMINISTRATOR TO PERMIT THE CONTINUANCE OF THE SOIL CONSERVATION SERVICE, PLANT MATERIALS PROGRAM IN THE STATE OF HAWAII", was referred to the Committee on Agriculture.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 45), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING THE 1980 INTERNATIONAL BONSAI CONVENTION", was jointly offered by Senators Toyofuku, Yamasaki, Abercrombie, Hara, Soares, Machida, Kuroda, Saiki, Chong, Ushijima, George, Mizuguchi, Anderson, Campbell, Cobb, O'Connor, Young, Carpenter, Kawasaki, Cayetano, Ajifu, Carroll, Yee and Yim and was read by the Clerk.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.C.R. No. 45 was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 226 and 227) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 226), entitled: "SENATE RESOLUTION CONGRATULATING STATE SENATOR D. G. 'ANDY' ANDERSON ON HIS SELECTION AS THE 1979 HAWAIIAN BUSINESSMAN OF THE YEAR", was jointly offered by Senators Yee, Kuroda, Toyofuku, Machida, Cayetano, Yamasaki, Carroll, Saiki, Cobb, Ushijima, Mizuguchi, Soares, Hara, Campbell, Carpenter, Kawasaki, Chong, Young, Wong, George, Ajifu, Yim, Abercrombie and O'Connor.

On motion by Senator George, seconded by Senator Kuroda and carried, S.R. No. 226 was adopted.

A resolution (S.R. No. 227), entitled: "SENATE RESOLUTION CONGRATULATING THE 1980 INTERNATIONAL BONSAI CONVENTION", was jointly offered by Senators Toyofuku, Yamasaki, Hara, Abercrombie, Soares, Machida, Kuroda, Saiki, Chong, Ushijima, Young, Mizuguchi, Carroll, Anderson, Campbell, Cobb, O'Connor, Carpenter, Kawasaki, Cayetano, George, Ajifu, Yee and Yim.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.R. No. 227 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 851-80) informing the Senate that Senate Concurrent Resolution No. 44, Senate Resolution Nos. 222 to 225 and Standing Committee Report Nos. 844-80 to 850-80 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 Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 852-80) recommending that House Bill No. 2132-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2132-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2132-80, S.D. 1.

Senators Carpenter and Campbell, for the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 853-80) recommending that House Bill No. 1979-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and H.B. No. 1979-80, H.D. 1, S.D. 1, entitled: "A BILL FOR FOR AN ACT RELATING TO SCHOOL ENTRY EXAMINATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1979-80, H.D. 1, S.D. 1.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 854-80) recommending that House Bill No. 2698-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and H.B. No. 2698-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2698-80, H.D. 1, S.D. 1.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 855-80) recommending that House Bill No. 2703-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and H.B. No. 2703-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2703-80, H.D. 1, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 856-80) recommending that House Bill No. 2351-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2351-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2351-80, H.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 857-80) recommending that House Bill No. 422, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 857-80 and H.B. No. 422, S.D. 1, was deferred to the end of the calendar.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 858-80) recommending that House Bill No. 1976-80, as amended in S.D. 1, pass Second Reading and was placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1976-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1976-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 859-80) recommending that House Bill No. 1911-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1911-80, H.D. 1, S.D. 1, entitled: "A BILL FOR FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, AND CORRECTING REFERENCES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1911-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 860-80) recommending that House Bill No. 2091-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2091-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT PROCEEDINGS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2091-80, H.D. 1, S.D. 1,

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 861-80) recommending that House Bill No. 2162-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2162-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2162-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 862-80) recommending that House Bill No. 2167-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2167-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2167-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 863-80) recommending that House Bill No. 2810-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2810-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2810-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 864-80) recommending that House Bill No. 584, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 584, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 865-80) recommending that House Bill No. 1762-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1762-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 866-80) recommending that House Bill No. 1991-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1991-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 867-80) recommending that House Bill No. 1992-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1992-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 868-80) recommending that House Bill No. 2059-80, S.D. 1, as amended in S.D. 2, pass Third

Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2059-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 869-80) recommending that House Bill No. 2071-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2071-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2071-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 870-80) recommending that House Bill No. 2131-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2131-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2131-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 871-80) recommending that House Bill No. 2361-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2361-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second

Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2361-80, H.D. 1, S.D. 1.

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 872-80) recommending that House Bill No. 2634-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2634-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 873-80) recommending that House Bill No. 2647-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2647-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 874-80) recommending that House Bill No. 366, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENTS."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 875-80) recommending that House Bill No. 1945-80, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1945-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 876-80) recommending that House Bill No. 1981-80, S.D.

1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1981-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE STATE BUREAU OF CONVEYANCES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 877-80) recommending that House Bill No. 2074-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2074-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SIGNING AND FILING OF RETURNS FOR TAXATION PURPOSES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2074-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 878-80) recommending that House Bill No. 2093-80, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2093-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 879-80) recommending that House Bill No. 2133-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2133-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2133-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report

(Stand. Com. Rep. No. 880-80) recommending that House Bill No. 2134-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2134-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2134-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 881-80) recommending that House Bill No. 2135-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2135-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COPIES OF TAX RETURNS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2135-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 882-80) recommending that House Bill No. 2219-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2219-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2219-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report

(Stand. Com. Rep. No. 883-80) recommending that House Bill No. 2357-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2357-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 884-80) recommending that House Bill No. 2454-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2454-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISION POLLUTION CONTROL BONDS."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 885-80) recommending that House Bill No. 2496-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2496-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 886-80) recommending that House Bill No. 2577-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2577-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2577-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 887-80) recommending that House Bill No. 2822-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2822-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT ACTIVITIES REVOLVING FUND."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 888-80) recommending that House Bill No. 2889-80, H.D. 2, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2889-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZING COMPENSATION OF WITNESSES BY THE DIRECTOR OF THE OFFICE OF CONSUMER PROTECTION."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 889-80) recommending that House Bill No. 2944-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 889-80 and H.B. No. 2944-80, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 890-80) recommending that House Bill No. 3045-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 3045-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 891-80) recommending that House Bill No. 1606, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1606, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1606, H.D. 2, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 892-80) recommending that House Bill No. 1610, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1610, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 893-80) recommending that House Bill No. 1607, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES' HEALTH FUND."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 894-80) recommending that House Bill No. 1684, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1684, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 895-80) recommending that House Bill No. 2633-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2633-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE DEPARTMENT OF EDUCATION."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 896-80) recommending that House Bill No. 2660-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on H.B. No. 2660-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 897-80) recommending that House Bill No. 159, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 159, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 898-80) recommending that House Bill No. 721, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER TRANSACTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 721, H.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 899-80) recommending that House Bill No. 1422, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1422, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUORUM OF REAL ESTATE COMMISSION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1422, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 900-80) recommending that House Bill No. 1806-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1806-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1806-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 901-80) recommending that House Bill No. 1827-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1827-80, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1827-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 902-80) recommending that House Bill No. 1829-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1829-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1829-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 903-80) recommending that House Bill No. 1871-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1871-80, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1871-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 904-80) recommending that House Bill No. 1880-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1880-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1880-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 905-80) recommending that House Bill No. 1969-80, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1969-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 906-80) recommending that House Bill No. 1993-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1993-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCIES BOARD", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

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

of Hawaii, the 48-hour notice was given on H.B. No. 1993-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 907-80) recommending that House Bill No. 2026-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2026-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES FEES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2026-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 908-80) recommending that House Bill No. 2284-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2284-80, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2284-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 909-80) recommending that House Bill No. 2339-80 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 909-80 and H.B. No. 2339-80 was deferred to the end of the calendar.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 910-80) recommending that House Bill No. 2555-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2555-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEALERS OF SOLAR ENERGY DEVICES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2555-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 911-80) recommending that House Bill No. 2572-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2572-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEST CONTROL OPERATORS LAW", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2572-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 912-80) recommending that House Bill No. 2666-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2666-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2666-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 913-80) recommending that House

Bill No. 2733-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2733-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2733-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 914-80) recommending that House Bill No. 2795-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2795-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2795-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 915-80) recommending that House Bill No. 2892-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2892-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2892-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 916-80) recommending that House

Bill No. 2367-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2367-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2367-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 917-80) recommending that House Bill No. 2368-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 917-80 and H.B. No. 2368-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 918-80) recommending that House Bill No. 2058-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2058-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2058-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 919-80) recommending that House Bill No. 2183-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on H.B. No. 2183-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 920-80) recommending that House Bill No. 2241-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2241-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2241-80, H.D. 1, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 921-80) recommending that House Bill No. 2646-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and H.B. No. 2646-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2646-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 922-80) recommending that House Bill No. 2259-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2259-80.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 923-80) recommending that House Bill No. 2215-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 2215-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2215-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 924-80) recommending that House Bill No. 2324-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2324-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING ORDERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2324-80; H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 925-80) recommending that House Bill No. 2448-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2448-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ABUSE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2448-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 926-80) recommending that House Bill No. 2809-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2809-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDUCT OF ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2809-80, H.D. 1, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 927-80) recommending that House Bill No. 2086-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2086-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2086-80, H.D. 1, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 928-80) recommending that House Bill No. 2127-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2127-80, entitled: "A BILL FOR AN ACT RELATING TO THE IMPOUNDMENT OF VESSELS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2127-80.

Senator Mizuguchi, for the Committee

on Transportation, presented a report (Stand. Com. Rep. No. 929-80) recommending that House Bill No. 2195-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2195-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2195-80, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 930-80) recommending that House Bill No. 2328-80, H.D. 2, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2328-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS."

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 931-80) recommending that House Bill No. 2853-80 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 931-80 and H.B. No. 2853-80 was deferred to the end of the calendar.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 932-80) recommending that House Bill No. 3046-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 3046-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATE OF REGISTRATION; CERTIFICATE OF OWNERSHIP; CONTAINERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 3046-80, S.D. 1.

ORDER OF THE DAY

MATTERS DEFERRED
FROM MARCH 27, 1980

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 Monday, March 31, 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 Monday, March 31, 1980.

At 12:46 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m.

House Bill No. 2558-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2558-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

At 12:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:50 o'clock p.m.

At 12:52 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 6:00 o'clock p.m. this evening.

EVENING SESSION

The Senate reconvened at 7:45 o'clock p.m., with all Senators present, with the exception of Senators Ajifu, Carpenter and Ushijima who were excused.

STANDING COMMITTEE REPORTS

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 933-80) recommending that House Bill No. 2263-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on H.B. No. 2263-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITED PARTNERSHIPS."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 934-80) recommending that House Bill No. 25, H.D. 1, S.D. 2, as amended in S.D. 3, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 25, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 935-80) recommending that House Bill No. 1222, H.D. 1, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 935-80 and H.B. No. 1222, H.D. 1, S.D. 3, was deferred to the end of the calendar.

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 936-80) recommending that House Bill No. 1429, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and, Roll Call having been requested, H.B. No. 1429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).
Excused, 3 (Ajifu, Carpenter and Ushijima);

and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1429, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 937-80) recommending that House Bill No. 1758, H.D. 2, S.D. 2, as amended in S.D. 3, pass Third Reading.

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

of Hawaii, the 48-hour notice was given on H.B. No. 1758, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 938-80) recommending that House Bill No. 2029-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2029-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 939-80) recommending that House Bill No. 2196-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2196-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 940-80) recommending that House Bill No. 2458-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2458-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 941-80) recommending that House Bill No. 2672-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2672-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 942-80) recommending that House Bill No. 2720-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2720-80, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 943-80) recommending that House Bill No. 2729-80, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2729-80, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE HAWAII FISHERIES COORDINATING COUNCIL."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 944-80) recommending that House Bill No. 2897-80, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 944-80 and H.B. No. 2897-80, H.D. 3, S.D. 2 was deferred to the end of the calendar.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 945-80) recommending that House Bill No. 2292-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 2292-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2292-80, H.D. 1, S.D. 1.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 946-80) recommending that House Bill No. 2388-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 2388-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT SCHOOL ADVISORY COUNCILS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2388-80, S.D. 1.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 947-80) recommending that House Bill No. 2487-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 2487-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2487-80.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 948-80) recommending that House Bill No. 2532-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and H.B. No. 2532-80, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE PLACEMENT OF THE SCULPTURE 'THE SPIRIT OF LILUOKALANI' AT THE STATE CAPITOL COMPLEX", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2532-80, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 949-80) recommending that House Bill No. 1775-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report

of the Committee was adopted and H.B. No. 1775-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1775-80, H.D. 2, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 950-80) recommending that House Bill No. 1947-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1947-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS."

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 951-80) recommending that House Bill No. 2645-80, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and, Roll Call having been requested, H.B. No. 2645-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki). Excused, 3 (Ajifu, Carpenter and Ushijima);

and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2645-80, H.D. 2.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 952-80) recommending that House Bill No. 2533-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and

carried, the report of the majority of the Committee was adopted and H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2533-80, H.D. 1.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 953-80) recommending that House Bill No. 2168-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and H.B. No. 2168-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2168-80, H.D. 1, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 954-80) recommending that House Bill No. 2372-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2372-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SELECTIVE EMPLOYMENT AND THE CIVIL SERVICE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2372-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 955-80) recommending that House Bill No. 850, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 850, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 956-80) recommending that House Bill No. 1853-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 956-80 and H.B. No. 1853-80, S.D. 2, was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 957-80) recommending that House Bill No. 1772-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading on Monday, March 31, 1980.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1772-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1772-80, H.D. 2, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 958-80) recommending that House Bill No. 1865-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1865-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 959-80) recommending that House Bill No. 1912-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1912-80, H.D. 1, S.D. 1, entitled: "A BILL FOR

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1979 TO JUNE 30, 1981", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1912-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 960-80) recommending that House Bill No. 2193-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2193-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALL FUNCTIONS, POWERS AND DUTIES INVOLVING THE TAXATION OF REAL PROPERTY TO THE COUNTIES."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 961-80) recommending that House Bill No. 2344-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2344-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 962-80) recommending that House Bill No. 2723-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2723-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 963-80) recommending that House Bill No. 2773-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2773-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO BONDS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2773-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 964-80) recommending that House Bill No. 1915-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1915-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1915-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 965-80) recommending that House Bill No. 1918-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1918-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1918-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 966-80) recommending that House Bill No. 1919-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1919-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

YOUNG ADULT DEFENDANTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1919-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 967-80) recommending that House Bill No. 2063-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2063-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 968-80) recommending that House Bill No. 2064-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2064-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 969-80) recommending that House Bill No. 2166-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2166-80, H.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 970-80) recommending that House Bill No. 2590-80, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2590-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 971-80) recommending that House Bill No. 2668-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2668-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2668-80, H.D. 2, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 972-80) recommending that House Bill No. 2826-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2826-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIABILITY OF DOG OWNERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2826-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 973-80) recommending that House Bill No. 2850-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2850-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 974-80) recommending that House Bill No. 2929-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2929-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2929-80, H.D. 1, S.D. 1.

Senators Carpenter and Cobb, for the Committee on Health and the Committee on Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 975-80) recommending that House Bill No. 1655, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and H.B. No. 1655, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1655, H.D. 1, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 976-80) recommending that House Bill No. 2286-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 2286-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2286-80, H.D. 1, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 977-80) recommending that House Bill No. 3048-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 3048-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 3048-80, H.D. 1, S.D. 1.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 978-80) recommending that House Bill No. 1975-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 1975-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1975-80, S.D. 1.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 979-80) recommending that House Bill No. 2172-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 2172-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2172-80, S.D. 1.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 980-80) recommending that House Bill No. 2745-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 2745-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2745-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 981-80) recommending that House Bill No. 2035-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2035-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2035-80, H.D. 2, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 982-80) recommending that House Bill No. 1864-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1864-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 983-80) recommending that House Bill No. 1986-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1986-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was placed on H.B. No. 1986-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 984-80) recommending that House Bill No. 2151-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2151-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2151-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 985-80) recommending that House Bill No. 2321-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2321-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2321-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 986-80) recommending that House

Bill No. 2334-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2334-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2334-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 987-80) recommending that House Bill No. 2589-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 988-80) recommending that House Bill No. 2732-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the majority of the Committee was adopted and H.B. No. 2732-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2732-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 989-80) recommending that House Bill No. 2789-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2789-80, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO NO-FAULT INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2789-80, S.D. 1.

Senators Young and Cobb, for the majority of the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 990-80) recommending that House Bill No. 1784-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cobb and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1784-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1784-80, H.D. 1, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 991-80) recommending that House Bill No. 2537-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2537-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVICTION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2537-80, H.D. 1, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 992-80) recommending that House Bill No. 2629-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2629-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2629-80, H.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 993-80) recommending that House Bill No. 2661-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2661-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2661-80, H.D. 1, S.D. 1.

Senator Hara, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 994-80) recommending that House Bill No. 2842-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 994-80 and H.B. No. 2842-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 995-80) recommending that House Bill No. 452, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 452, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CONTROLS TO REGULATE BURGLARY AND HOLDUP ALARM SYSTEMS."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 996-80) recommending

that House Bill No. 1985-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1985-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1985-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 997-80) recommending that House Bill No. 2161-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2161-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2161-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 998-80) recommending that House Bill No. 2164-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2164-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2164-80, H.D. 1, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented

a report (Stand. Com. Rep. No. 999-80) recommending that House Bill No. 2551-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2551-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1000-80) recommending that House Bill No. 2669-80, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2669-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1001-80) recommending that House Bill No. 2674-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2674-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES AND DEFENSES AND SPECIAL PROCEEDINGS, LIMITATION OF ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2674-80, H.D. 1, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1002-80) recommending that House Bill No. 2680-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2680-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1003-80) recommending that House Bill No. 2816-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2816-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2816-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1004-80) recommending that House Bill No. 2930-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2930-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2930-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1005-80) recommending that House Bill No. 501, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 501, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 501, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1006-80) recommending that House Bill No. 1873-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor,

seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1873-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1873-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1007-80) recommending that House Bill No. 2061-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2061-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2061-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1008-80) recommending that House Bill No. 2359-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2359-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1009-80) recommending that House Bill No. 2175-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2175-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NAMES."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1010-80) recommending that House Bill No. 2443-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2443-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2443-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1011-80) recommending that House Bill No. 1782-80, H.D. 2, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1782-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1012-80) recommending that House Bill No. 1925-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and, Roll Call having been requested, H.B. No. 1925-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).
Excused, 3 (Ajifu, Carpenter and Ushijima);

and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1925-80, H.D. 1, S.D. 1.

ORDER OF THE DAY

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 857-80 (H.B. No. 422, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 857-80 was adopted and H.B. No. 422, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed Second Reading and was placed on the calendar for for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 422, S.D. 1.

At 7:56 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 8:15 o'clock p.m.

House Bill No. 2558-80, H.D. 1, S.D. 1:

Senator O'Connor moved that H.B. No. 2558-80, H.D. 1, S.D. 1, pass Third Reading, seconded by Senator Cobb.

At this time, Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, the general effect of H.B. No. 2558-80, H.D. 1, S.D. 1, would be to deny pretrial release on bail to a large class of defendants and to deny post-conviction release pending final case disposition to an even larger class.

"Specifically, pretrial release on bail would be denied to any person charged with an offense punishable by imprisonment for life not subject to parole, with a Class A or B felony (except for forgery in the first degree and failing to render aid) who had been convicted of a Class A or B felony within the ten-year period preceding the date of the current charge against him, or with a Class A or B felony if he is already on bail on a felony charge.

"Post-conviction release would be denied to all of the above as well as anyone else whose release on bail had been denied or revoked before conviction or who had entered an appeal of a conviction for a sentence of at least ten years' imprisonment. Further, the court would be empowered to jail any defendant it felt might 'commit a serious crime or ... seek to intimidate witnesses, or ... otherwise unlawfully interfere with the orderly administration of justice.'

"Section 1 of the bill alleges that 'The legislature finds that there has been great abuses of the privilege of bail by persons who have been previously convicted of felonies and that such persons pose a significant danger to the community

...' and also that there is '...extensive abuse of the privilege of bail pending appeal and blunting of the deterrent effect of punishment due to delays caused by appeals.'

"In public hearings on this bill and the companion Senate bill, however, substantive evidence was not introduced to substantiate these claims.

"It may be possible to introduce evidence to the extent it could be called that from notorious cases, Mr. President, but the law, in my judgment, should not be based upon the notorious situation, but rather on a situation which best reflects the intent of the Constitution ... most particularly, when we utilize phrases like 'wanting of the deterrent effect of punishment due to delays caused by appeal.' ... nor are the allegations supported in the standing committee report submitted with the final draft of the bill, allegations of the substance of abuse of bail, which I think would probably reflect on the Judiciary if this was in fact the case. I do not believe that such evidence in this respect exists to the extent implied in the committee report.

"The above notwithstanding, testimony was introduced in public hearings of both bills stating that the denial of release on bail under the circumstances specified in the bills would violate the United States and State of Hawaii constitutional guarantees to due process of law and against imposition of excessive bail as well as a basic tenet of Anglo-American jurisprudence: an accused is to be presumed innocent until proven guilty in a court of law.

"These concerns are generally without foundation, ...' says the committee report, '... there is no constitutional right to bail.' In support of these assertions it cites three federal circuit court decisions and several decisions of supreme and appeals courts of other states. The fact of the matter, however, is that most of the cases cited deal with the issue of revocation of probation or post-conviction release on bail after the conditions of probation or release had been severely violated, that is to say, it was not based on charges for which no conviction had taken place, as such, or when the conviction was not in terms of probation or post-conviction release was before the court.

"Only the two Texas Court of Appeals cases deal with the issue of pretrial release denial, and those merely upheld the unique Texas statutes that permit such denial in circumstances somewhat more restricted than those in H.B. No. 2558-80, in terms of what it specifies.

No mention was made in the committee report of the only significant United States Supreme Court decision regarding the subject of bail, which strongly tends to refute the report's claims. I will try to cite some instances for you.

"The issue at hand, however, is not what judges and justices have opined in more or less relevant decisions. It is one of constitutionality, pure and simple, and even more importantly of what is right constitutionally. To begin with, the statement that 'there is no constitutional right to bail' is not only incorrect but begs the question. Article 1, Section 5 of the Hawaii State Constitution closely follows the wording of the Eighth Amendment of the U.S. Constitution: 'No person shall be deprived of life, liberty or property without due process of law.' It is from this guarantee that one's right to freedom before a final adjudication of guilt of an alleged offense derives.

"The right of bail is a right -- a very restricted right -- but nonetheless a right of the state to abridge an accused person's right to liberty in order to insure his appearance before a court of law. Thus, to be sure, the constitutional guarantees that 'excessive bail shall not be required' do not specifically guarantee an accused's right to release on bail (although that right has been inferred by some courts and is quite clearly implied); that is not their purpose. Their purpose is to limit the state's discretion in imposing bail when it must resort to the imposition of bail to ensure the appearance of the accused at his trial or, if convicted, to serve his sentence. As the Supreme Court of the State of New York has held, 'the only purpose of bail is to insure the presence of a defendant at trial.' This is from *Thompson v. Warden* from which I shall make some remarks shortly.

"The above-mentioned United States Supreme Court decision was, in part, that 'since the function of bail is limited, the fixing of bail for any individual defendant must be based upon standards relevant to the purpose of assuring the presence of that defendant. ... To infer from the fact of indictment alone a need for bail in an unusually high amount is an arbitrary act. Such conduct would inject into our system of government the ... principles of totalitarianism.'

"I'm sure, Mr. President, that you would recognize that such phraseology from justices in our American judicial system are not made lightly.

"Bill 2558-80 would either mandate pretrial imprisonment of a suspect without possibility of bail or permit the court to order the confinement of certain defendants

in cases where 'the proof is evident and the presumption great' that the accused is guilty as charged. The conditions mandating or permitting such incarceration have nothing to do with whether or not the accused is likely to be present at the judicial proceedings against him. The provisions of the bill create situations where there is a very obvious pretrial assumption of the accused's guilt and he or she is punished for that presumed guilt by being denied release on bail. In effect, there would be, at best, a 'pretrial trial,' where the court speculates, prior to the trial of facts, as to the guilt or innocence of the accused and releases or imprisons him or her accordingly. At worst, the accused would not even have the benefit of such a mock trial. The violations of 'due process' guarantees created by the bill are obvious, as is the refutation of the principle that an accused person must be presumed innocent until proven guilty beyond reasonable doubt in a court trial.

"U.S. Supreme Court Justice Jackson, in a concurring opinion in the above cited *Stack v. Boyle* case ... and that is the case in which the quotation concerning the totalitarian aspect of arbitrary bail or failure to grant it was cited ... stated that 'the practice of admission to bail, as it has evolved in Anglo-American law, is not a device for keeping persons in jail upon mere accusation until it is found convenient to give them a trial. On the contrary, the spirit of the procedure is to enable them to stay out of jail until a trial has found them guilty.

"Without this conditional privilege, even those wrongly accused are punished by a period of imprisonment while awaiting trial and are handicapped in consulting counsel, searching for evidence and witnesses, and preparing a defense. To open a way of escape from this handicap and possible injustice, Congress commands allowance of bail for one under charge of any offense not punishable by death...

"Admission to bail always involves a risk that the accused will take flight. That is a calculated risk which the law takes as the price of our system of justice...

"In allowance of bail, the duty of the judge is to reduce the risk by fixing an amount reasonably calculated to hold the accused available for trial and its consequence. ... But the judge is not free to make the sky the limit, because the Eighth Amendment to the Constitution says, 'Excessive bail shall not be required...' It is an obvious logical inference that

if excessive bail may not be required, release on bail may not be denied. And I wish to emphasize that point to you, Mr. President.

"Part of the due process of law is the right to appeal and have trial proceedings reviewed. As was held by the Federal Court of the Second Circuit in a case cited in the committee report, 'there is a presumption in favor of bail even after conviction "unless" (quoting the Federal Bail Reform Act of 1966) the judge has reason to believe that no one or more conditions of the release will reasonably assure that the person will not flee or pose a danger to any other person or to the community.' This was in the case of *U.S. v. Fields*.

"H.B. 2558-80 is a renunciation of two sacred rights guaranteed by our federal and state bills of rights and of a fundamental precept, in my opinion, Mr. President, of the American system of justice. To allow this bill to become law would be to denounce the very principles of liberty and justice upon which our great nation is founded.

"In the case of *Stack v. Boyle*, Mr. President, in the headnotes listed with the decision, etc., is bail and recognizance before conviction and the purpose. It states there that 'judicial right to bail before conviction permits the unhampered preparation of the defense and serves to prevent the infliction of punishment prior to conviction. Unless this right is preserved, the presumption of innocence would lose its meaning.'

"Stating further, 'from the passage of the judiciary as of 1789 to the present federal Rules of Criminal Procedure' federal law has without equivocation provided that a person arrested for a non-capital offense shall be admitted to bail; and the word 'shall,' Mr. President, is emphasized in the text.

"This traditional right to freedom before conviction permits the unhampered preparation of a defense and serves to prevent the infliction of punishment prior to conviction. Unless this right to bail before trial is preserved, the presumption of innocence secured only after centuries of struggle would lose its meaning.

"It's interesting to note that that *Stack v. Boyle* decision comes from a case involving bail for members of the Communist Party who were accused of conspiring to teach and advocate the overthrow of the government by force or violence. And it is further interesting to note that they faced a penalty of five years in prison as well as a fine of not more than \$10,000. In other words, Mr. President, the term of the jail sentence, the prison

sentence, I should say, was five years, comparable to the kinds of notorious crimes that are generally referred to, I think, in defense of the kind of approach that is being utilized in this bill; that is to say, the kind of crimes which offend the sense of decency of all people in the community who care about the well-being of the community, but, as I have said on occasion on this floor before, that precisely at those times when we are dealing with those circumstances which most offend us and have the greatest emotional impact that we must rigorously pursue our defense of the Constitution and individual liberty...so we do not fall short of nor fail to see the necessity of defending the liberty of each individual so that all of us in collectivity in the United States of America may enjoy not only the sense of liberty, but the fact of liberty that distinguishes this nation from so many others in the world, both contemporarily and in the past.

"Justice Jackson in this case joined by Justice Frankfurter, stated, I think, the principles governing allowance of bail have been misunderstood or too casually applied in these cases and that they should be returned to the circuit justices for reconsideration in the light of standards which is our function to determine.

"I consider, first, the principles which govern release of accused persons upon bail, pending their trial. The practice of admission to bail, as it has evolved in Anglo-American law, is not a device for keeping persons in jail upon a mere accusation... this is the point that I quoted before... for the convenience of bringing that person to trial in the eyes of the accusers.

"In the case of *United States v. Fields*, blanket denial of post-conviction bail was improper; denial of bail after conviction must be done on an individual basis and the reasons for doing so must comport with the Bail Reform Act and be stated with particularity. You see, this is the individualization of the cases, that which distinguishes our system of justice from so many other systems.

"While there may be categories of crime, there are only individuals before the bar of justice. That's the important key, in my estimation.

"And in the concluding case which I would like to cite, which is *Thompson v. Warden*, 'a bail order is ambulatory; it is dynamic; until the question of bail becomes moot, it is subject to change depending upon such circumstances

as coming to being while the defendant is awaiting trial or during trial. Justice often supports the reduction of bail as excessive as developed by new circumstances, and justice as here often orders that bail be increased or denied. The alteration of such original order upon the showing of facts supporting the discretion of the second ordering judge is proper and require use of the decisional process, in no way to be decried and distorted into a false claim of judicial conflict.¹

"Further, it has long been the law in this state that the defendant charged with crime has both constitutional and statutory rights to bail for most offenses. The language of the Constitution of the United States, identical with that of Section 6, Article I of the New York State Constitution, has uniformly been held to create the right to bail in the absence of good and sufficient reason to deny it, and also that bail, when allowed, should not be revoked or manipulated to compel a plea of guilty or force the defendant to trial. And very interestingly, Mr. President, in this particular case, the court concluded the zeal of the county court judge in dealing with lawlessness in this county is well known. In other words, this is not talking about some judge who is accused of being soft on felons or being indifferent to the public interest... however, together with such dedication, all precautions must be taken to protect and guard the rights of those defendants not yet tried and upon whose shoulders the cloak of presumption of innocence still hangs.

"Urgent as the need may be to deal expeditiously with the heavy incidence of crime, just so great must be judicial care to protect and safeguard the rights and civil liberties of defendants, lest we win merely a Pyrrhic victory. Our courts must zealously preserve the right to allow those accused of crime and to that end the great writ of habeas corpus is our most potent force. But the determination made here in the court, of course, does not preclude the county court from making any other order in the future upon new facts and circumstances. And that, Mr. President is where I would like to take the thrust of my argument.

"Nothing in the history of bail and nothing in the exercise of its imposition or failure to be imposed takes away from the judge the ability nor the obligation, if you will, to discern what the facts are in an individual case, in a recommendation on bail, including that which may involve recognizance, self recognizance; that is to say, to release someone on the promise that they will appear for their trial or their sentence, without having

to post property or funds or its equivalent. Nothing prevents that. All it prevents is that if we pass laws to do that, if the judges are truly to exercise discretion which we have given to them or should be giving to them, then they must have the right to exercise that authority and obligation.

"Maybe we feel in our state that we are different from some other states and that people would not be arrested and charged frivolously or for the purpose of harrassment... but we cannot rely on individuals, and this I think is the crux of it.

"We know that in other jurisdictions in this country, sad to say, people have been arrested for the purpose of harrassing them. People have been accused of crimes that they did not commit and for which evidence either was not existent or so flimsy as to create a situation where conviction was not likely to occur. Yet, nonetheless, they were arrested because people who were in positions of authority and power, who had the police powers of the state or some other jurisdiction at their command, found these individuals to be anathema to their ideas of the way we should conduct our lives in this country. It may have been because they wanted to vote or they were the wrong color, or they were the wrong race, or they had the wrong political ideas, or they weren't popular for one reason or another in a town, in a city, in a state, in a country; whatever the reason, we found that we must jealously and righteously guard not only the right to bail, but all of the circumstances of guaranteeing the individual of fair trial and not prejudging that individual no matter how heinous the crime; no matter how much we may feel that the person is undeserving of the very protections that we cite in his or her behalf; no matter how much these persons offend the sensibilities of the community in that very respect; no matter how much you may feel that they are taking advantage of it.

"It is possible, wherever human beings congregate, that people will try to take advantage of precisely this kind of a law, should it pass, to see to it that their enemies, those whom they do not care for, those whom they oppose, for whatever reason, take the opportunity to harrass them, to bring them before the bar of justice in circumstances that would put them in harm's way.

"This is what we must defend against, if you will, this is what we must keep

from happening, and so I implore you, Mr. President, to take these circumstances into account, especially the remarks made by the various justices in the cases I cited, and with that then defeat this bill and perhaps take up the question of how the community may best be protected in circumstances where a judge believes that to be necessary, either by way of further examination of what law might be useful to the judges or by providing our judges with the option, the discretion which we should be giving to them by naming them to be judges in the first place. If we do not have that kind of confidence in our judges, we should not be naming them as judges. We should not be putting them forward to take the authority and the responsibility of the bench. Thank you."

Senator Carroll then rose to speak in favor of H. B. No. 2558-80 as follows:

"Mr. President, I rise to speak in favor of this legislation which I've been offering in these chambers for the past five years.

"I think it does not take much remembering to recall the Bal Kanui case, the Vernon Reiger case, the Alexander Milho case. In the Milho case, Milho picked up a 15-year old girl at the Waipahu bus stop, took her to a canefield and brained her with a bat. He was tried for murder, found guilty by a jury, and sentenced to life imprisonment in January of 1978. Execution of that sentence was stayed, pending appeal, and Milho was released on \$75,000 bail, pending outcome of the appeal.

"Milho was suspected of stalking another teenage girl at the very same bus stop. He accosted this girl, attempted to entice her into his car; the girl refused. The girl later picked Milho's photograph from a photo lineup, but since no harm had been done, no action was taken.

"In November of 1979, Milho's appeal was denied and he is now serving life imprisonment, having spent nearly two years free on bail subsequent to his conviction. Fortunately, the wise action of a 14-year old girl prevented possibly another tragedy.

"I believe, Mr. President, that we cannot take such risks with the lives of our citizens.

"With respect to the legal aspect of the bill before us, it's axiomatic that there is no guaranteed constitutional right to pretrial bail. There's certainly no constitutional right to bail after conviction, pending appeal.

"The Hawaii State Constitution, Article

I, Section 9, follows the language of the Eighth Amendment of the U.S. Constitution. In Hawaii the right to bail in most cases is guaranteed by statute, specifically, Section 804-3 of the Hawaii Revised Statutes. The exception here is in the case of crimes punishable by life imprisonment without parole.

"I'm not sure my learned colleague from Manoa was reading the same portions of this bill as I am, but they are quite specific with respect to what must be done before bail may be denied. I'm referring now to sub-section (b) of the bill on page 2, which states that 'Any person charged with a criminal offense shall be bailable' -- shall be bailable -- 'by sufficient sureties; except that no bail shall be allowed where the charge is for a serious crime where the proof is evident and the presumption great, and (1) '(and these are conjunctive) 'The offense is punishable by imprisonment for life not subject to parole; ...' (which is currently directly from the language of Section 12 of the Hawaii Constitution) 'or (2) The defendant has been previously convicted of a serious crime within the ten-year period immediately preceding the date of the charge against him; or (3) The defendant is already on bail on a felony charge,' and then, finally, '(c) If a defendant has been admitted to bail on any charge, the prosecutor may move at any time for revocation of bail on the grounds set out ...'

"The questions in bail are: is there in fact a denial of due process; is what is being sought discriminatory; is the action of the court capricious or arbitrary?

"If the answer to those questions is no -- if indeed there is proof, evidence before the court at the bail hearing, at which time the defendant has the right to be present with counsel, according to the provisions of the U.S. and the State Constitutions, and the presumption is great, and a judge makes that determination -- then that bail should be denied and the message from this Legislature to our judges is that it should be denied.

"I believe, frankly, that this bill is not strong enough to effect what we are trying to do with this bill, and I thank the Lord, Mr. President, that this bill is going to pass on this floor tonight. I hope that we will see it written into law by the Governor in the very near future. It's long overdue and I urge that we all vote 'aye.' Thank you."

Senator O'Connor also rose to speak

in favor of the measure as follows:

"Mr. President, I rise to speak in favor of the bill.

"My learned colleague from Manoa said he was going to speak for ten minutes; he spoke for twenty-eight and said some things which I think need clarification for the purposes of legislative intent.

"First of all, the citations from the 14th Amendment to the United States Constitution -- which amendment ensures due process of law to the citizens of the various states -- is inappropriate.

"The 8th Amendment to the United States Constitution pertains specifically to bail. It is not covered by the 14th Amendment and the 8th Amendment simply states that excessive bail shall not be required, nothing more. There is no federal or state prohibition or absolute right to bail as such.

"The bill before us, House Bill 2558, legislatively establishes rules for non-excessive bail in certain extreme cases. In other words, it takes the wording of the Constitution and sets up certain specific legislative rules which are established within that framework, much as the federal Bail Reform Act has done. The two are synonymous in that particular instance although the rules are not synonymous.

"The provisions of H.B. 2558 will apply to a small percentage of the cases actually handled in the courts of our jurisdiction, but they will apply these provisions to the most heinous crimes and the criminals who are in a circumstance to hurt our citizens in the most heinous fashion. It is a step in the right direction, Mr. President, and I would urge all members of this body to vote for it."

The motion was put by the Chair and, Roll Call vote having been requested, H.B. No. 2558-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie). Excused, 4 (Ajifu, Carpenter, Ushijima and Yee).

At 8:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:57 o'clock p.m.

Standing Committee Report No. 889-80 (H.B. No. 2944-80, H.D. 2, S.D. 2):

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2944-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."

Standing Committee Report No. 909-80 (H.B. No. 2339-80):

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2339-80, entitled: "A BILL FOR AN ACT RELATING TO PORT PILOTS."

Standing Committee Report No. 917-80 (H.B. No. 2368-80, H.D. 1, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 917-80 be received and placed on file, seconded by Senator Chong and carried.

Senator Cobb then moved that H.B. No. 2368, H.D. 1, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Chong.

Senator Anderson then offered the following amendment:

"Amend SECTION 1 of the bill to read as follows:

"1. By amending line 7 on page 2 to read:

'which such item is currently being sold or offered for sale by such supplier'

"2. By amending line 13 on page 3 to read:

'the same item is sold or offered for sale by such supplier to a'."

Senator Anderson moved that the amendment be adopted, seconded by Senator Soares and carried.

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2368-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRICING IN SUPPLYING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

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

of Hawaii, the 48-hour notice was given on H.B. No. 2368-80, H.D. 1, S.D. 2.

At 8:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:00 o'clock p.m.

Standing Committee Report No. 931-80 (H.B. No. 2853-80):

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, Stand. Com. Rep. No. 931-80 was adopted and H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2853-80.

Standing Committee Report No. 935-80 (H.B. No. 1222, H.D. 1, S.D. 3):

Senator Chong offered the following amendment to H.B. No. 1222, H.D. 1, S.D. 3:

"1. Amend the Bill by amending page 26, line 14 by deleting the remaining words 'In any rate etc. up until the end of the page and inserting thereof the following:

'No equipment, facilities, land, or other property financed by special purpose revenue bonds shall be included in a public utility's rate base for purposes of determining rates for consumers. Such equipment, facilities, land or other property financed by said special purpose revenue bonds will be excluded from said rate base until either such time that said revenue bonds have been fully retired or to the extent that contributions have been made to a sinking fund as provided in section -9(4), and then said rate base shall be adjusted only to reflect the aggregate contributions to the special purpose revenue bond's sinking fund. The public utility shall be allowed to recover in rate proceedings, any annual charges or expenses attributed to said special purpose revenue bonds.'

"2. Also delete the remaining portion shown on page 27 up until line 15 and inserting in lieu thereof the following:

'(a) The public utilities commission shall, in all rate proceedings involving public utility's utilizing said special purpose bonds, make a specific finding as to the amounts saved by the ratepayer by virtue of the financing of capital equipment, facilities or property by special purpose revenue bonds.

'(b) The public utilities commission shall for any equipment or facilities purchased with said special purpose revenue bonds, which is accorded special tax treatment (such as qualifying for investment tax credits or any existing or future accelerated depreciation treatment pursuant to the federal revenue code) directly pass on to the ratepayers any savings, credits or depreciation allowances, through an immediate adjustment in rates. The public utilities commission shall make an accounting of any tax credit or accelerated depreciation of said equipment and facilities and determine what adjustments shall be made to the then existing rate structure.'

Senator Chong moved that the amendment be adopted, seconded by Senator Kawasaki.

Senator Chong then rose to speak in favor of the amendment as follows:

"Mr. President, the rate making process requires that the Public Utilities Commission allow utilities to recover the expense of servicing special purpose revenue bonds, I repeat, to recover the expense of servicing special purpose revenue bonds. The process also requires return on the rate base -- that's the current way we do things.

"This amendment will allow the ratepayers to benefit from the savings of these revenue bonds.

"Ratepayers right now pay for bonds as well as the rate of return on the equipment, facilities and installations purchased with the bonds. They pay twice, once for the operating expenses to service the bonds and again when the equipment is added to the rate base, and the Public Utilities Commission allows the facility to earn a return on that equipment.

"With respect to the first part of the amendment, all equipment and facilities purchased with these special purpose revenue bonds would be excluded from the utilities rate base for rate making purposes, except to the extent that utilities contribute to a sinking fund. This rate base exclusionary principle is designed to prevent double payment for the facilities, by the ratepayers.

"The consumers are really servicing their debts to additions to revenue requirements of the utilities. To compel these same ratepayers to provide the utilities with their rate of return computed on the special purpose revenue bonds' inflated rate base would be a form of duplication of payment.

"The first part of this amendment, Mr. President, allows that to the extent that the utility has contributed to sinking funds, such amount shall be included in the rate base for rate making purposes. The sinking fund contributions are the corporation's contribution which would otherwise be available to stockholders and should be attributed to the utility.

"Now, Mr. President, I'd like to move on to the second part of this amendment.

"The second part is very straightforward. It requires the Public Utilities Commission to make specific findings as to the amount saved by the ratepayer by virtue of financing of the equipment and so forth by use of the bonds. It requires the commission to make its specific findings, and then it states 'the Public Utilities Commission shall for any equipment or facilities purchased ... directly pass on to the ratepayers any savings, credits or depreciation allowances through an immediate adjustment in rates.' I repeat, '... immediate adjustment in rates.'

"These reporting requirements are designed to identify the precise amount that is saved by the use of the special purpose revenue bonds.

"Since the utility has argued that the special purpose revenue bonds will result in substantial savings for ratepayers, the Public Utilities Commission should be required to annually make an estimate of both the total gross savings and the net savings which are passed through, I repeat, passed through to the ratepayers.

"Mr. President, these amendments are simply an effort to accommodate the interests of the utility and ratepayers by allocating the benefits of revenue bonds ... the savings of revenue bonds between the utility and the ratepayers ... so that neither party receives a windfall profit and neither is unduly burdened. These amendments are consistent with modern trends of regulatory policies of progressive public utility commissions throughout the country.

"I'd like to digress just a brief second, Mr. President, just to put this whole thing into context.

"This Legislature has passed several bills related to utilities. We passed Senate Bill 1900 --we look forward to the day when Hawaii will be self-sufficient in energy. We certainly want to be less dependent on fossil fuels.

"Secondly, this Honorable Body passed to the House, earlier in the session, a life-line rate bill which would have provided at least a mechanism for some form of rate relief to Hawaii's utility

ratepayers. That bill died in the House. We are now left with, at this point of the session, a situation where we have no bill alive, no public policy guideline which we can pass on to the public to show them that we are sincerely interested in passing on any savings to them, at least something that would set public policy to the Public Utilities Commission to do this.

"I really feel that it is important for us to pass the amendment so that we can go into conference with this bill and hope for some form of relief, immediate relief, ... some sort of public policy for immediate relief for ratepayers of the State of Hawaii.

"With that, I urge all members to vote for this amendment."

Senator Anderson, at this time, asked the chairman of the Ways and Means Committee to yield to a question and the chairman replied in the affirmative.

Senator Anderson then asked:

"Mr. Chairman, I sat through four or five hours of testimonies on H.B. No. 1222 with Mr. Bill Milkes of the State Public Utilities Division and I had every assurance that this bill before us was a saving to the ratepayer, however small, and that there was more than adequate and sufficient regulations to protect the public -- am I right or wrong?"

Senator Cayetano replied :

"Mr. President, if the senator is asking me whether Mr. Milkes testified to that effect, the answer is yes."

Senator Anderson further inquired as follows:

"Mr. Chairman of the Ways and Means Committee, are you satisfied that the bill before us does provide safeguards to the public and does provide a savings to them?"

Senator Cayetano replied: "I'm not fully satisfied, but under the circumstances I think this is the best that can be done."

Senator Kawasaki then asked Senator Chong to yield to a question and Senator Chong replied in the affirmative.

Senator Kawasaki then asked: "Senator Chong, is this amendment, in language, almost identical to the language contained in similar types of bond statutes in several states, including the State of California?"

Senator Chong replied in the affirmative.

Senator Kawasaki further inquired as follows:

"I understand that the Pacific Gas and Electric Company appealed this kind of language and what it means to the court in the State of California. The Court sustained the position of the California Public Utilities Commission attesting to the validity of the language -- is that correct?"

Senator Chong replied as follows:

"That is correct, and on top of that there are many other jurisdictions, including the Supreme Court, which has ruled on these types of questions very recently, and I hope to get the full text of those rulings of the Supreme Court and insert them into the record at a later date, except that I only got the draft of today's bill around 4:30 this afternoon."

Senator Kawasaki then rose to speak in favor of the amendment as follows:

"Mr. President, in view of the answers given by the proponent of the amendment, I think no harm is done. As a matter of fact, some value is obtained here in adopting the amendment.

"Also, in view of the chairman of Ways and Means' answer to Senator Anderson that he is not quite satisfied but, under the circumstances, he will tolerate the existing language ... I think more clarifying language by Senator Chong might be an added protection to assure that savings effectuated by the use of these revenue bonds by Hawaiian Electric Company would indeed, in every case, be passed on to the consumers. I urge the adoption of this amendment."

Senator Cayetano then rose to state as follows:

"Mr. President, just two brief observations.

"First, Mr. President, if it was up to me, there would be very few bills passed because I've never ever been fully satisfied with any measure that comes before me.

"The second observation is that the question and the citation of the courts and the rulings of the Supreme Courts in various states is really not pertinent here because this is not a legal question. This is a policy question as to whether we want to do this or not.

"My opinion, after hearing all of the testimony, is that I am not in favor of

this amendment. The legality, the provisions of this amendment never, I think, came as an issue."

Senator O'Connor then rose to speak against the amendment as follows:

"Mr. President, I rise to speak against the amendment and in doing so, I fully give the accolade necessary to the earlier speaker, Senator Chong, for the intent of the amendment. The intent is excellent.

"The intent is embodied in the bill as it is presently written. Section 18 of the bill picks up the intent of these amendments and lays it out in simple straightforward English, as opposed to verbiage of the amendment which reduces itself to words which have detailed technical meanings which really have no place in a bond bill. These are the kind of words, if we come to a point where we want to direct the PUC in its rate making, that we should use in that direction, both for rate base and for the pass-through type of rate making.

"It is my humble opinion that they should not be in a bond bill; that the fine intent expressed by Senator Chong is in the measure and that the amendment is not required; therefore, I would vote against the amendment."

Senator Chong rose to further remark as follows:

"Mr. President, with all due respect to the previous speaker, this revenue bond bill focuses on revenue bonds for utilities and therefore it is proper and eminently reasonable to insert the policy guidelines for the Public Utilities Commission.

"We do have a major disagreement here. I acknowledge any disagreement that my colleagues have ... and that is simply that the performance and the alacrity of protecting the public of the Public Utilities Commission has not been to my satisfaction and that is why I feel that these public policy guidelines should be included in any legislation related to the utility bond bill. That's the reason.

"If, of course, you feel that they're doing a fine job, that their constant additions and acceptance and practically rubber-stamping of rate increases is great for the people of Hawaii, then certainly I think that existing legislation, which is very broad, should satisfy you. Thank you."

Senator Soares also rose to speak

against the amendment as follows:

"Mr. President, I did not plan to speak against the amendment, but I don't think we should accuse the Public Utilities Commission of rubber-stamping any rate increases by any public utility.

"I think the full-time commission is doing an outstanding job of looking at all of the rates, examining all the costs that are underlining the rates, and I don't think that this issue is before this body tonight, so I have to vote against the amendment."

Senator Kawasaki then rose to speak further in favor of the amendment as follows:

"Mr. President, the savings that is to come about by the use of these special revenue bonds in behalf of Hawaiian Electric, from the testimony, amounts to \$244,000,000, almost a quarter of a billion dollars. This is an enormous amount of money ... savings, if you will, to the utility company.

"It just seems to me that adoption of Senator Chong's amendment, which in my judgment and his judgment and others who may support the amendment, is going to assure that the savings is indeed passed on to the consumers. I think that there's no harm done adopting this amendment however wordier it may be than the present language."

The motion to adopt the amendment was put by the Chair and failed to carry.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1222, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO STATE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12)."

Standing Committee Report No. 956-80 (H.B. No. 1853-80, S.D. 2):

Senator Cayetano offered the following amendment to H.B. No. 1853-80, S.D. 2:

"SECTION 1. Section 1 of House Bill No. 1853-80, S.D. 2, is amended to read as follows:

'1. By amending lines 6 and 7 on page 1 to read:

'A pro rata portion, as budgeted by the legislature, of all the funds derived from the public land trust shall be'".

Senator Cayetano moved that the amendment be adopted, seconded by Senator Kawasaki.

At this time, Senator O'Connor rose to speak in favor of the amendment as follows:

"Mr. President, I rise to speak in favor of the amendment, and in doing so I would remind the body that the basic bill of the Office of Hawaiian Affairs is one which we passed in the last session and was the result of a long and involved conference committee. In that conference committee the Senate took several positions on several measures.

"The amendment which is proposed by the chairman of the Ways and Means Committee directly reflects one of the positions taken by the Senate in the conference committee of last year, which was that each time this body sought to have the moneys which are designated in the bill for its budget, that it would come to the Legislature, as does every other part of government, to have that matter budgeted. This amendment falls directly along the lines that we espoused and won in conference committee, and I would strongly urge all to support the chairman of Ways and Means on this amendment."

At 9:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:22 o'clock p.m.

The motion to adopt the amendment was put by the Chair and carried.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1853-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

At 9:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:25 o'clock p.m.

Standing Committee Report No. 994-80 (H.B. No. 2842-80, H.D. 1, S.D. 1):

Senator Hara moved that Stand. Com. Rep. No. 994-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Hara then moved that H.B. No. 2842-80, H.D. 1, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Mizuguchi.

Senator George then offered the following amendment:

"Amend SECTION 2 of the bill by amending line 14 on page 4 to read as follows:

'which shall serve in an advisory capacity to the [fish ' "

Senator George moved that the amendment be adopted, seconded by Senator Soares.

At this time, Senator George rose to state as follows:

"Mr. President, this is a very small amendment, probably the smallest one you'll ever have in front of you, which changes one word to one other word, or rather, reverts to an original word.

"I was very tempted to call it a housekeeping measure, but I thought I probably couldn't get away with that one, so maybe I'll call it a salvage operation.

"Mr. President, by custom, tradition, and usage, as well as by law, we are committed to a policy of citizen participation in government. Sometimes we don't agree with the citizens we have to participate with, but nonetheless that's the structure to which we are committed. The amendment that is before you offers a case in point.

"I believe the original bill is before us in response to some disaffection on the part of a great many of us, I think, with the actions of a particular commission, the Animal Species Advisory Commission, which has taken upon itself to disagree with some of us on things like feral sheep and palila birds, and there are a good many other areas in which we've had some disagreement with this commission over the years, and that's fine. That's what it's there for. It's an advisory commission; we don't have to listen to it; it's like other advisory commissions; they're there to send up a red flag so that we know what the citizens have in mind and what experts who are appointed to citizen boards and commissions have in mind.

"The amendment which is offered in this bill relating to fish and game, H.B. No. 2842, provides for a great many things, and I am in sympathy with a great many of these things. It provides for a transfer of this Animal Species Advisory Board, with whose decisions we sometimes disagree, to the Board

of Land and Natural Resources, and I agree with that; that's where it belongs and that's a good place for it to be. They should be, indeed, advisory to that decision-making body.

"They are in recognition of the fact that the administration as well as this body hasn't always agreed with the recommendations made by this commission. The membership of this commission has been changed. It used to be 11 members, five of whom were departmental or administrative, and six of whom were scientists by profession, specifically by profession, and I understand that it was about a one to one. In order to make these appointments you have to get, you have to pick specialists in these professions.

"This bill, even if amended in the fashion I've suggested, would change this to seven departmental members and six scientists, so that these scientists would no longer have a majority on the body. And, that's fine with me; I would go along with that; I think that's appropriate because I think they have sometimes been obstructive to laudable purposes of our economic and agricultural situation. But I would like to strike a small note of freedom and draw the line in making everything, everything the commission does, optional.

"There are three subsequent places in this bill where the word 'shall' has been changed to 'may,' and all I'd like to do is pick out one of these changes and revert it to the word 'shall.' In testimony before the Committee on Ecology, Environment and Recreation, Sus Ono said he would accept this single change that I am proposing -- this one change from 'may' to 'shall.'

"What this particular 'may' to 'shall' would do, reverting to the original language, would be to keep this commission consistent with just about every other advisory board or commission we have in government. I've had time this afternoon, while I was looking this up, to find a couple.

"The Advisory Council for Children and Youth starts off their Section 581, 'the council shall participate in recommending ...' Then I looked up the School Advisory Council which says, 'Each district school advisory council shall serve in advisory capacity ...' I had about six more that I looked up and they all start off... well the Advisory Commission on Manpower and Full Employment shall ... and you know we just had one on the consent calendar tonight ... I was fortunate enough

to find one (here's Wads Yee's, excuse me, my fearless leader's bill 2729) which has reference to the establishment of the Hawaii Fisheries Coordinating Council and on page 3 of that bill it says, 'Powers and duties of the council: The council shall advise...'

"All that I am asking is that this particular bill reserve to this particular Animal Species Advisory Commission the minimal capability of making suggestions to the board. If we leave it this way the board doesn't have to listen to them; the board wouldn't have to do what they said; it's just raising the flag, giving them the opportunity to say, 'Hey, we don't particularly approve of what you're doing.' The public is then notified and can do whatever they want to about it.

"I have to use one word that I didn't think I'd ever have an opportunity to use in my whole life, but I understand that this can be called *ad hominem* legislation, and I'm pleased to know that this is a somewhat pejorative description of this kind of legislation.

"I offer once again, we are committed to citizen participation in government. If we don't want to listen to them, if we don't like what they do, our proper action, colleagues, is to do away with this commission. I ask your support of my amendment."

The motion to adopt the amendment was put by the Chair and failed to carry.

The motion to pass H.B. No. 2842-80, H.D. 1, S.D. 1, on Second Reading and be placed on the calendar for Third Reading was carried and H.B. No. 2842-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH AND GAME", was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2842-80, H.D. 1, S.D. 1.

At 9:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:48 o'clock p.m.

Standing Committee Report No. 944-80 (H.B. No. 2897-80, H.D. 3, S.D. 2):

Senator Kawasaki offered the following amendment on H.B. No. 2897-80, H.D. 3, S.D. 2:

"SECTION 1. Section 2 of House Bill No. 2897-80, H.D. 3, S.D. 2, is amended to read as follows:

"1. By amending page 13 by inserting the following after line 14:

'Section 166 - Access to and public disclosure of financial records of special facilities leasehold tenants. (a) ~~Each~~ special facilities tenant with a lease agreement with the department shall allow the department full access to its financial records. Upon the request of the department for the examination of any such financial records, the special facilities tenant shall allow the department to examine the requested records within a reasonably prompt time from the date of the request. If the department requests copies of the records, the special facilities tenant shall provide the copies.

'(b) To provide the public with full knowledge of the use of the proceeds and benefits derived from special purpose revenue bonds issued under this part, the department shall require each special facilities tenant with a lease agreement with the department to make available to the public all relevant financial records which pertain to the use of or savings resulting from the use of special purpose revenue bonds.

'(c) The department shall adopt rules under chapter 91 for the purpose of this section.

'Sec. 266 - Estimate of benefits. (a) Each special facilities tenant with a lease agreement with the department shall estimate the benefits derived from the use of the proceeds of special purpose revenue bonds. The benefits estimated shall be based on a comparison between the use of the proceeds of the special purpose revenue bonds instead of other means of financing and shall be in terms of dollars projected to be or actually saved by consumers of the services of the special facilities tenant. The format of and method for determining the estimates shall be established by the department and shall be uniform for each special facilities tenant.

'(b) To promote public understanding of the role played by special purpose revenue bonds in providing less costly services by a special facilities tenant to the

general public, the department shall take appropriate steps to ensure public access to and scrutiny of the estimates determined under subsection (a).

'(c) The department shall adopt rules under chapter 91 for the purposes of this section.'"

Senator Kawasaki moved that the amendment be adopted, seconded by Senator Chong.

At this time, Senator Kawasaki rose to speak in support of the amendment as follows:

"Mr. President, this amendment simply is a proviso, very comparable to the proviso we put in the revenue bonds for the hospitals.

"The proviso, primarily, is to safeguard or to ensure that savings that are effectuated by the use of these bonds by Matson Navigation Company, and I specifically mention Matson because this bill is designed to help Matson Company to float some bonds ... the savings that Matson anticipates, if my memory serves me correctly, amount to some \$34 million. This is a lot of savings brought about by the use of the state's good name in floating these revenue bonds. That being the case, and in view of Matson's testimony that they want the state's blessing on these bonds because they are going to pass on the \$34 million or approximately thereof to the taxpayers in the way of these things being calculated into our rates, our Matson freight rates ... that being the case, I think we should have language and proviso in this case to make sure

that information relative to the savings they are talking about, financial information is available to our respective departments -- the Department of Transportation, the PUD, and the attorneys representing the state in the public's interest.

"If Matson insists in not providing this information to us, then I think their motive is subject to question; but, I don't think that is the case, and if they are saying that they are going to pass on the savings to the public, if you will allow them to use the state's good name to get a lower rate of interest, thereby saving them \$34 million over a period of time, then I say a proviso requiring information to be readily available to the Department of Transportation is necessary, and that is the reason for this amendment."

The motion to adopt the amendment was put by the Chair and failed to carry.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2897-80, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS."

ADJOURNMENT

At 9:55 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 9:30 o'clock a.m., Monday, March 31, 1980.

FORTY-SEVENTH DAY

Monday, March 31, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 9:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. David Fraser of the World-wide Church of God, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Sixth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 241 and 242) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 241), transmitting a report prepared by the Department of Accounting and General Services in response to Senate Resolution No. 23, H.D. 1 (1979) which requested the development and implementation of an energy conservation plan for all State agencies, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 242), transmitting a report on the Aloha Tower Plaza which was prepared by the American City Corporation and noting that the report includes three elements:

- (1) Analysis of market potential of the Aloha Tower site;
- (2) Economic feasibility of the project in terms of private sector and public accounts; and
- (3) Evaluation of the conceptual master plan by Charles R. Sutton & Associates, Inc., in light of the findings of the market analysis and economic feasibility,

was referred to the Committee on Economic Development.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 24 to 26) were read by the Clerk and were disposed of as follows:

A communication from the Office of the Director, Department of Planning and Economic Development, (Dept. Com. No. 24), transmitting the comments

of the members of the State Plan Policy Council on the State Health Plan in accordance with Section 226-54, Hawaii Revised Statutes, was referred to the Committee on Health.

A communication from the Office of the Director, Department of Planning and Economic Development (Dept. Com. No. 25), transmitting the Status Report - Activities Conducted in Furtherance of The Hawaii State Plan in accordance with Section 226-63, Hawaii Revised Statutes, was referred to the Committee on Economic Development.

A communication from the Office of the Auditor (Dept. Com. No. 26), transmitting the report entitled, "County of Hawaii, Accountants' Report for the Year Ended June 30, 1979," which was conducted by the firm of Peat, Marwick, Mitchell & Co., Certified Public Accountants, for the County of Hawaii, was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 336 to 338) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 336), returning Senate Concurrent Resolution No. 44, which was adopted by the House of Representatives on March 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 337), transmitting House Concurrent Resolution No. 117, which was adopted by the House of Representatives on March 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO THE FAMILY OF THE LATE DR. ALLAN H. H. LEONG", was adopted.

A communication from the House (Hse. Com. No. 338), transmitting House Concurrent Resolution No. 118, which was adopted by the House of Representatives on March 28, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Kawasaki and carried, H.C.R. No. 118, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING THE MOST PROFOUND MAHALO OF THE PEOPLE OF HAWAII TO JACK LORD, A LIVING LEGEND IN HIS OWN TIME, FOR HIS INNUMERABLE AND LASTING CONTRIBUTIONS TO HAWAII AND ITS PEOPLE", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 228 to 230) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 228), entitled: "SENATE RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO MACKAY YANAGISAWA ON HIS IMPORTANT CONTRIBUTION TO HAWAII ATHLETICS AND THE SUCCESS OF THE 1980 PRO BOWL AT ALOHA STADIUM", was jointly offered by Senators Kuroda, Carpenter, Hara, Machida, Yee, Saiki, Wong, Mizuguchi, Kawasaki, Young, Soares, Yamasaki, Ushijima, Carroll, Campbell, Chong, Cobb, George, Cayetano, Yim, Toyofuku, Anderson, Ajifu, O'Connor and Abercrombie.

By unanimous consent, action on S.R. No. 228 was deferred until later in the calendar.

A resolution (S.R. No. 229), entitled: "SENATE RESOLUTION CONGRATULATING HAWAII PACIFIC COLLEGE ON ITS FIFTEENTH ANNIVERSARY", was jointly offered by Senators Saiki, Ajifu, Chong, Mizuguchi, Yamasaki, Soares, O'Connor, Toyofuku, Cayetano, Ushijima, Machida, Kuroda, Yee, Wong, Cobb, Hara, Campbell, George, Carroll, Kawasaki, Young, Carpenter, Abercrombie, Anderson and Yim.

By unanimous consent, action on S.R. No. 229 was deferred until later in the calendar.

A resolution (S.R. No. 230), entitled: "SENATE RESOLUTION HONORING THE VISIT TO HAWAII OF COLGATE UNIVERSITY PRESIDENT GEORGE LANGDON", was jointly offered by Senators Chong, Carpenter, Cobb, Anderson, Campbell, Mizuguchi, Kuroda, Yim, Ajifu, Hara, Wong, Young, Machida, Toyofuku, Yamasaki, Cayetano, Ushijima, O'Connor, Kawasaki, Soares, Saiki, Carroll, George and Abercrombie.

On motion by Senator Chong, seconded by Senator Carpenter and carried, S.R. No. 230 was adopted.

Senator Chong in introducing the honoree, stated as follows:

"Mr. President, the ideal of higher education is to broaden our intellectual outlook, strengthen our character, nurture our sense of integrity, expand our awareness of social responsibility, share the knowledge gained from this for the betterment of the world. Colgate University, one of the finest educational institutions in the United States, has over the past 161 years striven to impact these qualities in their graduates.

"Colgate is a four-year liberal arts institution located in Hamilton, New York, with an enrollment of 2,415 men and women, with a faculty numbering 168.

"Mr. President, the President of this University is George Langdon, who graduated from Harvard, earned an M.A. from Amherst College, a Ph.D. at Yale, taught history at California Institute of Technology and Vassar College, served as an administrator and teacher at Yale, and authored the award-winning book 'Pilgrim Colony, A History of New Plymouth 1620-1691.'

"Mr. President, I was fortunate enough to be a recipient of the Colgate Trevor Scholarship. And now, it is my distinct pleasure to introduce to you the first President of Colgate University to ever visit this honorable body, Mr. George Langdon, and his wife, Agnes. Accompanying the Langdon's is William Bigelow, II, a Colgate alumnus and a Vice President of the Sheraton Hotel chain."

Senator Chong then presented a certified copy of the resolution to Mr. Langdon, while Senators Young and Carpenter presented Mr. and Mrs. Langdon with leis.

At 10:01 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:15 o'clock a.m.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1013-80) informing the Senate that Senate Concurrent Resolution No. 45, Senate Resolution Nos. 226 and 227 and Standing Committee Report Nos. 852-80 to 1012-80 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.

ORDER OF THE DAY

MATTERS DEFERRED
FROM MARCH 28, 1980

Senate Bill No. 1827-80, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1827-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE", was deferred until Tuesday, April 1, 1980.

Senate Bill No. 2093-80, H.D. 1:

By unanimous consent, action on S.B.

No. 2093-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERS", was deferred until Tuesday, April 1, 1980.

Senate Bill No. 2097-80, H.D. 1:

By unanimous consent, action on S.B. No. 2097-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF COSMETOLOGY", was deferred until Tuesday, April 1, 1980.

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

By unanimous consent, action on S.B. No. 2120-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", was deferred until Tuesday, April 1, 1980.

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

By unanimous consent, action on S.B. No. 2186-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", was deferred until Tuesday, April 1, 1980.

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

By unanimous consent, action on S.B. No. 2208-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Tuesday, April 1, 1980.

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

By unanimous consent, action on S.B. No. 2358-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", was deferred until Tuesday, April 1, 1980.

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

By unanimous consent, action on S.B. No. 3145-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", was deferred until Tuesday, April 1, 1980.

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 Tuesday, April 1, 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 Tuesday, April 1, 1980.

At 10:17 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:27 o'clock a.m.

THIRD READING

House Bill No. 1816-80:

By unanimous consent, action on H.B. No. 1816-80, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANIES", was deferred until Tuesday, April 1, 1980.

House Bill No. 1817-80:

By unanimous consent, action on H.B. No. 1817-80, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", was deferred until Tuesday, April 1, 1980.

House Bill No. 1989-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1989-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2318-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2318-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2319-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2319-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF VETERINARY EXAMINERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2322-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B.

No. 2322-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PRIVATE DETECTIVES AND GUARDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1961-80, H.D. 2, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1961-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VACATION OF PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2132-80, S.D. 1:

By unanimous consent, action on H.B. No. 2132-80, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1979-80, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, H.B. No. 1979-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ENTRY EXAMINATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2698-80, H.D. 1, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, H.B. No. 2698-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2703-80, H.D. 1, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, H.B. No. 2703-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2351-80, H.D. 1:

By unanimous consent, action on H.B. No. 2351-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", was deferred until Tuesday, April 1, 1980.

House Bill No. 1976-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1976-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

House Bill No. 1911-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1911-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, AND CORRECTING REFERENCES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2091-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2091-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT PROCEEDINGS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2162-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2162-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2167-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2167-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2810-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2810-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 864-80 (H.B. No. 584, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 864-80 was adopted and H.B. No. 584, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 865-80 (H.B. No. 1762-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 865-80 was adopted and H.B. No. 1762-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Standing Committee Report No. 866-80 (H.B. No. 1991-80, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 866-80 was adopted and H.B. No. 1991-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 867-80 (H.B. No. 1992-80, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 867-80 was adopted and H.B. No. 1992-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 868-80 (H.B. No. 2059-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 868-80 was adopted and H.B. No. 2059-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2071-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2131-80, S.D. 1:

By unanimous consent, action on H.B. No. 2131-80, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2361-80, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2361-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 872-80 (H.B. No. 2634-80, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 872-80 and H.B. No. 2634-80, H.D. 2, S.D. 2 was deferred

to the end of the calendar.

Standing Committee Report No. 873-80 (H.B. No. 2647-80, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 873-80 and H.B. No. 2647-80, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 874-80 (H.B. No. 366, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 874-80 was adopted and H.B. No. 366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 875-80 (H.B. No. 1945-80, H.D. 1, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 875-80 was adopted and H.B. No. 1945-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 876-80 (H.B. No. 1981-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 876-80 was adopted and H.B. No. 1981-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE STATE BUREAU OF CONVEYANCES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

House Bill No. 2074-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2074-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SIGNING AND FILING OF RETURNS FOR TAXATION PURPOSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 878-80 (H.B. No. 2093-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 878-80 was adopted and H.B. No. 2093-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2133-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2133-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2134-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2134-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2135-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2135-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COPIES OF TAX RETURNS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson and Saiki).

House Bill No. 2219-80, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2219-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 883-80 (H.B. No. 2357-80, S.D. 2):

On motion by Senator Cayetano, seconded

by Senator Kawasaki and carried, Stand. Com. Rep. No. 883-80 was adopted and H.B. No. 2357-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 884-80 (H.B. No. 2454-80, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 884-80 was adopted and H.B. No. 2454-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISION POLLUTION CONTROL BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 885-80 (H.B. No. 2496-80, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 885-80 and H.B. No. 2496-80, H.D. 2, S.D. 2, was deferred to the end of the calendar.

House Bill No. 2577-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2577-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Standing Committee Report No. 887-80 (H.B. No. 2822-80, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 887-80 and H.B. No. 2822-80, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 888-80 (H.B. No. 2889-80, H.D. 2, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 888-80 was adopted and H.B. No. 2889-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZING COMPENSATION OF WITNESSES BY

THE DIRECTOR OF THE OFFICE OF CONSUMER PROTECTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 890-80 (H.B. No. 3045-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 890-80 was adopted and H.B. No. 3045-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1606, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1606, H.D. 2, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 892-80 (H.B. No. 1610, H.D. 1, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 892-80 was adopted and H.B. No. 1610, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 893-80 (H.B. No. 1607, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 893-80 and H.B. No. 1607, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 894-80 (H.B. No. 1684, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 894-80 was adopted and H.B. No. 1684, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 895-80 (H.B. No. 2633-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand.

Com. Rep. No. 895-80 was adopted and H.B. No. 2633-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE DEPARTMENT OF EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Carroll)..

Standing Committee Report No. 896-80 (H.B. No. 2660-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 896-80 was adopted and H.B. No. 2660-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 897-80 (H.B. No. 159, H.D. 1, S.D. 2):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 897-80 was adopted and H.B. No. 159, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 721, H.D. 1:

By unanimous consent, action on H.B. No. 721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER TRANSACTIONS", was deferred until Tuesday, April 1, 1980.

House Bill No. 1422, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1422, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUORUM OF REAL ESTATE COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1806-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1806-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1827-80:

By unanimous consent, action on H.B. No. 1827-80, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", was deferred until Tuesday, April 1, 1980.

House Bill No. 1829-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1829-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1871-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1871-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1880-80, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1880-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 905-80 (H.B. No. 1969-80, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 905-80 and H.B. No. 1969-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY", was deferred until Tuesday, April 1, 1980.

House Bill No. 1993-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1993-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCIES BOARD", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2026-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2026-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2284-80:

By unanimous consent, action on H.B. No. 2284-80, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS", was deferred until Tuesday, April 1, 1980.

House Bill No. 2555-80, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2555-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEALERS OF SOLAR ENERGY DEVICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2572-80, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2572-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEST CONTROL OPERATORS LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2666-80, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2666-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2733-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2733-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2795-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2795-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2892-80, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2892-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ushijima and Yee).

House Bill No. 2367-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2367-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2058-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2058-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

At 10:42 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 11:30 o'clock a.m., this morning.

The Senate reconvened at 11:50 o'clock a.m.

Senator Anderson introduced to the members of the Senate forty members of the Paradise Senior Citizens Club from Moiliili, Oahu.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Senate Resolution No. 228:

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, S.R. No. 228 was adopted.

Senator Kuroda in introducing the honoree, spoke as follows:

"Mr. President, the honoree doesn't really like this kind of formal occasion because, as he says, he doesn't like anyone to make a big fuss over him. However, Mr. Mackay Yanagisawa is someone who has contributed so much to sports in Hawaii that we should honor him as we are doing today.

"Today is Mackay's last day on the job as Director of Aloha Stadium, and we want Mackey to know that we felt it

was an appropriate time for us to honor him as the House of Representatives did earlier.

"Mr. President, it was through the untiring efforts and unsurpassed negotiating skills of Mackay, together with the Aloha Stadium Authority members, Frank Valenti and Herman Clark, that the precedent-breaking decision was made to hold the 1980 Pro-Bowl in Hawaii.

"Also, Mr. President, Mackay and the Hula Bowl Committee were in large measure responsible for the successful staging of this major sporting event at Aloha Stadium involving complex logistical and organizational support.

"At this time, Mr. President, I would like to introduce the honoree, Mackay Yanagisawa. Accompanying Mackay on the floor are Herman Clark, the Stadium Authority Chairman, and Frank Valenti, a member of the Stadium Authority, who were instrumental in planning the Pro-Bowl which was held at the Aloha Stadium."

Senator Kuroda then introduced the following who were present in the gallery: Members of the Stadium Authority, "Major" Hideo Okada, Ed Toma, and ex-officio members, Charles Clark and Dr. Fujio Matsuda; and members of the Hula Bowl Committee, Carl Barrea, Thomas Hugo, Henry Lukela, Pat Kahler, Walter McGuire, Edith Tanida, William Buck Lum, Abe Kauhane, Charles Leahey, Masa Nishizaki, Robert Suzuki and Charles Bessette, who will be replacing Mr. Yanagisawa as the Director of Aloha Stadium. Also in the gallery was Bob Fishman, the former deputy director of Aloha Stadium and now the Special Assistant to the Governor.

Senator Kuroda then presented certified copies of the resolution to the honoree and those named.

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 Soares then introduced to the members of the Senate Mr. Jyun "Curly" Hirota, who has written many records and ran many miles for the University as well as being an outstanding baseball catcher in the Hawaii League and for the University, and who coached baseball in Japan for a number of years.

Senate Resolution No. 229:

On motion by Senator Saiki, seconded by Senator Ajifu and carried, S.R. No. 229 was adopted.

Senator Saiki then introduced the honoree of the resolution as follows:

"Mr. President, as we celebrate the 15th anniversary of Hawaii Pacific College, we must congratulate its President Chatt G. Wright for his many years of devotion to the school. It has been mainly through President Wright's efforts that the college has blossomed in the midst of downtown Honolulu, and the impact of the college within the educational community is widespread.

"President Wright is an alumnus of the University of Hawaii graduate program in economics and he has contributed to the college's financial viability in a time when many institutions across the nation are experiencing economic hardship.

"His personal energy and an understanding of students' needs have led to the design of many innovative training programs to help our students achieve their career expectations.

"Don't let President Wright's youthfulness distract us; he has a wealth of administrative and public service experience. In addition to his duties as President of Hawaii Pacific College, he has served our community in many capacities, including service on City and County and State boards and commissions.

"President Wright is a man whose accomplishments in helping Hawaii Pacific College achieve academic excellence are truly worthy of our recognition. So, this morning, Mr. President, it is with great pleasure that I present to you, President Chatt Wright.

"Also with President Wright is Mr. Jim Hochberg, who is the vice president of Hawaii Pacific College."

Senator Saiki then presented a copy of the resolution to President Wright and Senator George presented him with a lei.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Standing Committee Report No. 919-80 (H.B. No. 2183-80, S.D. 1):

On motion by Senator O'Connor, seconded

by Senator Cobb and carried, Stand. Com. Rep. No. 919-80 was adopted and H.B. No. 2183-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2241-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2241-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2646-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2646-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Cayetano, Chong, Ushijima and Yamasaki).

House Bill No. 2259-80:

By unanimous consent, action on H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Tuesday, April 1, 1980.

House Bill No. 2215-80, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, H.B. No. 2215-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2324-80, H.D. 1, S.D. 1:

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

Ayes, 25. Noes, none.

House Bill No. 2448-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2448-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ABUSE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2809-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2809-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDUCT OF ELECTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2086-80, H.D. 1, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, H.B. No. 2086-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2127-80:

By unanimous consent, action on H.B. No. 2127-80, entitled: "A BILL FOR AN ACT RELATING TO THE IMPOUNDMENT OF VESSELS", was deferred until Tuesday, April 1, 1980.

House Bill No. 2195-80, S.D. 1:

By unanimous consent, action on H.B. No. 2195-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 930-80 (H.B. No. 2328-80, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 930-80 and H.B. No. 2328-80, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 3046-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, H.B. No. 3046-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATE OF REGISTRATION; CERTIFICATE OF OWNERSHIP; CONTAINERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 933-80 (H.B. No. 2263-80, H.D. 1, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 933-80 was adopted and H.B. No. 2263-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITED PARTNERSHIPS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 o'clock p.m.

Standing Committee Report No. 934-80 (H.B. No. 25, H.D. 1, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 934-80 and H.B. No. 25, H.D. 1, S.D. 3, was deferred to the end of the calendar.

Standing Committee Report No. 935-80 (H.B. No. 1222, H.D. 1, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 935-80 and H.B. No. 1222, H.D. 1, S.D. 3, was deferred to the end of the calendar.

House Bill No. 1429, S.D. 1:

By unanimous consent, action on H.B. No. 1429, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 937-80 (H.B. No. 1758, H.D. 2, S.D. 3):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 937-80 was adopted and H.B. No. 1758, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 938-80 (H.B. No. 2029-80, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 938-80

was adopted and H.B. No. 2029-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 939-80 (H.B. No. 2196-80, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 939-80 and H.B. No. 2196-80, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 940-80 (H.B. No. 2458-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 940-80 was adopted and H.B. No. 2458-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 941-80 (H.B. No. 2672-80, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 941-80 and H.B. No. 2672-80, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 942-80 (H.B. No. 2720-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 942-80 be adopted and H.B. No. 2720-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I wish to speak against this bill. I do not believe that this settlement is in the interest of the State of Hawaii. This has nothing to do with the ostensible politics which surrounds it.

"The Ways and Means Committee met in executive session to go over the circumstances surrounding this particular case. I had never heard those circumstances addressed prior to this. I had heard of the case and the various discussions that had surrounded it in respect of whether or not it should be settled, and the reason I gave the preamble to my remarks that I did about the politics of it is as with so many bills or measures

under discussion, that this one in particular, political implications, ostensible or otherwise, are discussed.

"However, the decision reached in the Ways and Means Committee was not based upon that. Regardless of whatever interpretation anyone wants to put on it the conclusion that I reached and that other members reached, at least in terms of their reservations and/or their outright nonconcurrence, was based strictly on presentation in that executive session that we had, and I think the executive session was an appropriate one.

"I think the public interest was well served by having such a session and I appreciate the fact that it was arranged for and the presentation was so ably handled.

"My demur is not based on any feelings that I have that the Attorney General's Office has not sufficiently prepared a case. On the contrary, I was very impressed in that discussion and presentation by the Attorney General's Office that the work that had been done by the deputies, by the understanding that they had, by their ability to present the circumstances so that it was understandable and so that it could be presented comprehensively yet at the same time in a concise way.

"My objections are based on the fact that I believe the circumstances are such that they should be examined and that the relative culpability of the State and the contractor should be established.

"I also recognize when I stand to say this that that would probably involve a considerable amount of time and effort and expenditure in order to establish it, but I think it would have a salutary effect on how contracts were handled in the future, especially in the areas under dispute.

"I don't care to go into the details of it, but I believe that that would be a violation of the circumstances of the executive session; however, it is already on the public record from the short trial period already held that this was an argument concerning whether or not there was compensation due the contractor because the elements of the construction effort were not fully available, or should have been more fully available to him, and I think this is something that we will experience over and over again in the islands because of the terrain which we face in many, many instances where major construction is involved.

"There is an attitude, I think, in the past which has been a little too lax in respect of this area and as a result the State has found itself over and over again in circumstances where change orders were necessary in order to accommodate the necessary construction to see that the safety and welfare of the people who would utilize the projects would be maintained.

"Therefore, Mr. President, I think it would be in our interest to pursue this not as a way of trying to prolong the reception of justice, if you will, economic justice for the Mark Construction Company, because as you know, Mr. President, I very much believe that the State should not come down on individuals because we have the power of the Attorney General on our side; that is to say, force someone into lengthy and expensive legal proceedings to try and beat them down because we have the Attorney General available to us -- that is not just in my mind.

"In this particular instance, I think there are some major questions involved on both sides and they should be pursued so that the State will be on notice, that is to say, that members of various departments in the State who have contracts will be on notice that they should not take a casual attitude in the awarding of construction contracts and, on the contrary, they should be much more meticulous in detailing and delineating for potential bidders on major contracts exactly what might be expected in the way of difficulties and more exactly in what might be expected in the way of time sequences and possible obstruction that might take place.

"In this instance, I don't think that that necessarily was done and it should be explored, therefore, in a court of law regardless of whether it is time-consuming and regardless of whether there are expenses involved. It will have a salutary effect on all future contracts, and in my judgment, could therefore be saving the taxpayers of the State many, many millions of dollars in future contracts to be let."

At 12: 27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 31 o'clock p.m.

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

"Mr. President, I have reservations about the manner in which this case was handled by the office of the Attorney General. However, after considering all of the facts presented to us by the

Attorney General's Office through its special counsel, Mr. Richard Hirai, in executive session, I believe it is in the best interest of the State to settle for the amount stated in this bill.

"Mr. President, there is no way we are going to find out what happened in this case, if this case is tried. All estimates lead me to conclude that it would take over a year to try this case, a year resulting in hundreds of thousands, if not millions, of dollars in legal cost and also lending the State to possible exposure of up to \$12 million because no one really knows what is going to happen in a lawsuit.

"Under the circumstances, I believe, \$2 million is a reasonable settlement. The case is a very complicated one. There appears to be fault on both sides, and I think that we are going to have to put some faith in our counsel and I refer to the Attorney General's Office and the Special Deputy Attorney General, who tried very hard to explain to us in two hours what transpired in six weeks at trial. Mr. President, during those six weeks at trial, only the plaintiff got to testify. The State didn't even have a chance to put its case on.

"If the legislature would like to look into this case to prevent, as one of the previous speakers said, these kinds of mistakes from happening again, then I suggest that we do so via the legislative route, namely that we introduce legislation or we hold hearings to that effect.

"However, if this case is tried, whoever loses will probably appeal, and it is very unlikely that the legislature would be able to dig into or investigate what's going on in this case, at least for a long, long time--in fact some of us may not be in office when the time for investigation is ripe and ready, so for that reason I'm urging the members of the Senate to vote for the bill.

"I might add, Mr. President, that the appropriation of \$2 million is \$1.5 million less than the House proposed."

Senator Carpenter then spoke against the measure as follows:

"Mr. President, I appreciate the comments by the Chairman of the Ways and Means Committee, but I would like to echo the sentiments expressed earlier by the Senator from Manoa.

"I believe that the public interest would indeed be better served if this case were to go to trial to determine

the true culpability even though the possibility may exist that it is shared.

"I believe a nuisance value of \$2 million indicated by the Ways and Means Chairman, being \$1.5 million less than that which was proposed, is too high a price to pay for something that does not determine the ultimate cause of this kind of a suit before the State. I believe that even though it might go to a possible \$12 million assessment that once and for all we've got to clear the air on a great many things that happen in and around us seemingly without anyone's control. I support the move to reject this bill."

Senator O'Connor then spoke for the bill as follows:

"Mr. President, I'm going to vote in favor of this bill, but I do so with very sincere and grave reservations.

"In the first place, the trial of this measure began in 1977. The attorney who conducted the trial was retained by the Attorney General's Office only four months before the trial when the matter had been in litigation for approximately two years before that time.

"The plaintiff in the case was able to retain a major expert witness firm from Denver, Colorado, that computerized the entire project and had an expert on the witness stand as the first witness. There were some 25 causes of action and in the six weeks of trial, only two of those 25 had any testimony given to them.

"It was primarily because of our ill-prepared status that that was allowed to go the way that it went and because of that circumstance, the trial judge called the trial to a halt and asked the parties to attempt to settlement.

"I am extremely concerned, Mr. President, that this kind of thing occur in the future where our Attorney General's Office has a major case in litigation, waits for the last minute to get a trial attorney capable of trying the case and then doesn't have an expert witness who's capable of advising our side of exactly of the parameters that are involved in such litigation. To this day we do not have, in this case, an expert witness who is as qualified as the expert witness for the plaintiff.

"It bothers me that we took the time we did, we took the tax that we did and we wind up essentially having to settle the case because we were ill-prepared.

"I vote in favor of the measure because after extensive briefings, it is evident that there are approximately \$1.5 million

of what we call special damages or easily defined liquidated damages in this case for which there is a better than fifty percent possibility that the State is liable, and particularly under the framework of the case.

"I am more appalled by this, Mr. President, that two years ago in 1977, the same complex of attorneys and representatives from the Attorney General's Office came to this Senate and asked us to settle this case in the amount of \$3.5 million and we told them at that time to go back and try this lawsuit. For two years they sat on their thumbs and did nothing and did not try the lawsuit and then came back again this year seeking the same amount of settlement.

"I think personally that that's appalling, particularly when they did nothing in trial preparation or in any matter at all in the interim period while the plaintiffs in the case changed attorneys and beefed up their case considerably.

"All in all, I wish this case had been tried. It appears that we have to settle it. Under the circumstances, I am going to vote for the bill."

Senator George then inquired if the Chairman of the Ways and Means Committee would yield to a question, to which Senator Cayetano replied that he would.

Senator George then asked: "I am puzzled by a word on line 16 of the bill and that word is 'defining'. It says 'the evaluation included considerations of the projected cost of defining the claims and the potential exposure to liability.' I am wondering if the word might better read as 'defending'."

Senator Cayetano answered: "No, I believe the word is used correctly. The case as I stated earlier is a very complex case and 'defining' the claims was a major issue in the case, so I do believe that word is properly used."

Senator Carroll then stated: "Mr. President, I'd like to have the remarks of Senator Abercrombie, Senator Carpenter and the remarks in favor of the measure of Senator O'Connor incorporated by reference and adopted as my own in a vote for the measure. Thank you."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 942-80 was adopted and H.B. No. 2720-80, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.",

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

Ayes, 19. Noes, 6 (Abercrombie, Campbell, Carpenter, Chong, Kuroda and Yim).

Standing Committee Report No. 943-80 (H.B. No. 2729-80, H.D. 3, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 943-80 was adopted and H.B. No. 2729-80, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE HAWAII FISHERIES COORDINATING COUNCIL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Standing Committee Report No. 944-80 (H.B. No. 2897-80, H.D. 3, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 944-80 and H.B. No. 2897-80, H.D. 3, S.D. 2, was deferred to the end of the calendar.

House Bill No. 2292-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2292-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2388-80; S.D. 1:

On motion by Senator Campbell, seconded by Senator Young and carried, H.B. No. 2388-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT SCHOOL ADVISORY COUNCILS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2487-80:

By unanimous consent, action on H.B. No. 2487-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", was deferred until Tuesday, April 1, 1980.

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

By unanimous consent, action on H.B. No. 2532-80, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1775-80, H.D. 2, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B.

No. 1775-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson and Soares).

Standing Committee Report No. 950-80 (H.B. No. 1947-80, H.D. 2, S.D. 2):

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 950-80 was adopted and H.B. No. 1947-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2645-80, H.D. 2:

By unanimous consent, action on H.B. No. 2645-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was deferred until Tuesday, April 1, 1980.

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

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

House Bill No. 2168-80, H.D. 1, S.D. 1:

Senator Toyofuku moved that H.B. No. 2168-80, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Yamasaki then spoke against the measure as follows:

"Mr. President, I rise to speak against this bill on collective bargaining which expands the meaning of the word strike by public employees by including the prohibition to observe bona fide picket lines established by public employees. It also defines essential employees and position.

"However, this bill places the right to designate the employee and position solely on the employer or the board and it does not allow any opportunity for the employees through their collective bargaining agent to have any voice as to who should report for work as

an essential employee and to which position for the purpose of maintaining health and safety.

"Mr. President, we are amending a collective bargaining law, a law covering two parties to a dispute, and every effort should be made to make our laws fair to the extent possible.

"The Senate draft of House Bill No. 2168-80, amended the House draft to prohibit the right of public employees to a jury trial in any proceedings brought under section 89-12. The committee report states that the right to a jury trial is inconsistent with this measure's intent to provide speedy resolutions of legal matters in public employee strike situations.

"Chapter 380-11 is titled 'Contempt; speedy and public trial,' and it states: 'In all cases arising under this chapter in which a person is charged with contempt in a court of the State, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the circuit wherein the contempt has been committed; provided, that this right shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice or to apply to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.' Chapter 380 was written into law as Act 200 in 1963 as the 'Little Hawaii Norris-LaGuardia Act.'

"Mr. President, the Hawaii State Constitution as amended in 1978 provides in Section 14 that 'in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the district wherein the crime shall have been committed.' It further provides that the accused shall have the right to be informed of the nature and cause of the accusation, to be confronted with the witnesses against the accused, to have compulsory process for obtaining witnesses in the accused's favor, and to have the assistance of counsel for the accused's defense.

"The language of the Hawaii State Constitution in Section 14 is almost identical to the Sixth Amendment to the United States Constitution. And this follows the First Amendment which prohibits the abridging of freedom of speech, or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

"For these reasons, Mr. President, I believe that we are treating our public employees as second class citizens in this Senate draft of House Bill No. 2168-80, H.D. 1, by stripping them off of one

of the basic constitutional rights which is the right to a trial by jury and I cannot in good conscience take away a constitutional right of any individual.

"Therefore, Mr. President, I urge the members of this body to give serious consideration to the contents of the bill we are about to vote on, and my vote will be a 'no.'"

"Thank you, Mr. President."

Senator Toyofuku then spoke for the measure as follows:

"Mr. President, I think we must recognize and remember a few things here that under the United States Constitution, the private sector employee does not have an express right to strike but because of certain declarations by the U.S. Supreme Court declaring the private sector employees do have an inherent right to organize and therefore to strike, because of such declarations by the court, we now have Chapter 380, sometimes referred to as the Little Norris-LaGuardia Act. This would permit the private sector employees certain rights and certain protections under our law.

"However, the courts at that point in time did declare that the public workers do not have a right to organize and strike. Therefore, Chapter 89 which refers to the collective bargaining act for public sector employees was enacted.

"At that point in time, there was great concern about giving public sector employees the right to strike, and of course understanding at the same time that the right to strike was the only weapon or the only advantage that the public sector employee union would have against the employers. For the right to strike, the union was compelled to support the essential worker provision -- sort of like a tradeoff -- and of course with the essential worker provision, the public employees are compelled to abide by that particular provision.

"As evidenced by the recent Unit 1 strike, there was much confusion, varying interpretations by HPERB, the courts, the employer to his own advantage and the employees to their advantage.

"HPERB really created the problem by first declaring that essential employees cannot strike, and secondly, by giving the unions the right to assign work, which was strictly reserved to management as management rights. The courts compounded the problem by granting

the employees the right to a jury trial in the contempt proceedings, after the injunction, when the employees refused to report to work.

"The right to jury trial under the essential worker provision is really a policy decision that must be made by this legislature. It is not a constitutional one as alleged by the previous speaker. Your Committee feels that jury trial should not apply to such contempt proceedings.

"Chapter 89-12 spells out the procedural aspect of how to designate essential employees; Chapter 12, item (a) spells out who can strike and who cannot. Those who cannot strike are expressed in this item as being excluded employees, firefighters because of their compulsory arbitration law, and of course essential employees.

"Item (b) spells out the impasse proceedings, the fact finding, and the ten-day notice to strike. Item (c) clarifies that any strike which may endanger the health or safety of the public, which is about to occur or is in progress, that the employer may petition the HPERB and have HPERB investigate and establish specific requirements like designating essential positions and any other requirement that is deemed to be necessary to remove any danger to the health and safety of the public. Additionally, it provides for notice to the essential employee to report to work. And (d) provides for the declaration by HPERB whether a strike is legal or illegal and this is where the injunction requires consent. And (e) of course provides for the contempt proceedings.

"In all of these sections, (a), (b), (c), (d) and (e), your Committee feels that a right to a jury trial should be prohibited, and as I mentioned earlier, this is of course a policy decision that must be made by this legislature.

"It is not the question of injustice or discrimination, as implied, but rather a question of equity, and of course so that the strike may not be prolonged and be time consuming in order to protect the health and safety of the public.

"In addition, Mr. President, the essential worker provision basically spells out a very deep concern and a real desire to protect the health and safety of the public in our community. And if you examine the philosophy embodied therein, we must prohibit sympathy strikes because it may very well affect the health and safety of the public.

"This is a policy decision, as I mentioned earlier, and I think the legislature must make this policy decision. Your Committee feels that this bill here, the provisions in this bill, are necessary and desirable.

I'd like to ask my colleagues to vote for this bill. Thank you."

Senator Abercrombie in opposition thereto, spoke as follows:

"Mr. President, I have to speak against the bill. I appreciate the previous speaker's remarks; in fact I appreciate that it was delineated as clearly as it was by the Chairman and I think that a good portion of what the Chairman said is in argument against the bill.

"I have watched with some trepidation and have noted on this floor and when I had the opportunity in the other house, I did the same, that there is an eroding of what I believe to be hard won liberty in respect of our Constitution and in respect of, as the Chairman puts it, policy.

"There is no question about it that there are certain policies that derive from abstract principles. In fact, one might state and probably could with some justification that not only myself, but others could be referring to abstract principle and find refuge in it and therefore be able to take a righteous stand, if you will, on behalf of something without really having to bear the consequences when that principle is translated or transposed in a specific circumstance.

"But if one grants them the proposition as put forward by the Chairman that we are trying to transpose essential principles here and without comprising them or doing violence to them place a policy decision then before the body, then let us consider what the effect of that would be and whether in fact the principles, which I'm sure we all believe and adhere to, are actually being followed.

"Now, is it the policy that we do not want people to have a jury trial? Quite frankly, all the adverse circumstances that I can find in the strike which was alluded to recently by the UPW, I find was the fault of judges, not with the jury.

"The fact that the judge is unwilling (we had some judges in this state unwilling) to carry out the logic of the rulings that they either made or which were before them is not an argument against the jury trial. It's one of the arguments I have tried to put forth in other circumstances here because we find some circumstance which offends us. Instead of directing our attention to that which offends us we are attacking it from a different direction, and in the process are taking away one of the essential freedoms or one of the resources,

if you will, that any individual in the community would wish to have at his or her command because we are in fact and do have before us in terms of our literature and in terms of our history and in terms of our psychology of free society. Why are we attacking a jury trial because we are upset with what happened in terms of our feelings of frustration over the inadequacies of the ability of certain judges or boards to carry through on what is already their right, already their obligation, and already their duty in the law as it's already written.

"How can there possibly be any justification for getting rid of a jury trial under circumstances which are completely and totally focussed on an entirely different matter?

"What this is really saying is that jury trial, if you had it before twelve citizens or six citizens or whatever constitutes the jury, might come to a different conclusion than that reached by sources of power over the employee. Why is it the employee who has to suffer from a situation of not having a jury trial?

"Most of us in life are going to be employees in one form or another; very few of us in life are in the situation of being able to dominate a situation and control it in such a way that we do not find ourselves in a position where we would not like or need to have a jury trial, that is to say a judgment made by our peers.

"And you'll notice one of our previous speakers mentioned a speedy trial. There's no question that this can be done. Are we so fearful, are we so fearful that a jury of peers will find that the State is in fact in the wrong that we do not want any of our public employees to come before them to present their case?

"Now I think that there was all kinds of things wrong with the previously mentioned strike in terms of the way it was conducted, in terms of the way it was reported. In fact, I suppose I could make an argument, Mr. President, that one is better off in front of the judge rather than a jury because certain elements in the press had so distorted the realities of the strike that there was a prejudice in the community that would prevent a fair trial in a sense of coming before a jury.

"But I happen to have a little more faith in the jury system than perhaps some others do. I happen to believe that jurors take themselves very, very seriously in that jury box, and would try to judge on the evidence presented to them, not what some newspaper editor says and not the way a story is presented. I have great faith in that and I think we

need to have that.

"We are getting rid of the jury trial here because it's convenient to condemn the employee apriori of being in the wrong and we are thinking that if we do this, it will be easier to convince the judge. After all, if you get twelve citizens, maybe they don't understand the fine points; maybe they won't see it the way they really should see it. Because if you extend the logic of this bill, what we're really saying is that we should get rid of jury trials altogether for everything because after all people might not understand the way it's supposed to work.

"But, Mr. President, if that's the case, then we're going against the struggle that I have maintained here and other circumstances have succeeded only over centuries, only over centuries, not decades, but centuries, so people can have the freedom which we would all wish to have for ourselves individually.

"So, on that point alone, the jury trial alone, I think this bill should be voted down. Just look at the way it's written on page 6: 'the right to a jury trial shall not apply to any proceedings brought under this section.' Boom, that's it!

"I can find countries in the world right now where that kind of a circumstance is written into it too. We talk about freedom and differentiating ourselves from other countries, other people, other societies, because you do not have a right to the trial or its summary. Other than the assertion of the committee report that the jury trial is not necessary, there's nothing to indicate anywhere in the report that this is the case at all

"I would like for someone to point out to me anywhere in this committee report where a jury trial is something that is not warranted. The Constitution isn't there for the immediate convenience of anybody in a strike situation or anything else. It is to protect our liberties precisely at those times when the emotional quotient is such that we would be likely or more likely to want to give up those constitutional procedures which are so close to defending our freedom.

"I would indicate one other thing that bothers me a great deal because it's an open-ended circumstance. And I refer to page 4, line 2, and this is in connection with Section (c) on the previous page, that 'if a strike, which may endanger the health or safety of the public, is about to occur or is in progress'...that's the context

within which this takes place.

"On page 4, it states, 'any other requirement it deems necessary in order to avoid or remove any imminent or present danger to the health or safety of the public'; I repeat, any other requirement.

"Now it seems to me that that is a blank check that literally has no bounds. If that's going to be the case, we might as well throw out Chapter 89; we might as well throw out the collective bargaining law entirely, because we in fact did not want to have it.

"If we do not want to have collective bargaining for public employees, let's just say so. Let's put it in law; let's do it. Let's have the courage of our convictions.

"I may dispute that with someone on this floor, but I'm certainly not going to argue with their right to present it nor with the logic of what they're going to say in the sense of it being internally consistent. If they believe that there should not be this right to strike, then say so. But don't say, 'yes, you can strike, however, we're going to put it in such a way that we don't really mean it.'

"This 'any other requirement it deems necessary' is to me anathema to what is ostensibly the object of this bill, so on those grounds, the lack of a jury trial and the open-ended invitation, if you will, to the board to designate onerous, in fact triable conditions, and I want to point out that we've just settled something on the basis that we might go to court for a long time if you can imagine a situation in which the only other requirement then comes up as being unconstitutional because it was cruel and unusual punishment or it violated due process.

"We're going to be right back in court as to what this means, which will prolong the situation even further and cause even more expense because we have over-shot completely what we wanted to accomplish.

"We should not react to emotional pleas in the newspaper or sensationalist documentation in the media when it comes to the passage of law, especially when it comes to something as sensitive in the sense of maintaining people's rights as the public employment collective bargaining law.

"I think that we're opening up ourselves here if we pass this to a complete overreaction and what we are doing is excusing the incapacity of the courts to act on the law as it is already before them, which is, in my point of view and my estimation, a judgment completely adequate to the task at hand."

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

"Mr. President, I rise to speak in favor of this measure, and in rebuttal of the eloquent oratory of the gentleman from Manoa who I am sure, one of these days, will take advantage of the fact that there's a law school in Manoa.

"Mr. President, the measure that we are discussing and the point raised by the earlier speaker was the right to jury trial and a proceeding as is envisioned by the section on pages 5 and 6 of this measure. I hate to give a historical review of the law to this body, however, in our system of laws, there are two sections of law; one in equity and one in law which pertain to civil actions.

"The section on equity pertains to a myriad of things but included in that area are the injunctive measures for injunctive relief whereby a court orders specifically that certain people shall or shall not comply with law.

"Since the days of King Charles II, there has been no jury trial in the equity section of the law. The technical aspects of this bill which is stated on page 6 which simply says 'the right to a jury trial shall not apply to any proceedings brought under this section' are simply to re-emphasize and clarify something which has been historically well-known to those scholars of the law that have anything to do with handling injunctive measures for a long, long time. All this pertains to is that section which states that 'there shall be appropriate proceedings in a circuit court to enjoin the performance of any act or practice forbidden in this section.' And then it talks in terms of 'orders and decrees, by way of injunction, mandatory injunction, or otherwise, as may be appropriate to enforce this section.'

"This is an area of the law in which historically, practically, logically and simply there should never be a jury trial. Jury trials are reserved for those matters of grave, constitutional rights, which I think is what the gentleman from Manoa was earlier speaking about. And this section in no way has anything to do with those constitutional rights which mandate a jury trial, or allow a jury trial.

"This whole area has to do with the injunctive order of the court which should be handled only by the judge and in a manner in which ready, able and expeditious justice is meted out in the circumstances. If there was anything else required in this circumstance,

or by this section, it should be spelled out in much greater detail. As long as we stick only to those areas which the section in the law pertain. then there should be no jury trial.

"Now, on the practical side of the matter, the reason that this amendment is suggested is that in the middle of this last strike an attorney, in order to delay the matters in court, suggested that there should be a jury trial, and the whole proceeding was placed into recess for a week or so while that legal issue was debated.

"Mr. President, it's ridiculous to debate a legal issue of this situation and of course, it turned out that there was no jury trial allowed in the final essence in that matter and there should be none under this law.

"Therefore, in order to ease and simplify the administration of this area of the law and to conform to the historic and the present practical aspects of the law, it should be clearly stated that there should be no jury trial."

Senator Abercrombie then stated as follows:

"Mr. President, I thought I concluded my remarks but with the mention of King Charles I am forced to rise and point out to the members that the reason King Charles was not around to argue before a jury was that failure to provide him with a jury resulted in having him beheaded.

"Subsequent to his beheading, however, Cromwell became the Lord Protector of Great Britain and Ireland, which meant that there was a dictatorship in England and the very issues that had been before Commons concerning the rights of people were subsumed in civil war and terror, murder and pillage throughout Great Britain and particularly in Ireland.

"Religious protection disappeared, tolerance disappeared, the various circumstances under which Commons found itself needing in order to come into confrontation with King Charles became the very rationale upon which the Commons disemboweled itself in terms of protecting the rights of anyone in Great Britain or in Ireland.

"King Charles, I think is a very good example of someone who needed a jury trial. He was presented with a situation in which he was unable to protect himself in which he had no appeal. I think that it is a grave constitutional right where juries are concerned and I think in this circumstance, if one reads the bill, you will see we're talking about when someone is violating or failing to comply with the requirements. Nothing prevents the judge from issuing an injunction under

these circumstances. It's quite the opposite. But if such a thing takes place and there is a disagreement, that's where I think there should be a jury trial. We've already had a good example in history of what happens when that kind of thing isn't available."

The motion was put by the Chair and carried, and H.B. No. 2168-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Abercrombie, Campbell, Machida, Yamasaki and Young). Excused, 1 (Yee).

At 1:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:15 o'clock p.m.

House Bill No. 2372-80, H.D. 1, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 2372-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SELECTIVE EMPLOYMENT AND THE CIVIL SERVICE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 955-80 (H.B. No. 850, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 955-80 was adopted and H.B. No. 850, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 956-80 (H.B. No. 1853-80, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 956-80 and H.B. No. 1853-80, S.D. 3, was deferred to the end of the calendar.

House Bill No. 1772-80, H.D. 2, S.D. 1:

On motion by Senator Cayetano,

seconded by Senator Kawasaki and carried, H.B. No. 1772-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Anderson, Carroll, George, Saiki and Soares). Excused, 1 (Yee).

Standing Committee Report No. 958-80 (H.B. No. 1865-80, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 958-80 was adopted and H.B. No. 1865-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki). Excused, 1 (Yee).

House Bill No. 1912-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1912-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 960-80 (H.B. No. 2193-80, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 960-80 was adopted and H.B. No. 2193-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALL FUNCTIONS, POWERS AND DUTIES INVOLVING THE TAXATION OF REAL PROPERTY TO THE COUNTIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Cobb and Wong). Excused, 1 (Yee).

Standing Committee Report No. 961-80 (H.B. No. 2344-80, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 961-80 and H.B. No. 2344-80, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 962-80 (H.B. No. 2723-80, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 962-80 was adopted and H.B. No. 2723-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Third Reading on the following showing of

Ayes and Noes:

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

At 1:20 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 3:00 o'clock p.m., this afternoon.

The Senate reconvened at 3:20 o'clock p.m., with all Senators present with the exception of Senators Hara, Kuroda, O'Connor and Yee, who were excused.

House Bill No. 2773-80, H.D. 1, S.D. 1:

Senator Cayetano moved that H.B. No. 2773-80, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Anderson then spoke for the measure as follows:

"Mr. President, this is one of the bills you might say got away from me; I'm marked 'excused'; I must have missed signing the committee report, but if my interpretation of the bill is accurate, it retains the 8% interest limitation on state bonds.

"I'm in kind of a dilemma. This probably should have been amended the other night, but I know what the committee is doing and I am aware of the conference committee process.

"But, Mr. President, I'd like sometimes to have the committee chairmen and the members remember that the public out there is not aware of the little games that we play between houses and sometimes may not realize or be aware of what a conference means.

"With all of this talk about interest being lifted in the usury question, interest rates throughout lifted in here for the City and County but hampering the State administration, I don't think it's a responsible action but a 'no' vote really defeats what I'm trying to accomplish.

"So you're kind of caught between the devil and the deep blue sea, but I would only hope that when the Ways and Means Committee goes into conference, that the measure comes out with a more realistic percent other than 8%."

Senator Cayetano in response thereto, spoke as follows:

"Mr. President, in response to the previous speaker, I think the points he raised were really of minor significance.

The reason the ceiling which is set at 8% at the present was not lifted for the State is because the State has a surplus, whereas the counties do not have a surplus.

"Moreover, Mr. President, the State has indicated that it probably will not be going to the bond market between now and next session. Furthermore, the former Director of Budget and Finance indicated also that this would not be a very judicious time to go to the bond market, so we saw no need to lift the ceiling for the State, if in fact the State does not intend to go to the bond market."

The motion was put by the Chair and carried, and H.B. No. 2773-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 1915-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1915-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 1918-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1918-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes 2 (Abercrombie and Cayetano). Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 1919-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1919-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUNG ADULT DEFENDANTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Hara, Kuroda, O'Connor and Yee).

Standing Committee Report No. 967-80 (H.B. No. 2063-80, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 967-80 was adopted and H.B. No. 2063-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 2064-80:

By unanimous consent, action on H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was deferred until Tuesday, April 1, 1980.

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

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

Standing Committee Report No. 970-80 (H.B. No. 2590-80, H.D. 1, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 970-80 was adopted and H.B. No. 2590-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 2668-80, H.D. 2, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2668-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 2826-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2826-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIABILITY OF DOG OWNERS", having been read throughout, passed

Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Abercrombie and Carpenter). Excused, 4 (Hara, Kuroda, O'Connor and Yee).

Standing Committee Report No. 973-80 (H.B. No. 2850-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 973-80 was adopted and H.B. No. 2850-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie). Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 2929-80, H.D. 1, S.D. 1:

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

Ayes, 19. Noes, 2 (Abercrombie and Cayetano). Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 1655, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, H.B. No. 1655, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Hara, Kuroda, O'Connor and Yee).

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

Senator Carpenter moved that H.B. No. 2286-80, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Campbell.

Senator Saiki then spoke against the measure as follows:

"Mr. President, I have really no objections to the concept of providing residential housing for the developmentally disabled. However, I am going to have to vote 'no' on the basis that the Senate is superseding the County power."

The motion was put by the Chair and carried, and H.B. No. 2286-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 5 (Anderson, Carroll, Cayetano, George and Saiki). Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 3048-80, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, H.B. No. 3048-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 1975-80, S.D. 1:

On motion by Senator Machida, seconded by Senator Mizuguchi and carried, H.B. No. 1975-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Chong). Excused, 4 (Hara, Kuroda, O'Connor and Yee).

House Bill No. 2172-80, S.D. 1:

Senator Machida moved that H.B. No. 2172-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Anderson then spoke against the measure as follows:

"Mr. President, I'm not certain whether the members realize what's in this and I'm not for importing snakes, but this bill has been amended to provide that any person 'receiving for transportation, bringing or causing to be brought into the State any live snake for the purpose of debarkation or entry thereinto shall be guilty of a misdemeanor, fined \$5,000 and sentenced to a mandatory term of imprisonment of one year.'

"That's kind of a stiff penalty. It could be a pet snake; it could be a snake that's not poisonous; it could be a snake that some young serviceman could be bringing to play a trick on a person here in Hawaii and not being made aware of, most innocently done.

And we're talking about a mandatory one-year imprisonment and a \$5,000 fine. I don't think that's the intent of it.

"We have laws now that make it illegal to import snakes. We never catch anybody; we always find the snakes running around. I really don't know whether we want to go this far in this mandatory sentencing. I would ask that we vote 'no' on this measure."

Senator Abercrombie then stated as follows:

"Mr. President, the previous speaker's remarks reflect my own thinking on this, much to the wonderment of all, I'm sure. But, probably as a matter of fact when we go through a lot of these bills, we find that there's probably nine out of ten things that we do agree on and that one-tenth makes it all so interesting. But I think that the last part of his remarks are the ones that are particularly in order.

"This is where you end up going with your mandatory sentencing kind of situation. It's absurd. I really think that we will, if we worry about what people will think, and I don't think we should where it is a question of principle and all the rest on those kinds of things we all like to think we uphold.

"It's quite another matter when we turn around in the name of 'we're going to show them' or some such designation or some such motivation, talk about sentencing someone to a year in jail to bring a snake in.

"It seems to me that under those circumstances we mock ourselves and we most certainly mock the judicial process. A mandatory sentence under these circumstances with no differentiation in terms of the motivation of the person as was indicated by the previous speaker is more than absurd, more than ludicrous; it's a disservice to this body to pass it."

Senator Cayetano spoke in opposition thereto as follows:

"Mr. President, I find myself disagreeing with Senators Abercrombie and Anderson, and it's a wonderment to myself.

"As I read this bill, there is a notice provision and really for the State to prove its case in order to mandatorily sentence the violator to jail, it will have to prove that the Department of Transportation met its burden in terms of giving notice.

"If you turn to page 3, line 19, you can see that the Department of Transportation has a duty to distribute a list of the

prohibited species to each passenger on every aircraft or water vessel arriving in the State and inform each passenger of the penalty for importing prohibited plants or animals.

"Now, that is a 'helluva' burden that one will have to prove in court, and if they are able to prove that, despite this warning, a snake was brought in, then I'm for mandatory sentencing.

"I might add that on two previous bills regarding mandatory sentencing, I voted against it, but not this one."

Senator O'Connor then spoke for the measure as follows:

"Mr. President, I rise to speak in favor of the bill. First, I will point out that the bill in its present form duplicates a Senate bill which passed this body without a dissenting vote. Secondly, I would point out that we are benefitted in this state by several wonderful things. One of them is, and I brought this to the attention of all on St. Patrick's Day, that like Ireland, we have no snakes.

"In order to keep these islands without snakes, 'which can in fact be a bane' on people's existence, we must continue to police that area and insure with mandatory sanctions, if necessary. This is one of them that people do not bring snakes into Hawaii and that we keep our reptilian population to zero, if that's earthly possible.

"Therefore, I would disagree with some of the earlier speakers and agree with one of them and urge all to vote in favor of this measure.

"As Senator Cayetano points out, it does place a large burden on the Department of Transportation to give notice, but once the notice is given, if one chooses to break the law and bring a snake in, then the sanction is strict and it should be."

At 3:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:39 o'clock p.m.

Senator Carroll then commented: "Mr. President, I think that after the discussion that we've heard here, it's apparent that we don't really need this bill, but rather we need the resurrection of St. Patrick."

Senator Kawasaki, speaking in favor of the measure, spoke as follows:

"Mr. President, I'm glad that some of the members of this body are reading the committee reports. I think some of the objections raised by both Senator Anderson and the self-proclaimed sex symbol from Manoa, Senator Abercrombie, are well taken.

"I discussed that same point of view with the Chairman of the Senate Health Committee and I take it and trust that the mandatory feature will be eliminated, possibly in the conference committee deliberations. I do support this bill."

Senator Abercrombie commented as follows:

"Mr. President, leaving aside some of those personal remarks that were directed to me; the Chairman of the Judiciary Committee kindly informs me that a copy of the list has already been forwarded to the various chiefs of airports and harbor divisions, and so on, which include this admonition about snakes, and he also informs me that it is in several languages. I don't know if they are in all the languages of the visitors who come here, but I daresay that if someone was in a position, regardless of how they happen to find themselves there, it would be facing a year in jail.

"It would be well worth their while to go and fight it in court which would involve of course our attorneys as well. And one of the things we worry about is whether we are going to get into situations which involve a great deal of expense.

"If you are going to put someone in jail for a year, you can bet that they are going to fight it, and if they don't happen to have a lot of money, you can bet they are going to fight it with our money because a year in jail is no joke, and if someone is not capable of providing their own counsel I think, then that our Judiciary would appoint counsel for that person.

"So, you know I suppose in a way it would seem to be frivolous in that some of the objections raised would have a tendency of undermining the idea of keeping snakes out of the islands, but I think there are ways and ways, and in this particular instance, I think we've gone in with, pardon my analogies in terms of their complication, but we've got the elephant gun in here, and we most definitely have a mouse that we're trying to do away with."

The motion was put by the Chair and carried, and H.B. No. 2172-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE", having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Anderson and George). Excused, 1 (Hara).

House Bill No. 2745-80, H.D. 1, S.D. 1:

On motion by Senator Machida, seconded by Senator Mizuguchi and carried, H.B. No. 2745-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Anderson, Campbell and Chong). Excused, 1 (Hara).

House Bill No. 2035-80, H.D. 2, S.D. 2:

Senator Cayetano moved that H.B. No. 2035-80, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kawasaki then commented on the measure as follows:

"Mr. President, I will vote in support of this bill, but I do hope that somewhere in the conference committee, we could perhaps refine the bill so that those people on pension, formerly government workers on pension, who are fortunate enough to receive pension compensation in excess of a certain figure--let's say, \$1500 a month or so--that some language could be incorporated into the final version of the bill that these people would not qualify for a bonus.

"Any person who is retired and earning in some cases as much as \$2,000 a month pension, I don't particularly bleed for, and I think we should give relief to the lower category of employees. I just hope the language could be clarified in some way to take care of this."

The motion was put by the Chair and carried, and H.B. No. 2035-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 982-80 (H.B. No. 1864-80, H.D. 1, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 982-80 be adopted

and H.B. No. 1864-80, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator O'Connor then asked for a ruling of the Chair as to a possible conflict of interest as there is a client of his law firm involved in this bill.

The Chair ruled that there was no conflict and Senator O'Connor was allowed to vote on the bill.

Senator Cayetano then spoke for the bill as follows:

"Mr. President, I'm in favor of this bill but I would like for the record to note my disagreement and concern in the manner in which one case was handled by the office of our Attorney General. This is the case that is listed on page 5, Montague vs. our Governor.

"Mr. President, the original appropriation called for \$40,000. Those who are familiar with the authority granted to our Attorney General's office in terms of handling cases know that the Deputy Attorney Generals are authorized to settle cases at their discretion, that is, without legislative approval, cases up to \$2,500.

"I have here a copy of a stipulation for settlement agreement and final order. This is entered and filed in the United States District Court, District of Hawaii, filed on November 7, 1979, and it is a stipulated agreement and final order approved by Federal Judge Martin Pence for a settlement of \$40,000.

"Nowhere in this stipulation does it say that this settlement is contingent upon the ratification by this legislature. Someone made a mistake in this case, and it is a burden that falls right on the Attorney General's office. We cannot have this kind of practice continue. It's \$40,000 for this case; frankly, it could have well been \$3.5 million for the Mark Construction case.

"I just want to point this out because I think the members of this body have to realize that when our attorneys, the Attorney General makes a mistake and enters into this kind of agreement in court, we don't have much recourse, as a practical matter. We have the same recourse that people who hire attorneys in the private sector can do. They can sue their attorney for malpractice. That's about it.

"So, with those words I'd like to urge passage of the bill, but note my concern with respect to the Montague case. Apparently, it's going to be a matter that we will have to fix up in conference, and the Attorney General will be made to answer to our

committee."

(The following is the Stipulation for Settlement Agreement and Final Order as requested by Senator Cayetano that it follow his remarks on the measure:

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

NOV 7, 1979
at 7 o'clock and 30 minutes a.m.
WALTER A.Y.H. CHINN, CLERK

MARK S. DAVIS (1442)
1386 Pacific Trade Center
190 S. King St.
Honolulu, Hi 96813
Phone: 524-1186

Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

GEORGE MONTAGUE,
Plaintiff,

vs

GEORGE ARIYOSHI,
et al.,
Defendants.

Civil No. 77-0208

STIPULATION FOR SETTLEMENT
AGREEMENT AND FINAL ORDER

STIPULATION FOR SETTLEMENT
AGREEMENT AND FINAL ORDER

IT IS HEREBY STIPULATED by and between the parties hereto, by and through their respective attorneys, that the above-entitled action is settled for the sum of Forty Thousand Dollars (\$40,000), inclusive of all costs and attorneys' fees, which sum shall be paid by defendants to plaintiff.

This settlement is not predicated on any admission of liability or on any admission of any fact alleged in the Complaint.

IT IS FURTHER STIPULATED that this agreement shall be the full and final settlement of this case and deemed a final order.

DATED: Honolulu, Hawaii,
November 1, 1979.

/s/ Mark S. Davis

MARK S. DAVIS
Attorney for Plaintiff

/s/ Kenneth P. H. Nam

KENNETH P. H. NAM
MARIA SOUSA
Deputy Attorneys General
Attorneys for Defendants

APPROVED AND SO ORDERED:

/s/ Martin Pence

Judge of the above-entitled court)

Senator O'Connor then spoke for the passage of the measure as follows:

"Mr. President, I join the comments of Senator Cayetano.

"We have discussed this matter at some length. I believe that it will be mandatory in the next or one of the shortly forthcoming sessions of this legislature to look carefully at the Attorney General's handling of various pieces of litigation and to mandate certain method of handling so that as long as the legislature is required to appropriate monies to settle each of the cases, that specific language is required of the Attorney General in each of the cases which is well-known, laid out, maybe in the statutes, to insure that this kind of thing doesn't happen."

Senator Cobb then asked for a ruling of the Chair as to a possible conflict of interest as follows: "Mr. President, there is an item involving a subsidiary of a firm that I work for as listed on page 2, line 20 of the measure."

The Chair ruled that there was no conflict and Senator Cobb was allowed to vote on the measure.

Senator Kawasaki then spoke for the measure with some reservations as follows:

"Mr. President, I too want to enter into the records of the Senate Journal some concerns that I have.

"Apparently, the recommendation by the Attorney General for us to pay this bill in an out-of-court settlement, the primary reason I think that was set forth, was that they estimated that to have this litigation continue in courts over a period of time is going to be costly and that our Attorney General's office further felt that they had a good case, possibly they could win the case.

"I would hate to have us set a precedent with the approval of this bill, if this

is how it is going to be interpreted, that we do settle cases out of court anytime when we think it's going to take a long period of time and there's going to be litigation costs.

"There's going to be litigation costs, particularly in cases that the A.G.'s office feels that the State is in the right. It's going to cost for legal expenses; it's going to cost the plaintiff just as much money as the State; at least we have in-house attorneys, the deputies in the Attorney General's office, so I would hate to set a precedent to say that we settled out of court primarily to obviate the necessity of our having to go into expenses that are involved in a long litigation.

"I would certainly not want to have the approval of this bill interpreted in that fashion we may be setting a bad precedent. I would hope that the A.G.'s office would take note of our concern here."

Senator Abercrombie then spoke for the measure as follows:

"Mr. President, in respect to the last comment, Mr. President, I also would then like to have it noted in the Journal that we do not want to have it taken that we felt that this case was going to be won, or that there was no consideration that the State might be in the wrong.

"You will notice that the amount here is \$25,000 and not \$40,000, and I'll be frank with you, Mr. President, to why I'm voting for it is that I want to see whether this man means it or not.

"If there was not a stipulation, such as the Chairman of the Ways and Means Committee has brought up, it would be then a question as to whether the person involved would accept the \$25,000. And I voted for it not knowing anything about a stipulation at that time.

"I agree with Chairman Cayetano's remarks about what we will have to do in order to take care of this situation, but I wouldn't want anyone thinking that this case is merely one of that. If this person, from my point of view, accepts the \$25,000, it's a phony claim, as far as I am concerned. I'm not convinced in the least that the State would survive litigation on this should it go to court and I have my own opinions as to why it is before us as \$40,000 and why it's already stipulated to, and perhaps that could be looked at."

The motion was put by the Chair

and carried, and Stand. Com. Rep. No. 982-80 was adopted and H.B. No. 1864-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1986-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1986-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 2151-80, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2151-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 2321-80, H.D. 1, S.D. 1:

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

Ayes, 21. Noes, 3 (Ajifu, Anderson and Soares). Excused, 1 (Hara).

House Bill No. 2334-80, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2334-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

By unanimous consent, action on Stand.

Com. Rep. No. 987-80 and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Tuesday, April 1, 1980.

House Bill No. 2732-80, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2732-80, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Anderson then spoke against the measure as follows:

"Mr. President, I guess this is one of those bills that can be cleaned up in conference, but we find a conflict.

"One of the sections provides that any towing company may sell any vehicle which is towed by the company, provided that the company notifies the registered and legal owners of the vehicle that the vehicle will be disposed of if not claimed within 20 days of the date of the notice received.

"Then another provision, number 11, provides that when a vehicle is towed, the owner of the towing company, after one public advertisement in a newspaper of general circulation, may negotiate a sale of the vehicle or dispose of it as junk. The two aren't tied together and we aren't sure whether they should be, or which one comes first.

"Now, I might also add that registered mail should be registered mail so that the addressee or the owner signs for. It is very common in this town for a registered letter to be signed by a secretary, a housekeeper, an in-law, or anybody who receives the registered letter in a particular office on behalf of the person, and that if he or she as the particular owner of that car happens to be out of town for a couple of months on a trip and is not aware of somebody receiving this registered mail, that car is going to be sold. I don't think this bill is as tight as it should be."

Senator Abercrombie then spoke against the bill as follows:

"Mr. President, I agree with the remarks of the previous speaker. These people get away with murder, as it is right now; in fact it's a wonder that more murder hasn't occurred in relation to this towing business.

"They're around like vampires. It is amusing until it happens to you, or happens to you under circumstances

in which someone, yourself or others, can't get the cash up and you're confronted with it; people in many instances are intimidating, threatening, or they keep people around to do exactly that.

"I've had it happen to me; I've had it happen to friends. There's no rhyme or reason in this; the amount of money that's involved is way out of line to what is actually involved. I don't know how the fix got in on this thing with towing companies, but it's there somehow.

"If I ever saw a political deal which stinks in my life, it's this whole towing company situation. I'm in no position in this body to do anything about it; it takes place principally at the level of the city and county and there's no doubt in my mind that some kind of scam is working in there in it. And now what we're doing is whoever is behind this, what I consider a conspiracy, is now saying that they're going to sell cars off in 20 days. I can see how this number comes down.

"Just as the previous speaker said the registered letter thing is meaningless, and the return receipt is only requested. If you look at page 4 of the bill, it says that the return receipt is requested; it's not mandatory, so anybody can sign for it. It might get lost and in the process in 20 days, it goes.

"Now you know what's going to happen; they're going to nail somebody; they'll work it out and somebody is all lined up to get that car. And it may be a very expensive automobile and there's nothing in page 5 that I can find that's going to prevent some kind of scam being worked again, and who gets the car and how much money changes hands and all the rest of it.

"I don't know how this worked its way all the way through. It may be that it was voted upon as well as mentioned by the bill; that's no big news to me and I don't see that's an argument against it.

"We're passing it now on third reading here; that's all that counts; I don't care how many times it passed through before or whatever the circumstances for it. It's been flagged out now. But these people already have an arm and a leg on virtually everybody in any county and now we want to give them heart and soul, as well.

"You know, Mr. President, that many of us find ourselves in circumstances where we must be out of the islands for more than 20 days at a time and to take this kind of attitude, especially when you see junk cars sitting all over the streets with their windows smashed and tires

stolen and such and nobody gets them off the streets or are doing anything about it; now, being, oh, so careful, to make sure that we don't remove those cars; then at the same time saying that if we can tow a car away and manage this to blow it by somebody in terms of being able to get the car back, why let's go ahead and sell it. It seems to me just this side of a racket."

Senator O'Connor speaking against the measure, stated as follows:

"Mr. President, I'm going to vote against this measure, primarily because it is an unwarranted breach of a person's property rights to say that a towing company, to imply that a towing company can tow away an unattended vehicle and then put the burden on the owner to do anything about it.

"In a situation where unattended or unclaimed are the categories for which the bill would have a towing company be able to tow, and then on top of that put essentially the burden of the entire towing circumstances upon the owner is to my way of thinking reinforcing a breach of the law of theft.

"When one takes another's property knowingly, even though it be unattended and unclaimed, he is stealing it. And I don't believe we should sanction it in our statutes.

"This is one of the huge debates that we had over the same towing section when we first enacted the measure which the apartment owners in Waikiki wanted when they wanted to have the ability to tow from their private property, and that debate raged for a long time before we finally passed a highly tailored, technical bill requiring notice, signs, sanctions, and a bill which I understand at this time is being simply violated by the apartment managers in Waikiki. The towing is going on willy-nilly, and there's no restraint.

"I believe that this is a bill which takes us past the circumstance where one's private property, one's vehicle, is protected, and for that reason I will vote against it."

Senator Cobb spoke for the measure as follows:

"Mr. President, this bill was intended originally to address the problem of both the legal and registered owner not being notified when a vehicle had in fact been towed, and if there appear to remain some objections relative to the provisions on the last page,

I am perfectly willing to take the matter to conference.

"We discovered during the course of testimony on the measure that in most cases where a vehicle is towed, both the legal and registered owner were not notified, and in most cases, those were two different parties; let's say, financial institutions on the one hand as well as the private individual on the other. Both need to be notified so that the vehicle can in fact be reclaimed.

"There's another measure that sets up a notification mechanism on the part of the towing companies through either the Department of Motor Vehicles or the State Department of Transportation so as to avoid invading the right of privacy in order to get this type of information to notify both the legal and registered owner. Unless that notification is in fact given, there's a forfeiture of the rights on the part of the towing company.

"And I reiterate, if the last section is objectionable, then certainly we can address that in conference, but I think that is the background and the need for the bill for the notice of both owners, registered and legal."

Senator Abercrombie then inquired if the previous speaker would yield to a question, to which Senator Cobb replied that he would.

Senator Abercrombie asked: "Did you just indicate then that you took two different bills and put them together?"

Senator Cobb replied: "No, there was a separate bill that went over on the subject of notification not involving invasion of privacy."

Senator Abercrombie continued: "And is the language then in this bill from one bill and one bill only?"

Senator Cobb stated: "It's from this particular bill. In fact, we had put out an identical bill, Senate Bill No. 3107-80, that involved a number of these provisions. That was recommitted when the House bill came first."

Senator Abercrombie continued: "Well then, Mr. President, what I can see happening here under Chapter 290, 'vehicles abandoned in public and private property generally,' that is the part that's discussed here. The Chairman of the Judiciary Committee said that he felt that there was a taking of property here and the chapter here says that vehicles abandoned on public and private property, generally. I don't think we can assume that these vehicles have been abandoned by any means.

"I think that if you see something out on the street, as I've mentioned before, for four or five months with everything all smashed in and all the rest of it, if it hasn't been abandoned, it might as well be, because it has been virtually destroyed.

"What you have here is the makings of a gigantic kick-back operation, a beautiful kick-back operation, an invitation to it.

"You see on page 5, 'towing company shall only be entitled to the proceeds of the disposition to the extent that compensation is due the company.' Is anybody in here so naive as to believe that that's the way it's going to work? Once you made the ad, down on the disposition side down there, authorized representative and in the paper and so on and so forth, what happens if somebody comes in and they make a deal on the car and they kickback the money to you on the side. That's all.

"Surely, you're supposedly just getting the compensation for your towing or whatever it is, but that's not the way it's going to work because the towing company is going to do it, the owner of the towing company or his authorized representative, after one public advertisement.

"If there's not a kickback operation to come out of this bill then I think that... I don't know, we might as well be buying land on the moon next, because the certainty should be just about 100%."

At 4:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:07 o'clock p.m.

By unanimous consent, action on H.B. No. 2732-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2789-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2789-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson and Campbell). Excused, 1 (Hara).

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

On motion by Senator Young, seconded

by Senator Cobb and carried, H.B. No. 1784-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 8 (Ajifu, Anderson, Carroll, Saiki, Soares, Toyofuku, Ushijima and Yee). Excused, 1 (Hara).

House Bill No. 2537-80, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Cayetano and carried, H.B. No. 2537-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVICTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 2629-80, H.D. 1:

By unanimous consent, action on H.B. No. 2629-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Tuesday, April 1, 1980.

At 4:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:11 o'clock p.m.

House Bill No. 2661-80, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Cayetano and carried, H.B. No. 2661-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 2842-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2842-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 995-80 (H.B. No. 452, H.D. 1, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 995-80 was adopted and H.B. No. 452, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CONTROLS TO REGULATE BURGLARY AND HOLDUP

ALARM SYSTEMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Abercrombie, Ajifu, Anderson and Soares). Excused, 2 (Hara and Kuroda).

House Bill No. 1985-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1985-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2161-80, H.D. 1, S.D. 1:

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

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

House Bill No. 2164-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2164-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 999-80 (H.B. No. 2551-80, H.D. 2, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 999-80 and H.B. No. 2551-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", were recommitted to the Committee on Judiciary.

Standing Committee Report No. 1000-80 (H.B. No. 2669-80, H.D. 1, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 1000-80 was adopted and H.B. No. 2669-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 2674-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2674-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES AND DEFENSES AND SPECIAL PROCEEDINGS, LIMITATION OF ACTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1002-80 (H.B. No. 2680-80, H.D. 1, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 1002-80 be adopted and H.B. No. 2680-80, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Kawasaki then inquired if the Chairman of the Committee on Judiciary would yield to a question, to which Senator O'Connor replied that he would.

Senator Kawasaki then asked: "Could you rather briefly discuss the reasons for this bill being introduced in the Constitutional Convention? What were the concerns of the proponents at the Constitutional Convention and their reasons for proposing this?"

Senator O'Connor answered: "Mr. President, the reason that this bill is before us is that the Constitutional Convention proposed and the voters adopted the new right to privacy. As a result of the adoption of the new right to privacy, Mr. President, our Attorney General's office issued an opinion barring all inquiries into the State registration of vehicles rolls.

"Earlier one could, for example, call up and find out to whom a certain car was registered for purposes of finding out who was in an automobile accident or who was involved in any kind of situation with a vehicle.

"The Attorney General's Office had rendered an opinion saying that that registration system was in fact an extension of the right of privacy and therefore it could not be invaded. That opinion has only been in effect about a year and it has really fouled up the expeditious handling of many matters that require the public knowledge of registration.

"We considered this bill to determine

whether or not in fact this matter looking at all the research and all the information available to us should properly be handled under the right to privacy and it was the determination of the committee that it should not be handled under the right of privacy and that motor vehicle registration should be for good purpose available to those requiring it in the community so long as they would stand forward and admit to desiring the information and register in order to obtain it. Therefore there wouldn't be any of this nefarious finding out who owned a car simply to harrass them or for some reason like that.

"For those reasons this measure is before the body, simply to change a ruling of the Attorney General which upon close scrutiny does not really do the job it was intended to do."

Senator Kawasaki then asked: "This is not the same bill, then, that the media was so alarmed about that they formed little council meetings of all kinds to oppose the bill?"

Senator O'Connor replied: "No, this is not that bill."

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 1002-80 was adopted and H.B. No. 2680-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Campbell).
Excused, 2 (Hara and Kuroda).

House Bill No. 2816-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2816-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 2930-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2930-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,

2 (Hara and Kuroda).

House Bill No. 501, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 501, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1873-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1873-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 2061-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2061-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1008-80 (H.B. No. 2359-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 1008-80 was adopted and H.B. No. 2359-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Anderson). Excused, 2 (Hara and Kuroda).

Standing Committee Report No. 1009-80 (H.B. No. 2175-80, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 1009-80 was adopted and H.B. No. 2175-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NAMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 2443-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2443-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 1011-80 (H.B. No. 1782-80, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1011-80 and H.B. No. 1782-80, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1925-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1925-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 422, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 422, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 889-80 (H.B. No. 2944-80, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 889-80 and H.B. No. 2944-80, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 909-80 (H.B. No. 2339-80):

By unanimous consent, action on Stand. Com. Rep. No. 909-80 and H.B. No. 2339-80, entitled: "A BILL FOR AN ACT RELATING TO PORT PILOTS", was deferred until Tuesday, April 1, 1980.

House Bill No. 2368-80, H.D. 1, S.D. 2:

By unanimous consent, action on H.B. No. 2368-80, H.D. 1, S.D. 2, was deferred to the end of the calendar.

House Bill No. 2853-80:

By unanimous consent, action on H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", was deferred until Tuesday, April 1, 1980.

At 4:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:35 o'clock p.m., with all Senators present with the exception of Senator Carroll who

was excused.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Bill No. 2132-80, S.D. 1:

By unanimous consent, action on H.B. No. 2132-80, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2162-80, H.D. 1, S.D. 1:

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

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

House Bill No. 2131-80, S.D. 1:

Senator Cayetano moved that H.B. No. 2131-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator O'Connor spoke against the bill as follows:

"Mr. President, I'm going to vote against this bill. This is an Administration bill which evidently is structured to take into account that there are certain people who reside in other locales, other states, or other countries, that acquire residences in Hawaii and then sell them and take advantage of the roll-over of gain on sale of principal rather than provision of the State tax law by acquiring a residence in their own home state or in another country.

"For that purpose it may serve a good measure; however, I am also aware that there are an awful lot of Hawaii residents who upon retirement sell their homes of many years in Hawaii and buy homes in other areas primarily those that are suited for retirement and can fit their income. This would have direct impact upon those people and would cause them to lose the benefit in the state tax situation of capital gains treatment of acquiring a retirement home somewhere else, in a retirement park in Southern California or Arizona or in some country around the Pacific Basin. We have many people who returned even to their own homes in other countries, other nationalities, that utilize the benefit of this capital gains treatment. I think this would have a direct impact on those retirees, and for that reason, I'm going to vote against it."

Senator Cayetano then stated:

"Mr. President, like all tax measures which are drafted so they apply generally, this tax measure is not the answer to all of our problems. The crux of this measure is to derive some revenue from the out-of-state or non-resident who comes to Hawaii, purchases a condominium or a home, derives a nice capital gain, and takes his money and leaves. That's what it's addressed to."

The motion was put by the Chair and carried, and H.B. No. 2131-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (O'Connor and Saiki). Excused, 1 (Carroll).

Standing Committee Report No. 872-80 (H.B. No. 2634-80, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 872-80 was adopted and H.B. No. 2634-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 873-80 (H.B. No. 2647-80, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 873-80 was adopted and H.B. No. 2647-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 885-80 (H.B. No. 2496-80, H.D. 2, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 885-80 be adopted and H.B. No. 2496-80, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Anderson then spoke against

the measure as follows:

"Mr. President, I'd like to support this measure and I think an explanation is due on this one. I happen to believe very strongly that the procedures established in this particular bill will do nothing but further complicate and delay the actual establishment of agricultural parks in this particular state.

"I don't think the intent of the legislature or the legislation originally was to delay, but anytime you bring in the actual real estate in exchange or acquisition into the legislative boundaries with the politics involved, the formation or the timetables of the ag parks are going to be extremely delayed.

"I've been assured by the Chairman of this particular committee that it was not the intent to delay, but to put the bill into conference and to work out the timetables and compromises there.

"My fear at this particular time is that the House just may agree to the set of amendments because it's just a deletion of one paragraph and they may feel that half a loaf of bread is better than nothing and that it may not go to conference. And I could not in all clear conscience support a bill that would further delay establishment of needed ag parks, legitimate ag parks throughout the state and therefore I ask that the bill be voted down."

At this time, the Chair directed the Clerk to note the presence of Senator Carroll.

Senator Machida then spoke for the bill as follows:

"Mr. President, just some brief remarks in favor of the bill. The House draft that came over to the Senate requires the legislature to look into all proposed ag parks. The expenditure of funds, even after the funds are appropriated, is not permitted in the House draft. They will have to come to the legislature and the expenditure would have to be approved by concurrent resolution.

"This was the 'guts' of the bill, and what we did was to eliminate that provision and just leave the provision for the Department of Land and Natural Resources to come to the legislature for any proposed park.

"The other concern that the Department of Land and Natural Resources and the Department of Agriculture had was that those parks that are now proposed numbering about nine and which they are working on would be exempt from the provisions of this bill. So we intend to discuss the concerns expressed by Senator Anderson

in conference because the 'guts' of the bill have been deleted."

Senator Cayetano remarked: "Mr. President, just in support of the measure and the Chairman of the Agriculture Committee. I believe this is a good bill because the way we have been budgeting for ag parks is via the lump sum method, and I think the ag parks should stand the same kind of scrutiny as all of our other capital improvement projects do."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 885-80 was adopted and H.B. No. 2496-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Anderson, Carroll, George, Saiki and Soares).

Standing Committee Report No. 887-80 (H.B. No. 2822-80, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 887-80 was adopted and H.B. No. 2822-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT ACTIVITIES REVOLVING FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Yee).

House Bill No. 1606, H.D. 2, S.D. 1:

Senator Cayetano moved tht H.B. No. 1606, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Anderson then stated: "Mr. President, my remarks actually are directed at this bill and the one that follows--House Bill No. 1607, S.D. 2, and they have been somewhat habitual. I hope the day comes when the legislature in its wisdom puts these items in the collective bargaining arena so that when the unions come in for negotiation, they can truly sit down and negotiate all of their benefits and not be piecemeal between the legislature and the collective bargaining table."

Senator Abercrombie then noted that he would like to agree with the previous speaker's remarks.

The motion was put by the Chair

and carried, and H.B. No. 1606, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Third Reading, on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 893-80 (H.B. No. 1607, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 893-80 was adopted and H.B. No. 1607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES' HEALTH FUND", having been read throughout, passed Third Reading on the following showing of Ayes and noes:

Ayes, 25. Noes, none.

House Bill No. 1871-80, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 1871-80, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

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

Senator Kawasaki then queried: "Does this bill directly have to do with the lifting of the usury ceiling from industrial loan companies?"

Senator Cobb replied: "This does not deal directly with that question and provides that when there are exemptions granted under Chapter 478 that would apply in Chapter 408 also. If we pass a bill to in effect lift the ceiling on the industrial loan companies, that will be done by a separate bill. This was applied to other exceptions that are allowed under Chapter 478. The question of industrial loan usury rates is entirely a separate matter."

Senator Abercrombie then asked if Senator Cobb would yield to another question and Senator Cobb replied that he would.

Senator Abercrombie then inquired: "Does this bill in any way affect the circumstances of the \$12,000,000 fund that was made available in the recent past in the legislature?"

Senator Cobb replied: "No, it does not; it's entirely a separate issue."

Senator Abercrombie then proceeded to speak against the bill as follows:

"Mr. President, these exemptions, as far as I can see, will create circumstances that will allow us to do the kind of thing that in the recent past, if my assessment of the late night television is in order, I think where they used to try to get Frank Netti and other members of the Mafia. On television, I think Mr. Stack was the man who was catching them every week, and if my understanding of the loan shark racket is such that it hasn't changed from when I was a child, it seems to me that what we're doing here and what we're going to do if we should vote favorably for bills that involve themselves with changes in usury and other exemptions for other financial institutions, what we're going to do is create circumstances that we used to think people should be arrested for, we used to think people ought to be put in jail for. We used to think in this country that hijacking people, strong-arming them by way of taking advantage of their perhaps desperate need for loans was something that was reprehensible.

"We just witnessed recently the failure of this body to enact a measure to create a moratorium for the conversion of rental property into condominiums so that we might have sufficient time to see tax circumstances be put together, if not only to encourage people to keep their property in rental circumstances, but perhaps even to create more of it.

"We rushed right along and said, 'No, we don't need to do that.' Now, what we're doing here is taking probably some of the same people who are going to be affected by that and we're going to put them into the hands of industrial loan companies who ostensibly now need the relief here and elsewhere so that these companies can continue to exist at the expense of our own people.

"I just think that it's a sad day in this State when we have come to a point where we're going to in my judgment begin to break the back of the working and middle classes in this State and I think that as we move along on this usury business and all the rest of it today, there's going to be a day of reckoning in this State and I hope it will be a day of political reckoning. I hope the people of the State will remember how it worked when they were in desperate need and what we did as a result."

Senator Kawasaki asked if Senator Cobb would yield to another question, to which Senator Cobb replied that he would.

Senator Kawasaki then queried: "To phrase the question another way, without the passage of this bill tonight the industrial loan companies would not be able to have legally, their interest ceilings lifted, is that correct?"

Senator Cobb answered: "No, that is not correct. The bill in question that he is addressing to will come up later in House Bill No. 1925-80."

Senator Kawasaki then questioned further: "And that bill can take effect if we voted this particular bill down?"

Senator Cobb replied: "Yes, that is correct."

The motion was put by the Chair and carried, and H.B. No. 1871-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Campbell and Kawasaki).

House Bill No. 2026-80, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2026-80, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Anderson, in support of the measure, stated as follows:

"Mr. President, I rise to support this piece of legislation, however hard I find to swallow it. I fail to see how a private business, away and apart from government with all the expenses and the regulations of government, still has to come to the Department of Labor and ask permission and put on file for permission and grant a fee for service.

"Maybe it's my business background, but I happen to believe that some competition in the business field is important. If an employment agency were to abuse the right to charge a particular fee, no matter how high or how low, pretty soon that particular individual would in fact be driven out of business, it would grow to be a very substantial business.

"A bill like this somewhat monopolizes and dictates price across the state for all employment agencies. And if for instance, I happen to be the employment agency that in fact can find members of the legislature for example jobs that are well-paying and suited to their qualification, and I wanted to charge x-number of dollars and you were satisfied in paying

that fee because I could place you, then I think I am entitled to that fee.

"And if I were an employment agency that should be driven out of business because I in fact was being kept open by some sort of government controlled prices, then I should be allowed to die a natural death and the free, competitive market should exist.

"The employment agencies are in support of this measure because it is something better than nothing. But I would really hope that someday this body, in the spirit of free enterprise, would take away setting the fees from these people and let them, based on their ability, their qualifications, their capabilities, and the competitive market establish and create fees that they feel are appropriate amongst each other.

"This kind of legislation, I think, hampers and further disallows the free enterprise spirit and true competition between the various companies and I think really defeats the purpose. Thank you."

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

"Mr. President, like the Senator from Manoa, I'm in agreement with the previous speaker in this particular case. However, I think that the original intent of placing the regulation of fees chargeable by employment agencies to the Department of Labor was well intended. I think the basic intent was to make sure that the fees charged by the employment agencies were not exorbitant, working a hardship on people out of a job looking for jobs and going to these employment agencies. I think the basic intent was good, however, I do agree with the comments made by the previous speaker.

"As added piece of information, the jurisdiction over the employment agencies is now going to be transferred from the Department of Labor and Industrial Relations to the Department of Regulatory Agencies. It's contained in the bill that was reported out of Ways and Means Committee.

Senator Cobb then stated:

"Mr. President, if that bill has been reported out of the Ways and Means Committee, I'd like to see a copy of it because this particular measure addressed the problem and the complaints that the employment agencies had relative to getting a decision from the Director of the Department of Labor to whether or not in fact raise their fees.

"We had some conflicting testimony on this particular measure before my committee. In fact we had two hearings on it on both the Senate and House bills, and part of the reason that we decided to keep it under some form of regulatory aspect was the danger that was alluded to and cited in several cases of where an employment agency could charge advance cash payments for the placement of a job.

"The bill has been changed to provide for a 60-day approval or disapproval on the part of any employment agency that files a new fee schedule. A new fee schedule is limited to a filing of once a year.

"By giving this kind of approval to the Director, we are in effect telling the Labor Department, 'you shall make a decision within the 60-day period whether or not a fee is justified.'

"I'd like to think that we have the capacity and understanding to see how well this system works before deciding whether or not a complete deregulation with some of the attendant abuses that were cited before my committee is in order. Accordingly, I would like to ask the members' support of this measure."

The motion was put by the Chair and carried, and H.B. No. 2026-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES FEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2367-80, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2367-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hara).

House Bill No. 2058-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2058-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2241-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2241-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2195-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, H.B. No. 2195-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 930-80 (H.B. No. 2328-80, H.D. 2, S.D. 1):

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, Stand. Com. Rep. No. 930-80 was adopted and H.B. No. 2328-80, H.D. 2, S.D. 1, 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, 25. Noes, none.

Standing Committee Report No. 934-80 (H.B. No. 25, H.D. 1, S.D. 3):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 934-80 was adopted and H.B. No. 25, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE", having been read throughout, passed Third 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, 25. Noes, none.

Standing Committee Report No. 935-80 (H.B. No. 1222, H.D. 1, S.D. 3):

Senator Cayetano moved that Stand. Com. Rep. No. 935-80 be adopted and H.B. No. 1222, H.D. 1, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Chong spoke against the bill as follows:

"Mr. President, I feel like I am about to step in front of a railroad train that is already moving along its greasy tracks at top speed. I commented extensively on this bill on March 28th when I tried to amend it to a more acceptable form. On March 24, I also commented at length on the differences between Senate Draft 1 and Senate Draft 2. We are now into Senate Draft 3, the full text of which was only made available late in the afternoon last Friday, and I would like to add further comments to this particular draft.

"Let me first focus on the question of eminent domain. In the past the legislature has provided for the possibility of state and county operation of public utilities. As now provided in Senate Draft 3, the restrictions of eminent domain would impede any municipalization for the life of the bonds. Since the projects funded by the special purpose revenue bonds will be central to the operation of many of the facilities, the prohibition or restraint will mean that for the term of the bonds, the counties and the state will be foreclosed from instituting any state or county operations. This is a clever device and strategy to avoid what the executives of Hawaiian Electric have said as the biggest threat of the next decade--namely state operation of the electric company. Throughout the country, there is a growing movement to begin state and local operations of public utilities; the provisions against eminent domain or operation is a devious method to head off any public operations.

"Mr. President, there are very adequate, iron-clad protective measures for bondholders already. For instance, if the property is condemned and the city or state decides to take over Hawaiian Electric or its subsidiaries, bondholders would have first call on the proceeds anyway, and Mr. President, the bondholders, instead of holding 'special purpose revenue bonds', would hold the 'municipal bonds', at the same bond rating and with its advantageous tax-free features.

"The language on page 7, lines 1 to 6 should be struck and exposed for what they are; a trick on the public, tying the hands of future Hawaii State legislatures for decades and depriving the people of the option of taking over the utilities in the public interest. And I might add we have removed it in Senate Draft 2.

"With regard to sections 18 and 19, I stand by my comments of last Friday evening's session when we tried to amend this bill.

"In summary, Mr. President, this bill's eminent domain provision puts a total bar on the State to exercise its sovereign right to operate its own public utilities, a right which has long been established in this state; Section 18 massively inflates the 'rate base' upon which the consumers must pay an allowed rate of return of almost 15%. This wipes out any possible 'financing savings' resulting from the special purpose revenue bonds; and finally Section 19 allows the utility to procure the extraordinary tax benefits and pass them on to the stockholders without any risk to the stockholders.

"In conclusion, Senate Draft 3 as it reads now, is one of the biggest 'grabs' ever perpetrated on the people of Hawaii comparable to the worst legislatures of the territorial period when the railroads and utilities ran the government.

"This bill, in its present form, should be deferred and a detailed study into its tremendous impact on consumers should be launched."

Senator Kawasaki then stated: "Mr. President, I believe the previous speaker is exactly correct on the concern that he expressed for the deletion of the condemnation rights that was contained I believe in Senate Draft 1."

Senator Kawasaki then inquired if the Chairman of the Judiciary Committee would yield to a question, to which Senator O'Connor replied that he would.

Senator Kawasaki queried: "As I recall in our hearing in the Judiciary Committee on this bill, expressions were articulated regarding the necessity to retain our condemnation rights even on facilities that are purchased and financed by the use of the revenue bonds. Am I correct in this assumption?"

Senator O'Connor replied: "In answering that question let me explain where the language comes from. It appears on the top of page 7 and what it does, contrary to statements made by earlier speakers so that we can get the record precisely clear for anyone who desires to use this in the future, first the language is directly from the State bond counsel, Mr. Sam Hellman, who aided the executive departments and the legislature in drafting several portions of this bill.

"The reason for this language is to take care of the security problem which exists because public utilities have the right of condemnation in this State. Were the facilities which might be funded by these bonds allowed

then later to be acquired by eminent domain by the State and leased back to the project parties, it would defeat entirely the purpose of the bond.

"I might point out that this language on the top of page 7 only goes to a situation where the State exercises its power of eminent domain to acquire a project funded and leases it right back to the utility which would be absolutely ridiculous. This language prohibits that, and I trust that it shall always be prohibited, now and in the future, less the entire intent of this law could go right down the drain.

"This language does not prohibit, nor should it ever be interpreted to prohibit the State from acquiring the entire project or the entire utility by eminent domain for its own purpose, because that right is constitutional and must be retained by the State. All this does is to prevent the State from then leasing it right back to the public utility."

Senator Kawasaki then questioned further: "The question I posed to you was that when the draft came out of the Judiciary Committee was the language on page 7 incorporated in it?"

Senator O'Connor replied: "From my reading of it, I think it's the exact language that was incorporated, yes."

Senator Kawasaki then proceeded to speak against the bill as follows:

"Mr. President, I speak against the bill for other reasons, but I would think that the State's right of eminent domain proceedings, condemnation rights should be paramount. Whatever the State decides to do, whether it wants to lease it back to the same utility, whether the State wants to continue operation of the utility, I think condemnation rights should be untouched in the public interest.

"I had intended to speak against the bill for many reasons, but let me just touch on one point. Allowing the use of State 'blessed' special revenue bonds is going to save the Hawaiian Electric Company, in this case, by their own admission and their testimony, some \$244 million, a gigantic amount of money. And I understand they intended to in due time purchase or expand their facilities to a tune of about \$350 million, unless my memory serves me incorrectly.

"Allowing the electric company to use this \$350 million of assets, facilities to their rate base is a tremendous financial advantage to the utility company. Now they very glibly say that 'we want these revenue bonds because by having State "blessed" revenue bonds we're gonna save approximately 5-1/2 to 6 percent

interest, and this interest we want to pass on to the consumers'.

"There is some language that I think reasonably seems to assure this is going to happen, providing the Public Utilities Commission does their homework very judiciously and very conscientiously and monitor very closely the savings effectuated by the use of these revenue bonds.

"I would hope also, consonant with the language contained in this bill, that the Public Utilities Commission would use their utmost efforts to make sure that any other savings that come about by the \$350 million worth of equipment purchased by the revenue bonds. That savings also is very adequately calculated into their decisions in allowing rate increase requested by the utility company.

"I would like to make sure that all of these things intended in this bill are very strictly adhered to in effect giving some savings to the users of electric power.

"I just hope that this will take place, but I do want to say again having the eminent domain condemnation rights in the bill, whatever the State or the County wants to do with the utility company after its acquisition, I think is important. We should not limit by some language, their ability to exercise their eminent domain rights because they are going to lease it back to the company."

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

"Mr. President, I was not going to speak on this matter but by the comments of the two previous speakers, I speak in favor of the bill.

"One is that whenever there is savings in interest rates and especially if you are a regulated industry, I don't think there's any question that the State is looking over your shoulder to be sure that the low interest rate is part of the overall cost of doing business.

"I think even when we do little borrowings at our own little family homes, we notice that if we pay a little less interest, we have a little bit more to spend or save in the banks or savings and loans or whatever thrift account.

"The one point that disturbs me most by the speaker from Manoa who indicated that he would like to see that the utility companies turn over towards ownership by the State, bothers me because I have seen one example

in Guam where the telephone company is being operated by the government of Guam, and for the past 20 years to this day, they have had nothing but trouble.

"They had a bad hurricane about a year and a half ago and if you try to call Guam today, you still have difficulty in reaching anyone there.

"This is the result of government control of utilities because every other facet of the community is competing for the dollars to survive and the people in Guam that I have talked to would like, and they are begging, for private industry to come over and take over the telephone system.

"They want to get away from government regulation, government red tape, government labor and government bureaucracy. And for us to think in this direction, I think, really defeats the purpose of what public utilities are created for."

Senator Chong stated as follows:

"Mr. President, I stated that I was bothered by the wording of that particular section regarding eminent domain because it in effect puts a bar on the State for exercising its sovereign right. I didn't say that this is what I felt should happen. I just said by passing this kind of language which is somewhat vague, you'd be closing that additional option in the event that in the public interest the State or City and County feels it should operate that public utility.

"Also I would like to add, Mr. President, that the bill in its present form massively inflates the rate base upon which consumers must pay an allowed rate of return of about 15%, and this wipes out any possible financial savings resulting from the special purpose revenue bonds.

"Finally, Section 19 of the bill as it now reads allows the utility to procure the extraordinary tax benefits and pass them on to the stockholders without any risk to the stockholders."

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

"Mr. President, I had not intended to speak but not wanting to be identified with the party who's up for the greatest scandal since the land grab, as stated by the Senator from Manoa, I want to explain why I'm voting for this bill.

"I have opposed this kind of a bill since 1975, ever since I served in the House. My thinking at that time was there was really no incentive on the part of the utility company to conserve energy in terms of seeking alternate forms of energy and as far as I was concerned the

efficiency of the PUC as it existed in those days was practically nil.

"However, facts and circumstances have changed. Today, we have a full-time PUC; today the price of oil is no longer the \$8 it was per barrel in 1975; we're talking about \$36 a barrel.

"And so, Mr. President, I think there is great incentive just in terms of the market conditions for the utility to pass on savings or structure its cost and expenses and administrative costs in such a way that savings will indeed be passed on to the consumer. Whether 100% of the savings will in fact be passed on is questionable, but I think even the attorney from the Department of Regulatory Agencies, Mr. (Bill) Milks, did admit that there will be some savings."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 935-80 was adopted and H.B. No. 1222, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO STATE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12)", having been read throughout, passed Third 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, 22. Noes, 3 (Abercrombie, Chong and Kawasaki).

House Bill No. 1429, S.D. 1:

Senator Cayetano moved that H.B. No. 1429, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kawasaki then spoke for the measure as follows:

"Mr. President, I'm voting for this bill primarily because of the Senate position of allowing 5% of our surplus funds to be deposited in the nine savings and loan institutions here. This amounts to roughly \$20 million; if 10% is allowed, then \$40 million, etc. I always felt that the amount of surplus funds of the State deposited in the banks amounting to approximately \$400 million annually and hardly anything two years ago in the savings and loan was not quite an equitable situation considering the liquidity of the savings and loan company assets, etc.

"I vote for this particularly because I am concerned about moves in a bill to lift the interest rates payable by

the mortgagees on mortgage loans made with the savings and loan companies. This bill enables the savings and loan companies in effect to receive about \$20 million at the least if the Senate position prevails. And I hope this will ameliorate to a certain extent the vigor with which the savings and loan companies have been coming around here through the back doors to try to have the interest rates lifted on mortgage rates."

Senator Cobb then remarked as follows:

"Mr. President, I'm a little surprised by the previous remarks and I feel that it deserves a response. The latest understanding I had with respect to the bill alluded to, that the savings and loan people are not exactly in favor of it; in fact there is a real division of opinion between types of financial institutions.

"I'd like to point out also that in the hearing we had on the subject of usury and the cost of mortgages that the idea was broached in my committee and it received considerable support from all parties present, that we should actively explore the idea of linking the State's deposits to those financial institutions that grant the greatest number of low interest loans to our consumers. As a result, I regard this bill as an important first step, and I think more of it will be coming."

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

"Mr. President, you'll notice I had reservations; I think the amount should be higher.

"One of the reasons why we're being touted to raise the usury rates is because there are ostensibly no funds for loaning, and yet we notice that hundreds of millions of dollars of State funds are concentrated in the banks and not in the savings and loan institutions. It seems to me that, given the financial circumstances where we seem on the one hand to be crying inflation and the other are happy as we can be that inflation is pumping all this phony dollars into our treasury so that we can flash numbers, large numbers, at the populace where we find ourselves in circumstances in which people are being told that interest rates have to be in effect lifted beyond anything that presumably the Bible would approve of, let alone anyone else connected with it since the past few thousand years of recorded history.

"Mr. President, we find ourselves in a situation where we might put more funds into institutions which might make those funds available at reasonable interest rates to our people and we are reluctant to do so. Therefore, I vote for it not because

I am so much in love with the 5%, but because I think it should be higher."

Senator Kawasaki then responded: "Mr. President, a brief response to the Senator from the Seventh District. He just alluded to or he just said that savings and loans are not now very much interested, in favor of the bill to lift the ceiling on the interest chargeable by the savings and loan; that's only because they found out that the Congress just passed the law much more liberal to them, so now they've got a change of heart. They're not so interested in the Hawaiian law being passed because that's a little more restrictive, quite a reversal of attitude all of a sudden."

Senator Cobb then concluded: "Mr. President, I would regard that as an outstanding argument in favor of the bill to come later tonight."

The motion was put by the Chair and carried, and H.B. No. 1429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 7:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:31 o'clock p.m.

Standing Committee Report No. 939-80 (H.B. No. 2196-80, H.D. 2, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 939-80 be adopted and H.B. No. 2196-80, H.D. 2, S.D. 2, pass Third Reading, seconded by Senator Kawasaki.

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

"Mr. President, there's been some considerable concern about the safety and the adequacy of the transportation of our school children, and our present system leaves something to be desired.

"There are three primary departments of State government that are responsible for the transportation of our youngsters--the Department of Education, which handles student safety rules, the Department of Transportation which is responsible for vehicle safety, and the Department of Accounting and General Services which handles bus contracts.

"This bill, Mr. President, gives

the Department of Education the responsibility of coordinating this whole program. The other agencies that I enumerated will continue to carry out their respective responsibilities.

"Now, let me simply pinpoint the main issue of this entire bill by reading the last paragraph of the bill. It simply says this: 'The Department of Education will have the responsibility for coordinating the school bus transportation program and shall carry out this responsibility in a manner which is consistent with Section 286-161. The Departments of Transportation, Accounting and General Services and such other departments or agencies as may be involved in the program shall cooperate with the Department of Education in its efforts.' And in light of that explanation, Mr. President, I urge everyone to vote in favor of this bill."

Senator Mizuguchi in support of the measure, stated as follows:

"Mr. President, I would just like to clarify that since the bill will give the Department of Transportation the responsibility and authority for school vehicular maintenance and safety programs, your committee inadvertently omitted a \$91,000 appropriation to the Department of Education for the purposes of determining and executing safety rules and safety standards for school bus safety. We would hope that in the conference committee, the Ways and Means Chairman can place the \$91,000 in so that the DOT can operate this program. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 939-80 was adopted and H.B. No. 2196-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, Carroll, George, Saiki, Soares and Yee).

At 7:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:43 o'clock p.m.

Standing Committee Report No. 941-80 (H.B. No. 2672-80, H.D. 1, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 941-80 be adopted and H.B. No. 2672-80, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kawasaki then spoke for the measure as follows:

"Mr. President, I would hope that in the conference committee deliberations or in subsequent sessions, that we can do something about the language that's contained in this bill, not in the amendment underlined, but in the language where a party who has a bus company entered into a contract with the State, got a contract going now, has a right for a two-year extension and then another two-year extension for a total of at least five or six years.

"I think this kind of extension which is automatically granted is not in the best public interest. I would hope that in the conference committee we could do something about the latter two years of extension so that the total number of years under a contract could be limited to lesser period than five or six years to allow other people if they want to enter into this business to be able to negotiate with the State by way of a bid so that they can get into it, too."

Senator Cayetano then stated: "Mr. President, since the previous speaker looked at me when he said that, I think I should clear the record a bit. The issue in this bill did not relate to the issues he mentioned. They only spoke to unanticipated inflationary increases in the cost of fuel and we, the committee dealt with it accordingly."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 941-80 was adopted and H.B. No. 2672-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 944-80 (H.B. No. 2897-80, H.D. 3, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 944-80 be adopted and H.B. No. 2897-80, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, I speak against this bill as well expected around here because I consider this to be a very, very special piece of legislation, very specifically designed, written and authored by Matson Navigation Company, which in itself is all right, except that I am disappointed in not having

the proviso written into the language that specifically insures that the so-called savings that are brought about by the use of these special revenue bonds are in effect passed on to the consumer.

"We have this kind of a provision, this kind of language guarantees in the Hawaiian Electric bill; we have this in the hospital revenue bonds, but interestingly enough, it's completely deleted in this really special piece of legislation for one company and I would hope that that matter could be discussed in the conference committee."

Senator Chong then commented as follows:

"Mr. President, I just would like to point out that the safeguards mentioned for the Hawaiian Electric bill by the previous speaker unfortunately did not get into that bill either. That's why I urge that this honorable body vote against it.

"I would like to point out on page 3 of the current bill, however, that line 10 is clear; it says that 'the department may with the approval of the Governor and without public bidding,' (and I repeat without public bidding) 'enter into a special facility lease...', etc.. That when you are talking about an amount up to \$20 million, I think that the public interest is not served if you don't allow public bidding."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 944-80 was adopted and H.B. No. 2897-80, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS", having been read throughout, passed Third 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, 22. Noes, 3 (Abercrombie, Chong and Kawasaki).

House Bill No. 2292-80, H.D. 1, S.D. 1:

On motion by Senator Campbell, seconded by Senator Young and carried, H.B. No. 2292-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

By unanimous consent, action on H.B. No. 2532-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee report No. 956-80 (H.B. No. 1853-80, S.D. 3):

On motion by Senator Cayetano, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 956-80 was adopted and H.B. No. 1853-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

House Bill No. 1912-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1912-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 961-80 (H.B. No. 2344-80, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 961-80 was adopted and H.B. No. 2344-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

House Bill No. 2732-80, H.D. 1, S.D. 1:

Senator Cobb stated as follows: "Mr. President, the motion was made earlier on this measure, but I have checked with the House and there is an almost identical bill coming over. Rather than try to address some of the concerns of the members of the Senate by taking a chance and letting the House put the matter into conference, I think it's better that we deal with it from our end. So at this time, I'd like to request that this measure be recommitted in favor of the House bill."

By unanimous consent, H.B. No. 2732-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", was recommitted to the Committee on Consumer Protection and Commerce.

House Bill No. 2842-80, H.D. 1, S.D. 1:

On motion by Senator Hara, seconded by Senator Mizuguchi and carried, H.B. No. 2842-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH AND GAME", having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and George).

House Bill No. 1985-80, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1985-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson and Kawasaki).

House Bill No. 501, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 501, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2443-80, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2443-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Standing Committee Report No. 1011-80 (H.B. No. 1782-80, H.D. 2, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 1011-80 be adopted and H.B. No. 1782-80, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, I rise to speak very vehemently against this particular bill.

"Mr. President, I think we should be aware of the impact of the passage of this bill. You know the President of the United States and his administration very recently ordered, if you will, the Federal Reserve Board to raise the prime rate. I think it's about 19-1/2% right now. This is a prime rate figure unprecedented in the history of our country. A 19-1/2

percent prime rate -- nobody could have predicted this a year ago. And I think the President did this primarily because he was concerned about the impact of inflation on the lives of the people of this country, and he had the prime rate raised primarily to discourage borrowing.

"Now the prime rate is that rate of interest chargeable by the banks to their best credit customers, the big corporations, the big companies, the best clients in their portfolio of borrowers. This, of course, has the effect of ameliorating the effects of inflation because many companies could not afford to expand, to buy new facilities, to enlarge their companies because the cost of money is too great.

"This same intent, however, is not what is contained in the motivation for the three bills that we have before us here to raise the interest ceilings. In fact, if we do that by voting 'aye' on the three bills, the first one is this, we are only going to add to the problem of inflation because I can't think of any factor that's going to add to inflation as much as raising the cost of borrowing to that category of our population who because of their financial means cannot borrow money cheaply at the banks or they don't have the savings. They of necessity will have to go to some of these institutions, industrial loan companies and pay the kind of high interest rate they are forced to pay today.

"In the case of industrial loan companies, they are able to charge up to 18% interest on these loans that are used by literally thousands of our taxpayers. Interestingly enough, the reasons they're asking to lift the interest rate payable on deposits is that they want to have more money come into their deposits. This is the same argument used by the banks, by the savings and loans, by the industrial loan companies. They say, 'look we have this limit,' in the case of the banks, a ceiling imposed by the Federal government that they can't pay their depositors on their deposits more than 5-1/4%. In the case of savings and loans, they can't pay interest on deposits of more than 5-1/2% interest.

"The Congress recently in their deliberations said, 'Fine, we're going to lift the ceiling payable to depositors for you people.' However interestingly enough, the institutions testified against lifting the ceilings to too great an extent. They said, 'Just limit it to our ability to pay a higher rate of interest to no more than 2-1/4% in a six-year time frame.' This is the limitation they wanted. The Congress asked them,

'Why do you want to do that?' They said because it's going to affect their earnings. They probably have some earnings today even at the 5-1/4% interest that they can pay.

"On the other hand they said to the Congress, 'Lift all ceiling, lift the ceiling completely on the interest we can charge to borrowers.' This is quite interesting.

"Today I am happy to have been informed by the Chairman of the Consumer Protection Committee that Congress did not listen to the financial institutions. They did not restrict the interest payable by these institutions to depositors to being able to raise the interest rate no more than 2-1/4% of a six-year time frame. They completely lifted the interest that these institutions can pay to its depositors, which means that now the institutions are going to be able to get more money, attract more money so depositors would be willing, depending on the interest that the institutions are going to pay, they'd be more willing to put deposits, their extra money into the financial institutions--the banks, the savings and loans, etc.

"In the case of the industrial loan companies, today they pay I think a maximum of 16% on the time certificates. They are able to charge under the present laws up to 18% interest rate. There's a 2% spread roughly. And probably many of the industrial loan companies are able to make do with this. Interestingly enough, 2% spread seems to be something that they can live with.

"If you were to put \$10,000 in the International Savings and Loan or some of these savings and loan group, they'll pay you up to 5-1/2% interest today. You can borrow from them another \$10,000 to offset the deposit you put in by just paying a 1% higher interest rate or 6%, and probably with the savings and loans, they're able to make do with a 1% spread; this 1% to pay for the cost of administering loans, their overhead, etc.

"So my point here is that in the case of savings and loans, they'd be willing to lend you the exact amount of money you put into their account by charging you 1% more than they are paying you. In the case of the industrial loan companies today, they are able to make do with a 2% spread.

"The point here is that if they can live with an 18% maximum interest rate that they can charge, then they can do with this. But what are they asking in one of these bills before us tonight? They're asking for the State to lift the ceilings so that they could charge up to 24% interest on borrowings by the ordinary consumer. This, I think, is just unthinkable.

"You know we've gotten quite used to these high rates of interest. Two years ago if you said to someone the duly constituted institutions here will be able to charge 24% interest or even a 20% interest, nobody would have believed you. But I think we've got conditioned to accepting this kind of hardship in the way of interest charges to our consumers.

"The primary thrust of the argument that we should pass these laws to allow the State here to let the institutions charge a higher rate of interest is that Congress just passed the law, and the President is going to sign it, that completely lifts all ceiling on interest charges. They're saying that at least at the State level we're only going to allow the industrial loan companies a maximum of 24%. I think this is a very specious argument because allowing interest rates to go up as high as 24% is really a hardship that we are going to impose on many of our consumers here.

"Now, I am really concerned about the people who have to go out to campaign this year. They knock on the door and the homeowner is going to say, 'It's you people in the legislature that changed the laws that now allow these loan companies to charge us the kind of interest rate they are charging.'

"If we do not pass these bills before us today, at least the State Legislature does not get blamed for adding to inflation by the lifting of interest rate ceilings. At least we can say, 'The Federal government did that; the Congress did that; we had no part in it.'

"Mr. President, I think this is quite important to the people who expect the consumers to believe that in this session we did something for the consumers because I don't think we are doing very much for the consumer.

"Assuming that Senator Cayetano's tax bill does pass with the savings that he calculates into the language of his bill, that might be a piece of legislation we can point to the consumers and hopefully he'll accede to the concern that some of us have that the excise tax rate be kept at 4% or at the minimum 4-1/4%. But in any case, as I said, the consumers are going to be concerned at the end of this session as to what the Senate of the State of Hawaii did for them and if there's any item that's going to hit them in the pocketbooks (and they're going to feel it; it's going to affect the people running for reelection, many of whom I want to see come back to this body), it

is going to be the added cost to them of interest rates on loans that they must of necessity, of necessity, get. Let us at this point consider the inflationary effects, and inflation is a major concern today, let us remember always the inflationary effects that the lifting of these interest rates is going to have on the lives of the people of this State.

"For this reason, Mr. President, I will have to say 'no' to every single piece of bill here that is going to lift interest rates to a higher ceiling than what it is today."

Senator Yee then commented on the bill as follows:

"Mr. President, I rise to speak briefly on the three measures that the former speaker spoke about and I'd like to convey to many of the members of the Senate here because many of you were not at these hearings.

"It's rather complicated and before I speak I want to clarify that I am associated with an industrial loan company, but my primary responsibility is that of running the life insurance company--happy to say we're the biggest in the State; secondly, I also serve as a director of a bank.

"The problem that we face today is what do we do and how do we compete for money that is needed in the State of Hawaii when the Federal government has preempted all states in establishing ceilings on credit. I too in the financial business was concerned about this and I introduced two resolutions. One is for wage and price control and the other is for credit control, the very thing that Senator Kawasaki is concerned, which concerns me as well.

"But, Mr. President, if we don't do anything, then the rest of the 49 states is going to pass us by. And this is what bothers me.

"You take, for example, industrial loan companies. There are many that do not have thrift deposits, many of them have to borrow money from the banks and your prime rate today is 19-1/2%, and if they normally borrow from the banks, they pay either 1% or 2% above prime. Their cost of money then is around 21-1/2%. Now if you don't give them the opportunity to borrow money at 21-1/2% which they have to pay the banks and they can charge only 18%, you'll put an awful lot of small business people out of work.

"Now industrial loan companies were formed historically because the poor people were not able to get loans from banks and savings and loans, and as

a result the type of credit that goes to industrial loan companies are people that the banks and savings and loans turned down. As a result, the legislation provided them an opportunity so that they could find some way to get credit to buy their first automobile, their first refrigerator, their first TV, their first home. This is the means that many of parents, many of our grandparents were able to get money not through the banks, not through the savings and loans, but they had to pay a higher rate of interest to industrial loan companies.

"Now, we talk about what's happening. We just passed a bill to allow the State chartered credit unions to raise their rates from 15% to 18%. The reason they want this is because they say that if we cannot offer our people a better deposit, better interest on their deposit, they will take their money out of the credit unions and go to other institutions. This is what is happening. This is what scares me.

"We've been pretty lucky so far because of rather normal circumstances of credit, but this has come down very suddenly, let me tell you not only on us, but on the entire financial community throughout the United States, not only the State of Hawaii. Pardon the French, but they're 'screwing' the whole thing up. But you can't help it because the Federal government has taken action whether we like it or not.

"We're either going to be without money to help the people here because it's all move; money is mobile; and our money comes from major companies to the islands because they find it's an excellent place for investment. They get a fair return for what they invest here and if they find that the money cannot earn them a proper return they will go to the other states where they're so offered. And this is what scares me.

"Mr. President, I'm happy to see that President Carter today signed the bill allowing savings and loan institutions to pay whatever interest rate they want on their deposits. It's great, it keeps the money in the State; it keeps the money at the savings and loans. But you know what happens at the same time? The home-buyer takes the shellacking.

"The saver gets more income on his savings, but in order for the savings and loan companies to stay alive, whether they make a 1% margin of profit, 2% margin of profit, they have to charge that higher rate because

they have to pay that interest to the depositor; they have to pay taxes to the State; they have to pay for their overhead; and they have to pay to many of their stockholders a fair dividend on their investment in the company. So believe me it's complicated.

"I don't know the answers, really, I don't know the answers. I'm just explaining some of the problems that we're all faced with and I feel we have no choice at this time but to support these two bills."

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

"Mr. President, I rise to speak in favor of the measure before us, laterally the other one as well. But in doing so, I'd like to point out to the members of the body that we've been operating in a so-called market environment without a ceiling, since December 28, 1979 when Congress passed Public Law 161 which in effect lifted rates on residential first mortgages, and since we began considering this bill, in fact both of these bills, and we looked very carefully at ramifications of the federal statute which was just signed into law today and which was passed by the Congress last Friday. And through a process of a two hour briefing in the committee we saw how broad and comprehensive was the federal preemption in so many areas.

"It really became a choice of attempting to keep an artificial and very low State ceiling or to adopt a partial preemption with a cap in some areas, no cap in others, creating a hodgepodge of attempted regulation, where at least in the residential first mortgage area incorporating the federal statute providing them to the lift.

"The federal law was very clear in the sense that it gave the states only three years to act. In the dilemma that we faced, a cruel and agonizing choice that was made, and had to be faced, is essentially a choice between some money available at higher rates or no money available at artificially low rates because if we opted for a cap below what the market is prevailing today, that's in effect what we'll be doing, Mr. President, we'd be cutting off quite effectively whatever money supply was coming into Hawaii.

"When we look at the effect of this or the next measure, we have to consider and ask ourselves a question, do we want a person to have the ability to get a loan at a higher rate based on today's conditions, or do we cut that person off completely? Because if we opted out from these bills or we imposed in fact a cap that was below 17, 16 or 15 percent, whatever is being paid on market certificates

today, that too is exactly what we will be doing. The choice is not whether money is going to be lent at 12% or 18%; the choice is really, is money going to be lent at all, and if so at what rate.

"Because as pointed out previously, money is a highly mobile quantity; it moves according to market conditions where the rates are. I note also a previous concern that was addressed that perhaps we should not adopt this measure and blame the Federal government. Mr. President, I think we should perhaps go into little details or ramifications of that action.

"If we opt for that course of action, then we will have first of all lost one of the three years in which to legislate on this subject, and secondly, we would have 'copped out,' if you will, as a matter of legislative policy, by saying that 'it's too hot to handle; we don't want to touch it; we don't want to have to make the difficult, agonizing decision. Just blame the 'Fed', and go out and campaign against the bad guys in Washington.'

"That doesn't solve the problem, it doesn't even begin to address it. All it does is allows the federal preemption to continue in toto with no ceiling whatsoever, not only a lack of a ceiling in residential mortgages, but lack of a ceiling in industrial loans, the so-called small consumer loans. That too is part of the choice that had to be faced.

"And as we went through the federal bill, we found that there are a number of areas that were completely exempted from any type of state action, and there too we faced the choice. Do we want to create a hodgepodge regulatory administration addressing some areas and not addressing others, or do we want to attempt to legislate on this matter and incorporate the provisions of the federal statute as state law so that we can continue to legislate on this matter in the near future.

"I know it was also a concern both in the committee as well as the floor of the Senate relative to the time period in which these measures would be in effect. Each of the measures in question has a three year drop-dead clause. Contained in the committee report on this measure is explicitly stated the declaration that we would legislate on this again next year, but it would be my position if we go into conference based on the concerns that I have, that we seek a one year drop-dead clause to force the legislature to address this question after we've

had a year of experience of trial and error of discerning if there are abuses, where they are, if there are successes, where they are, and to legislate again on this subject.

"We've had three months and three days of such experience under Public Law 161. Unfortunately the difficult but yet responsible action is to attempt to legislate on this subject however complex it might be, however agonizing the decision might be. I prefer to do that, Mr. President, than to 'cop out' and blame our Representatives and Senators in Washington for what has been done, because we are really attempting to address inflation.

"Let's keep in mind that less than ten days ago, the President of the United States imposed the requirement that any new credit that is extended has to require a 15% deposit of the amount of credit extended in a non-interest-bearing account. That's one anti-inflation measure.

"This intent of the federal lift on usury is to slow down credit purchases, to slow down borrowing, and the forces within the marketplace of higher interest would work to do exactly that. Painful and agonizing as it may be, it will slow down purchases; it will slow down the number of people that can qualify.

"And so it comes back again to the original choice that was really positive before my committee; either some money available at higher rates reflecting what is happening nationally in our economy, or no money available to anyone at an artificially low rate.

"I would ask the members' support of this measure not that it's in final form because I do expect a conference committee on most if not all of these measures, and I note that when the House sent over the second of the two bills we are considering, they took no position on it; they said, 'it's up to you, Senate; legislate as you see fit; you guys be the ones to take the jerks.' And that's what we're doing tonight, difficult as it may be.

"On the second of these two measures which I would address myself to later on, we are in effect imposing a cap because we have only three years under the federal statute to do so. I would ask the members' support on this. Thank you."

Senator Abercrombie then spoke in opposition thereto as follows:

"Mr. President, I'm speaking against the bill. If I could be convinced as the previous speaker indicated as to whom the cruelty was being applied other than the consumer, I might have more sympathy

for the commentary but as far as I can see among other things, the side effects of this bill which has not been addressed at all or scarcely at all in the various and sundry commentary, rentals are going to increase, cost of building materials will increase, construction costs are going to increase. Let's be frank about what we're talking about here in terms of inflation.

"I don't think you need to be an expert in economics, I don't think you need to have a degree in economics to understand the shorthand version of what constitutes inflation, and that's too much money chasing too few goods.

"This is the State of Hawaii, this is not California, this is not New York, Michigan or Wisconsin; this is the State of Hawaii and we know what the too few goods are. That's your luxury condominiums; that's your investment, your time-sharing investment. We know where the money is going to go.

"Is anyone under the illusion that the lifting of the usury rate is suddenly going to make more money available for the consumers to buy homes here. We're already being smashed flat on that. There's an investment market here that is not even remotely been touched yet in terms of whether or not it's 15% or 18% or whatever it is. People would make money at that.

"The loopholes that exist in the tax laws, the advantages to be gained even under these circumstances, by the kind of people who are going to sink their money into the \$300, \$400, \$500, \$600 thousand and now it approaches million-dollar condominiums and other kinds of development in these islands; those kinds of people, that kind of investment, that's what this is going to move toward; that's where the money is going.

"I haven't heard anybody stand up yet to show me that one single house is going to be built, one single house in the entire State is going to be built, within the means of any single person who works to build that home as a result of lifting this usury rate. Can anyone stand on this floor and guarantee me that a single house will become available under those circumstances?

"Loans would do it; it might become available to you if you have some kind of inheritance that can get you the kind of money that you need, or perhaps that if you work two or three jobs, or if a family works four or five jobs between them, then maybe if they devote 85% of their income, 80% of their income,

75% of their income, maybe possibly then they might be able to do it. Of course, they won't know where their children are; of course, they won't be good parents because they'd be too tired to pay any attention to them.

"Let's face the facts of life in this State. Too much money is going to chase too few goods and that's what inflation is and what we're saying we're going to do is we're going to pour gasoline on that particular fire in this State.

"We just defeated an opportunity to at least have a moratorium on condominium conversions of rental property so that we could at least take up the factors that we might put forward about how we could get landlords and property owners to have some kind of tax advantages, some kind of circumstances to keep the rental property we already have and encourage people to put property into rentals.

"We have here the Comptroller General's report to Congress on Rental Housing - 'A National Problem Needs Immediate Attention,' and I go into some of the circumstances here that apply not only nationally, but even more so on our State.

"That's what this change is going to do, and as long as more than one bill is being addressed and probably rightly so because they're all connected in terms of the industrial loan companies and so on, the very people who are going to be the hardest hit by these circumstances, they're going to find themselves probably involved in going to industrial loan companies and probably get hit with even more interest, even higher interest. In the end what are we doing? We're running counter to the federal policy.

"Whether the federal policy is right or wrong, whether or not that this inflationary circumstance should be addressed in that manner is immaterial to the question at hand. It runs counter to the federal policy. We know that by trying to lift the interest rate, we're trying to encourage spending. One of the previous speakers mentioned, get the car, get the television set, get whatever, get the home--that I think is beyond the pale; maybe the television set, I don't know, forget the home.

"It will do nothing to alter the federal policy; on the contrary it acquiesces to it and allows the illusion that the federal policy is working. This puts the whole burden on the consumer and only postpones the day when the Federal government will push its policy even higher.

"Does anybody want to contend on the floor this evening that the Federal response would be not to push the prime

rate higher, then, try to offset the kind of thing that we're doing here. I scarcely doubt it. I scarcely doubt that someone can stand and contend that and give any kind of proof, submit any kind of logic, that that will take place. The squeeze on the consumer especially in agreements of sale will amount to extortion.

"You know on the agreement of sale situation, we're at a crisis circumstance in this State. This isn't going to alleviate it, not a bit, especially with the three year's situation in here. I couldn't see an argument even for a year under those circumstances, but one would think that one wants to examine it in a year's time but now it's three years.

"It's obvious to me what this is all about. This is to give a blank check not to the consumer, but a blank check to write against the consumer. This is a bill coming to the consumer.

"This country is on the verge of a financial breakdown, not because the usury rates haven't been raised, but because by trying to raise them we delude ourselves that somehow we're dealing with inflation instead of feeding into it, most especially in this case. We are going to be colonized in our own state. We are going to become serfs, modern day versions of serfs in our own state through national and international finance.

"This is not some kind of hyperbole that has nothing to do with reality; on the contrary, you can see it now. People wonder why there is no discipline in school; people wonder why these circumstances of juvenile delinquency take place; people wonder why the divorce rate is so high; people wonder why there's a sense of social disorganization prevailing in the state.

"Among other things people have to work two or three jobs just to make ends meet, and paying the interest on the loans is the kind of things that put people right up against the wall, the financial wall.

"I believe very sincerely, Mr. President, that we are at the verge and point of indigenous colonialism, the phenomenon now so unfortunately familiar in countries supposedly free from colonial imperialism of pre-World War II and post-World War II days. The masters from without have been replaced with the masters from within. I've seen it in other countries, the countries I have traveled and I've watched that kind of phenomena and I see it happening now right here in our own nation.

"Quite frankly, Mr President, not even the Mafia pushes its victims beyond the final capacity to pay; yet this is what is being proposed. We're already in a noose; the financial hangman is standing by."

Senator Kawasaki then responded:

"Mr. President, a response to the good Senator from the Sixth District. He said that he doesn't know the answer. It's scary; it's really scary as to what can happen. As a finance officer, as a director of financial institutions, I would agree that it would be scary.

"My God, with the passage of this bill and inflation that takes place, the hardship imposed on very needy families, families that absolutely have to go these high interest rate loan companies because the need to exist. I just am afraid the horrendous effect of mortgage foreclosures, loan defaults, and all that entails.

"Now one of the things that the Congress did in passing their recent ruling to lift ceilings on interest rates is that they now allow a \$200 exemption from the payment of taxes to each taxpayer on all the income derived from dividends received from corporations, if you own stocks in any company, and a \$200 exemption also on all interest rate earnings that a person who is fortunate enough to have deposits in these institutions; \$200 per person or for a married couple \$400 exemption from taxes.

The Federal government just did that to encourage more people to deposit their extra funds into these institutions and because, as I said, the Congress just passed a bill lifting the restrictions they had on the financial institutions to pay a higher rate of interest than 5-1/4% for the bank, 5-1/2% for the savings and loans, etc. They lifted this restriction. It means now they have the ability to attract more deposits into these institutions.

"Now, this alters greatly the availability of money. Please keep this in mind. This is a new development that has taken place in the last 48 hours. This changes the urgency for lifting interest rate ceilings on loans.

"The labor unions here for a change agree with me, apparently, because they too are opposed to the lifting of our usury ceiling. I think you have some communications to that effect.

"Now can you imagine, for example, the teachers' union with the average of 9,000 members in their organization and whose members earn an average of \$18,000 per annum, this kind of income,

if they're concerned that their membership is going to be suffering a great hardship if the interest ceiling is lifted, these people who earn on the average of \$18,000 a year, can you imagine the effect on a citizen here that has to borrow money of necessity and who doesn't earn quite \$18,000 a year? Can you imagine the effect on this person, this citizen?

"These are things I'd like you to keep in mind, but in closing my argument against this bill, please keep in mind within the last two days, there has been a dramatic change in the availability of money to these institutions simply because Congress has lifted the ceiling on the interest institutions can pay to depositors. This changes things dramatically, keep this in mind. Thank you."

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

Senator Anderston queried: "Do I understand correctly that if we were to vote this bill down tonight that the federal law that was passed, and I think it's going to be signed tomorrow or the next day if it has not been signed yet, would in fact preempt the first mortgage residential and there would be no ceiling?"

Senator Cobb answered: "That would be the effect."

Senator Anderson continued: "That would be the effect so no action in effect does not keep a ceiling on the first mortgage market as the Senator from Manoa remarked."

Senator Cobb replied: "No action is a course of action regardless because Congress has acted on this matter."

Senator Anderson then proceeded to speak in favor of the measure as follows:

"Mr. President, while I agree wholeheartedly with the Senator from Manoa, and as a matter of fact, when invited to a breakfast meeting of the bankers association and lending institutions earlier this year, I was somewhat in total opposition to the lifting of the usury when we were talking about a couple of percent above 12%. My arguments were the same as I left that breakfast meeting that I could see nowhere where this lifting of the usury did in fact help the house mortgage market and I thought it was contradictory to the federal intent to stop inflation.

"Since that time, the President in his flip-flop way, supported the 90-day contradictory position to his intent to stop inflation of the 90-day grant and now of course, he's going to sign the legislation passed by the Congress this past week. On one side he's telling us to stop credit; on the other side, he is open-ending the credit in all areas.

"I have come to the position after many hours of hearings, and I have sat in the Consumer Protection hearings even though I am not a member because I have been concerned over this measure, but usury per se isn't limited to housing in mortgages. It's also confined to business, condominiums, hotels and of course the side effects if in fact no money does come to this market or does not come to this market, is a tremendous impact on thousands of construction workers that would be unemployed with the rippling effect in our economy on the unemployment compensation and other areas of social impact.

"I don't know who is going to be able to borrow money at 22, 23, 24 and 25% as they are rumoring--very few projects. I think this is an area where we are talking about people of certain types building, but these kinds of interest rates, Mr. President, I think are going to just by the very nature of it almost bring to a halt reasonable condominiums. It's going to stop all types of housing. I don't know of many businesses and including myself that can afford the types of businesses that we're in, to borrow money at these kinds of rates. And while there may be a lifting and while it may be available at 22, 23 or 24%, I don't think many of us in this community are going to be able to afford those kinds of dollars and be able to pass them on to the ultimate consumer or user.

"I would like very much to vote 'no' tonight on this measure. I do not think it's the responsible thing to do. I like the position of the Chairman and the committee. The bill is in a form that will keep it open for another week or two so that we can gauge and measure any federal impact for the next week or two. It's the Chairman's position with the committee to gauge this and measure it daily as the federal impact and more information comes forward to us.

"I do not think a 'no' vote is the right vote for this community. While it's going to be hard maybe for some of us to knock on the door to ask for a vote, what we might have done...I think it's going to be equally hard to explain to the thousands of people who are unemployed in the area where we might have salvaged a few jobs, why we put them out of work.

"So, it's not that clear cut, it's not

black and white, and I think the measure should be kept alive and every effort should be devoted to keeping it alive for the next two weeks to measure and gauge the federal program as it proceeds. Thank you."

Senator Kawasaki in response to the previous remarks, stated as follows:

"Mr. President, I just feel that the importance of this and the impact of it on consumers is so important that I've got to respond to some points made by the good Senator from the Third District.

"First of all, regarding the lifting of the ceiling for mortgage rates, I have learned through reading of mortgage rates situation that there is a resistance, apparently nationally, on the part of borrowers when your mortgage rate goes 13-1/4%, 14%, there is a natural resistance.

"People saying, 'according to my family's income cash flow, I simply can't cut it'; so as a consequence, mortgage rates charging 13-3/4%, 14% at this level, are finding resistance. So, Mr. President, whether we lift the ceiling up to 15, 16 or 17%, I think at this point is actually irrelevant, so you know that is controlled to a measure.

"Regarding the banks and savings and loans, you know the banks are making record profits today. Apparently they are not hurting from quote 'their lack of depositors' funds', and as I said because Congress has changed the law lifting the interest they can pay, it changes the availability of money dramatically in the last 48 hours. Now, they are not hurting in profit; they are making record profits.

"As to savings and loans, are they hurting? When you examine the number of branch banks, the growth of banks, additional banks in all districts, the additional savings and loan companies opening up all over the state, I don't know that they can show me that they are hurting.

"The only people, I think, that are going to be hurt by the passage of bills that allow people to charge 24% extortion rates are going to be the thousands of consumers who in the first place are in bad financial circumstances. That's the only reason why they borrow at these kinds of rates. Let us not work any additional hardship on them."

Senator O'Connor then spoke for the measure as follows:

"Mr. President, I'd like to attempt a very practical and simple approach to House Bill No. 1782, Senate Draft 1, which hopefully will put to one side some of the rhetorical oratory we have heard tonight concerning usury and interest rates.

"First of all, the section of purpose, which appears on page 1 of the bill simply addresses two sections of the federal act which became law today with the signature of the President. That federal act is called 'The Depository Institution Deregulation and Monetary Control Act of 1980' and is the measure to which all speakers tonight have addressed themselves and has to do with many, many aspects of monetary control across the United States both federally and in the state governments.

"The first section of House Bill No. 1782-80, Senate Draft 1, which is on page 2, is a direct lift from Section 501-a-(1) of that federal act. In other words, your Committee has picked up identical language, having identically the same impact on this state as the federal act would have on the United States, generally. And generally that is to allow no usury rate to cap first liens on residential real property when those loans are made by financial institutions which qualify generally in this state to act as financial institutions. And all of those institutions are delineated.

"This is a statement of current federal policy, so any comments concerning federal policy, the policy of the executive or anything else are capped in one form by that section having to do with first liens on residential property. In other words there is no usury rate in the United States today nor shall there be in Hawaii in that area.

"The second section of this bill which starts on page 4 has to do with other rates for certain contracts and generally it talks in terms of a higher interest rate for other contracts not exceeding 18% a year in the case of any loan or mortgage which is not covered by the first section, and with the other conditions outlined on page 5.

"These are the kinds of measures which are generally addressed in other parts of the federal law or which are not addressed. If they are addressed in the federal law, they are addressed in Part b, Section 511-a, having to do with business and agricultural loans. That is the section which is addressed in the purpose clause of this bill. That section of the federal law would allow today for those kinds of loans between any persons, not by national institutions, but anyone.

"If I made a loan to you, Mr. President, or you made a loan to me, which is a business or agricultural loan, we could charge one another 21% interest under the provisions of the federal act. The House Bill before you simply allows 18% cap in this area which is less in the opinion of your Committee than the federal amount and which is more logical in this state where we have existed with 18% interest in many of these areas for a long time.

"Other exempt contracts covered under House Bill No. 1782-80 include the provisions for the ERISA approved retirement plans and these are on page 5. In other words the application of this measure is today as we vote on it limited, and it's limited and structured by the federal act which has already become law.

"Some of the speakers earlier talked about such things as driving the agreements of sale in the real estate market out of sight and causing a blank check to be issued in the community in the area of usury. Well, first of all, agreements of sale are not covered by this measure at all. Agreements of sale will stay with the same usury law that we have had in this jurisdiction for the past 50 years, 12%; and there is no blank check across the board in the area of usury created by this bill because the basic usury law is still in existence; it has not changed.

"The exemptions which I have talked to specify narrow areas of exemption which are addressed solely because they were addressed in the federal law or because they need other clarification in our law.

"Now, I am not talking about the other two bills before us tonight, but solely this measure, House Bill No. 1782-80. Because we have been preempted because the Federal Congress has acted, because this is the federal policy that we are now facing, I would urge all to vote for this measure in the narrow confines that it represents. Thank you."

Senator Kawasaki then stated: "Mr. President, before we vote on this, can you rule on the possible conflicts of some of us who are connected with these institutions, some as employees, some as directors, and conversely, many of us here not quite in that fortunate circumstance, may be borrowers of loans from these institutions, all of which I think constitutes conflict of sorts."

The President answered: "The individual Senators can address the

Chair to make rulings on conflicts of interest."

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

Senator Cayetano then queried: "In my informal discussions with the Chairman of the Committee on Consumer Protection and Commerce, he assured me that the Senate would be going into conference taking with it a position that we would have a one year drop-dead clause on all of these bills. Is that correct?"

Senator Cobb then answered: "That is my strong preference; of course I do point out in all fairness that it's definitely a matter of negotiation between the conferees. I understand the House position to be five years and I would no way agree with that."

Senator Cayetano then stated: "Mr. President, for the record, I'll vote for these bills; however, if they come out of conference with a period longer than that I will vote against them."

Senator Kawasaki then commented further: "Mr. President, a comment on the possibility of adjusting the language in conference committee. As I recall the House apparently took a position that is even more wild than the Senate position. They are for lifting all ceilings on all types of interest, so as a matter of fact, I think the Senate position is a more conservative one.

"I can't imagine that under this sort of climate how we expect the House to buy even our Senate version much less improve on some of the language as suggested by some of these people. So I don't have the great enthusiasm and the optimism some of these people have around here about having things corrected in conference committee."

Senator Cobb stated: "Mr. President, I would point out that the House did not specifically address whether or not it was going into a federal preemption of the law passed by Congress. The Senate has taken that position not only in terms of narrowing the bill, but on page 1, 'using the language specifically required by Congress to declare this to be a state preemption,' thus making it a matter of state law and thus enabling the state to legislate on this at any time."

Senator Ajifu then requested a ruling of the Chair as to a possible conflict of interest as he is an employee of a bank.

The Chair ruled that there was no conflict

and Senator Ajifu was allowed to vote on the bill.

The Chair announced that Senators Ushijima and Yee would be excused from voting on this measure.

Senator Chong requested a ruling of the Chair as to a possible conflict of interest as he is employed at a savings and loan institution.

The Chair ruled that there was no conflict and Senator Chong was allowed to vote on the bill.

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 1011-80 was adopted and H.B. No. 1782-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Abercrombie, Campbell, Carpenter, Kawasaki and Yamasaki). Excused, 2 (Ushijima and Yee).

House Bill No. 1925-80, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 1925-80, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I think the industrial loan companies are going to have a lot of business real soon to try and take care of what we've done already this evening and I wish well to everyone who goes into that shark pool. I don't think they are going to come out with much of the meat."

Senator Kawasaki speaking against the measure, stated:

"Mr. President, of all the three bills before us, I find this the most unpalatable, primarily because now we are going to impose almost immediately a 24% extortionist type of interest charges to people who can ill afford to pay this. I predict a rash of loan defaults and I must say that I urge all people to vote against this particular bill, especially."

The motion was put by the Chair and carried, and H.B. No. 1925-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Third Reading on the following showing of Ayes and

Noes:

Ayes, 21. Noes, 4 (Abercrombie, Campbell, Kawasaki and Yamasaki).

Standing Committee Report No. 889-80 (H.B. No. 2944-80, H.D. 2, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 889-80 be adopted and H.B. No. 2944-80, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Saiki then spoke against the measure as follows:

"Mr. President, this bill addresses amendments to Act 148 which creates a statewide emergency medical services system. The law became effective only last July and has not yet been fully implemented. Rules and regulations have not yet been adopted and coordinative activities have not yet been realized.

"One of the intents of the law was to upgrade neighbor island emergency medical services and provide top quality training for our people preferably our county people who wish to work in the system.

"To do this, the law reads that 'in the event any county shall apply to the Department to operate emergency medical ambulance services within the respective county, the Department of Health shall contract with the county for the provision of such services.'

"The first portion of the section gives the county the option to contract with the State or with private ambulance firms. This is home rule, the counties should have this choice, that's the way it should be. The second portion says that if the state is selected over private firms for possible contract, then negotiations should take place and a contract must be finalized.

"This bill before us changes the word 'shall' to 'may' and where some may think that this word change puts the state in an equal bargaining position, it does exactly the opposite. It puts the counties at a distinct disadvantage.

"The county has already made its selection and chose to contract with the state. Changing the 'shall' to 'may' puts a hammer in the hands of the State. This is made even more obvious, Mr. President, when the Department of Health requested that the effective date of this measure be May 1, 1980, which is just a month away.

"Negotiations for contracts between the counties and the State are now going on, and they are going on in good faith. For us to legislatively change the rules

of the game in the last inning because our team isn't good enough is just not fair play. And for all you sports fans, if the managers of your team can't do the job, what do you do? You change the managers because you shouldn't and can't change the rules.

"On the Big Island, matters are even more sensitive. This change from 'shall' to 'may' could affect labor negotiations involving the fire-fighters-paramedics and the County of Hawaii. Those negotiations are going on right now, and I've just learned that things are moving very well and there is a possibility of an offer of a settlement very shortly. I doubt whether we want the legislature sitting here tonight to affect the efforts at this eleventh hour.

"Mr. President, Act 148, because it is a statewide system and because it is based on a medical model, has received much positive recognition. For these reasons, the federal agencies responsible for funding have looked favorably on our law.

"The state at this time has a grant application, pending review and approval by the Secretary of the HEW. This grant would solely benefit the neighbor islands.

"The bill that I am talking about this evening on page 2, lines 6 and 20 infer that the Department of Health may contract for services with other than professional medical organizations. The Department probably, if they use good sense, would select to retain the medical model for various reasons. So why are we looking at this bill seriously, why do we need to tinker with the language?

"I personally would not want to put the grant application in question because of legislative language change, the significance of which could be misinterpreted. The grant, involving \$1.6 million, if approved, would benefit the neighbor island Emergency Medical Services systems. This is where we need to put the money.

"Mr. President, I feel this bill is premature, it's untimely and unnecessary. Before any changes are made to Act 148, let's give the law a chance to work; let's give the principals involved a fair chance to make it work. I think it is an excellent model on which we can base quality emergency medical services for all of the people in our State. I would like to ask everyone here to vote 'no' on the measure."

Senator Carpenter then spoke in

favor of the measure as follows:

"Mr. President, I rise to speak with some trepidation in favor of this measure.

"I do concur with the previous speaker in terms of the change of language from 'shall' contract in the existing Act 148 to 'may' contract on page 2, line 1, and argued vehemently against this change taking place at this point in time with the full recognition that indeed two counties, the City and County of Honolulu and the County of Hawaii, are in serious contract discussion.

"I am given to understand as Senator Saiki indicated that as far as the Big Island is concerned that indeed an agreement in principal has been reached. One of the things that was determined in the Health Committee was that compensation for the City and County of Honolulu was not being paid as compared to the private entrepreneurs, they were indeed being paid on a very timely manner. For this reason the insertion on the last section calling for reimbursement on a timely basis by the Department of Health, at least quarterly, was inserted into the language.

"Additionally, I might point out that on page 2 as determined by discussion with some of the medical advisors in the various counties, particularly the County of Maui, emergency medical ambulance service was indeed being used as free transportation or taxi service for some of the hospitals and for some of the providers of service within the community in contradiction to the stated purpose for emergency medical. Consequently, language was inserted to preclude non-emergency service being made available, and that is on page 2, lines 9 through 11.

"I do agree with the previous speaker in her initial concern but I really fail to see where the grant appropriation that considers the neighbor island grants for the amount of money which, as I understand, is about \$400,000 will be in jeopardy. I don't think there is any problem with the Department of Health and assuring the Federal Region 9 personnel of proper use of these funds.

"The additional change that is made in page 4 speaks to the advisory committee in a role which appeared to make it mandatory that the Department of Health had to first check or consult with the advisory committee prior to entering into a contract. That language has been changed from 'shall' to 'may' to make it indeed an advisory committee.

"So while I agree, Mr. President, with the speaker's concern in terms of the 'shall/may' in the original part

of the section which might have put the several counties, in this particular case the City and County of Honolulu and the County of Hawaii, in some untenable position as they had indicated in their previous testimony, I do believe the other concerns iterated at this juncture over-ride and thus call for the passage of this bill at this time. Thank you."

Senator Cayetano then spoke for the measure as follows:

"Mr. President, I, like the previous speaker, fully favor the change from 'shall' to 'may' for this reason. It seems clear to me that as the present law stands where in the event a county makes an application to the Department of Health to operate emergency ambulance services within the respective county, the Department 'shall' contract with the county puts the Department at a disadvantage. I apply this situation to the private sector and it seems to me a very foolish position for one party to get into.

"The party that shall contract with the party that makes the application is in a distinct bargaining disadvantage. If there is a disagreement in terms of the contractual terms proposed by the county as opposed to the Department, one can assume under ordinary circumstances that reasonable people would get together and something will be negotiated, but if one is forced to contract with the other party, then the other party has the distinct advantage of puffing up its proposal, if you will, and waiting the other party out. That's what this amendment was meant to address. So, for that reason I'm asking everyone to vote for the bill."

Senator Anderson spoke against the measure as follows:

"Mr. President, when we discussed this bill in Ways and Means in the first draft that moved out of that committee, we discussed at some length the 'shall' and 'may' and I don't think that there was much argument in the committee at that time. I think we all supported that the word 'may' did put the two parties at a better position for bargaining in the future. However, the question is that the parties are in negotiation right now and where we had put the effective date as 1981 in the Senate version, this bill calls for an effective date of May 1st.

"Number one, if the bill were even passed with the May 1st effective date, there's no way that it could clear the Attorney General's Office and the Governor's Office and everybody else by this particular date. So it's not

so much the 'may' and the 'shall'; it's the 'may' and the 'shall' as it affects the effective date of this bill. It's not a realistic date and while the people are in negotiation today and this week, putting an almost immediate date is unfair.

"Maybe in the lack of wisdom, the legislature put the 'shall' in several years ago when it was a statewide system, but the costs are pretty much negotiated. The cost while you shall contract doesn't mean the county has to win and it doesn't mean that the State has to yield to any unreasonable figure. When you force two parties to negotiate, you have to justify the presentation of both sides and after arguing and bickering and negotiating, only then do you come out with a contract.

"I don't think the hammer over the counties' heads at this particular time is going to be that much of an effect, and if the State did get unreasonable and it's a statewide program, and knowing some of the mayors in these counties, I would say to take your program and implement it yourself, which means that you might have a county program and a state program contracted with the private group, which might end up with two mediocre programs rather than one that is pretty good.

"I speak as a senator from this county and I think the City and County of Honolulu does a very fine job in this area. I talked to Ed Hirata last year on this subject. I'm pretty confident of the Department of Health that the proposal and the budget approved and requested and negotiated is fair and reasonable. I would not like to see this bill hamper my particular county from a fair contract. Thank you."

Senator Cayetano then commented:

"Mr. President, since I represent a substantial portion of the same county, I too am concerned. The matter of the effective date of the act, I think, is a genuine issue which can be addressed in conference."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 889-80 was adopted and H.B. No. 2944-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 8 (Anderson, Carroll, George, Hara, Saiki, Soares, Ushijima and Yee). Excused, 1 (Kawasaki).

House Bill No. 2368-80, H.D. 1, S.D. 2:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2368-68, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRICING IN SUPPLYING LIQUOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 9:00 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:25 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Bill No. 2132-80, S.D. 1:

Senator Cayetano moved that H.B. No. 2132-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Anderson then offered the following amendment to H.B. No. 2132-80, S.D. 1:

"SECTION 1. Part II, Section 4 of H.B. No. 2132-80, S.D. 1, is amended to read as follows:

1. By amending line 17 on page 25 to read: 'equivalent to four per';
2. By amending line 23 on page 29 to read: 'four per cent of the gross';
3. By amending lines 8, 9 on page 34 to read: 'public, the tax shall be equal to four per cent of the gross income of the';
4. By amending lines 17, 18 on page 34 to read: 'assessed and collected a tax equal to four per cent of the commissions and other';
5. By amending line 1 on page 35 to read: 'a tax equal to four per cent';
6. By amending line 16 on page 35 to read: 'the rate of four per cent.';
7. By amending line 4 on page 36 to read: 'four per cent of the gross';
8. By amending line 9 on page 37 to read: 'a tax equal to four per cent';
9. By amending line 5 on page 38 to read: 'the rate of four per cent which is';
10. By amending lines 13, 14 on

page 38 to read: 'activities, as set forth in subsection (a), equal to four per cent of the gross proceeds of sale or'; and

11. By amending line 22 on page 38 to read: 'to exceed four per cent.'

SECTION 2. Part III, Section 6 of H.B. No. 2132-80, S.D. 1, is amended to read as follows:

1. By amending line 19 on page 42 to read: '(3) In all other cases, four per' "

Senator Anderson moved that the amendment be adopted, seconded by Senator Yee.

At this time, the Chair remarked as follows:

"I would like to say at this time that I find myself in a difficult position in that I thought there was an agreement with the minority that all amendments were to have been made on Friday evening. Now Senator Anderson has offered this amendment. I think there is no one in this body that would dispute his right to offer an amendment. However, I just wanted the record to reflect an understanding which I thought existed and evidently that understanding was not so."

Senator Anderson then spoke for the amendment as follows:

"Mr. President, if there were an understanding on the subject and I misrepresented or misstated it, I apologize, of course.

"As my memory serves me and it usually serves me pretty well, the decision to review in some depth the second reading, was also a Republican position that we asked for and were granted so that we could review all particular bills and measures so that if and when an amendment or an alternative was presented we would have that opportunity.

"On two occasions now we have, I guess, delayed the proceedings of the Senate to some degree so that our members could have a chance to review all the measures. At no time during this process did we ever mean to imply or state that our option was to cut off amending along the way. And if I so stated or was misunderstood, I certainly apologize.

"This is a question, Mr. President, of self-imposed deadline versus the people of Hawaii. I checked with the Minority Leader tonight when you questioned me on the amendment, to find out whether or not we participated in any way as minority leadership in the deadlines imposed between the House and the Senate, and the Minority Leader Senator Yee

advised me that at no time in the discussions earlier in the year was he ever asked to participate or consulted as to whether these deadlines were practical, feasible or realistic.

"I happen to believe and I stated, and the record will reflect, Mr. President, on many times that I believe that these self-imposed deadlines that the House and the Senate imposes on each other is unrealistic and unfair. I cannot believe that major legislation with tremendous impact should be denied consideration and hearings to the people of the State because of some sort of self-imposed deadlines.

"I also do not agree with the concept of sitting here all day long trying to understand and comprehend 175 measures from a to z. I do not believe any man or woman here is capable of understanding in every detail the complexities of these kinds of measures and trying to act on them in one day.

"On this particular measure, we discussed amending it Friday night in great depth. At that time, we thought perhaps not, that maybe in conference the question of whether or not a tax increase of this type or relief through the so-called Senator Cayetano's bill was in fact the way to do. After much deliberation over the weekend and many discussions today, the Republicans in caucus decided that the issue was too important and that a self-imposed deadline should not stand in the way of trying to afford some sort of tax relief to the people of this State.

"This measure as we are proposing to amend is another alternative to the many in the hopper. This body passed last week Senator Cayetano's tax measure which increased the excise tax to 5% in this State and did all the things that this particular bill does in relief and other measures.

"The Governor in his policy and his legislation proposed a \$42 million, I believe, tax rebate over one type or another, and the House has taken the position of ordering some kind of relief to the people of this State in a tax relief. The Administration is on record of giving back some \$42 million to the people, and the House is in position of giving some \$42 million back to the people of this State. It's apparent that the measure that we passed here last week was Senator Cayetano-sponsored and the body passed it and it went over to the House where now it is apparently buried. I do not believe that the measure has to be buried; I believe that this body firmly believed in its intent.

"If this body fully committed itself to bring the relief and the transition of tax reform that it contained to bare and to a vote, this body has that opportunity, but we have accepted evidently to let some group or some committee in the House bury that bill.

"So in an effort to keep that discussion alive, the Ways and Means Chairman has amended the House draft to include the same content, but this time eliminating the 5% to 4-1/2% with the same benefits.

"This amendment, Mr. President, does very little else. It just reduces the 4-1/2% to 4%, a long-time standing Republican proposal that the people of this State should not bear the cost of a 4% or any excise tax on food and drug. Now argument will be given that we can't afford to provide these benefits contained in this bill with the 4% tax increase.

"Well, that's a matter of judgment and it's a matter of question. It's a question of how we spend the anticipated \$165 million anticipated surplus; do we go into land banking; do we go into 'pork'; do we go into CIP; do we go into floating bonds on a cash basis, or do we just give it back to the people by exempting the food and drug.

"The second amendment here that I will offer, Mr. President, makes the exemption on the food and drug effective July 1, the same effective date of the bill, but it takes the other parts of it where there is a financial impact and takes it to July 1, 1981 so that the economic impact on the State would not be all at one time and the next year's legislature would have in fact an opportunity to review the impact and whether or not we can afford it. I believe that this bill amended would put into the hopper another alternative for the conferees to discuss.

"I have seen on many pieces of campaign literature, Democrats and Republicans alike, repeal of the 4% on food and drug. I have never seen on any of these campaign pieces of literature, Mr. President, by raising the taxes to 4-1/2% or 5% or by increasing the taxes in another area, but I have seen in many areas this Republican long-time standing position picked up by Democrats and now championed.

"I believe, Mr. President, as my colleagues do here that the repeal of the 4% on food and drug is long, long overdue. The State budget can afford it. We are fat with surplus. Eileen Anderson, the prior Director of Budget and Finance, has anticipated that through inflation and other inflationary measures that the State coffers are going to be extremely fat.

"I do not believe that we can stand by and have the Administration propose to give back \$42 million to the people. I do not believe that we can stand by and have the House propose to give back \$42 million and we take a position of a tax increase or no relief to the people of this State.

"Mr. President, I have seen the UPW workers in Unit 1 on the street for \$10 a month more. That's all they wanted, Mr. President, \$10 a month more in their paychecks and they chose to strike and walk the streets for many weeks.

"This measure, Mr. President, as the Ways and Means proposal has demonstrated will bring tax relief and assistance to many people in the low and certainly the fixed income, people who are on fixed income and having a hard time making ends meet.

"I would like to see, Mr. President, this measure go in amended, and I do not believe that the self-imposed deadline and the argument that if this amendment passes, the bill is in fact dead. I would like very much to see this amendment passed, Mr. President.

"I would like to see this lay for 48 hours and passed to the House, and I would like to see the House deny accepting it because of some self-imposed deadline. Mr. President, I urge my colleagues to consider this gravely. I think it's an alternative. I'm not sure what conference will bring out but it's another approach to some kind of relief for the people of this State. Thank you, Mr. President."

Senator Mizuguchi then spoke in opposition to the amendment as follows:

"Mr. President, my opposition is not based on the merits of this particular bill, but my opposition is one of procedure. As the Minority Floor Leader has stated, there are self-imposed deadlines which the Senate and House must follow.

"There's nothing much we can do about the two-house system, Mr. President. We are a bicameral legislature. We have a 60-day session and work must commence and must be completed within the 60 days, and this is why we have deadlines.

"This is not the first time that we've seen this tax reform package. The Chairman of the Ways and Means Committee has proposed this tax reform package in a form of a Senate Bill. Because of inaction on the part of the House, the Chairman has seen fit to propose

tax reform in House Bill No. 2132-80. So this is not the first time, Mr. President, that the minority has had an opportunity to propose alternatives.

"They've had opportunities for the last 42 days. I think we need to follow our deadlines; we need to follow procedures, and in speaking for the majority, we're not voting on the merits or demerits of this particular amendment--only that it violates the procedures that are set up by both the House and Senate. Thank you."

Senator Anderson then continued:

"Mr. President, just for further clarification, I might add that as a member of Ways and Means, this possible reduction to 4-1/2% consideration was discussed, was offered by the minority members, and I might add that the Chairman of the Ways and Means Committee and his staff did consider this approach to reducing the excise tax to 4-1/2% as a realistic approach.

"After some discussion and some deliberations of a 24-hour period, it was reported back that it did not think it was feasible at that time, that in fact the cost impact of this could be afforded by only a 1/2% increase. So, it's not like it's been offered for the first time, Mr. President. We did pursue this route in Ways and Means and I will compliment the Chairman and the Committee that they did discuss it. It was rejected.

"I cannot in all good conscience stand here and go back to my constituency and tell them that I could not consider a tax relief measure or some kind of relief in a tax system; that where they're extremely over-taxed, I cannot go back and tell my senior citizens in my district on a fixed income that I couldn't consider some sort of relief on food and drug because of a self-imposed deadline. I don't think the public much gives a damn, Mr. President, about our self-imposed deadlines.

"My pay as a legislator today is the same as it's going to be tomorrow; they expect the same from me today that they do tomorrow, after the deadline and next week. I think as long as we are in session, Mr. President, this body and the one across the hallway have every responsibility up until the 60th day to exercise every option to seek out every opportunity to pass legislation, major legislation.

"Now I agree with the deadlines and I agree with the self-imposed guidelines (I'd rather call them deadlines) to effectuate an orderly transition of business, that's understandable; but major legislation, when you tell me that you're going to vote on it, not on the merits, but because

of a self-imposed deadline, we cannot accept that.

"We think this is far reaching, we think this has a tremendous impact on the State of Hawaii, and on the many people that would benefit, and I cannot accept that the merits of it are going to be denied because of a self-imposed deadline. Thank you, Mr. President."

Senator O'Connor then spoke against the amendment as follows:

"Mr. President, the previous speaker's pay was the same Friday as it is today and will be tomorrow. On Friday certain amendments were offered to various bills; one I remember in particular had to do with changing two words in the middle of the liquor supply bill. Any effective amendment to be passed by this body was to be issued and voted upon on Friday, not today.

"Therefore, Mr. President, we can only conclude that any amendment offered today is not offered with the wholesome integrity that one would expect from one who sincerely and honestly desires to have an amendment offered, but it's only offered for political reasons. And therefore, I would urge all to vote this amendment down."

Senator Cobb speaking against the amendment stated:

"Mr. President, one irony of the amendment if it is successful, the bill is dead, because like it or not the so-called deadlines or guidelines or whatever you want to call them had been agreed upon by two houses of a bicameral legislature. And the House would have every right to refuse to accept the bill after that deadline, as we would one of theirs.

"The irony is, of course, if we agreed with the amendment, we would in effect be killing the amendment by supporting it; if we disagree with the amendment because of the deadline we at least give the bill a further chance for discussion in a conference committee."

Senator Cayetano spoke against the amendment as follows:

"Mr. President, I'm really saddened to see the minority present this amendment at this time. I'm very disappointed that somehow this bill has become so identified with me that it becomes 'Senator Cayetano's bill.' The earlier bill could not have passed if it did not receive a majority vote from members of the Senate.

"What saddens me about the proposal of this amendment is that the proponents of the amendment know too well that all of this talk about self-imposed deadline is really very hollow. As Senator Cobb and Senator O'Connor pointed out, the effect of this amendment is to kill the bill. The death of the bill, Mr. President, is not the tragedy here tonight, if the bill in fact dies. What is tragic, I think is the games that are being played.

"There is one thing that I value here and that is the fact that I can look into another senator's eyes, be he a majority or minority member, and say on any issue that we dealt fairly with each other. If there is anything more that I cherish, it is a senator here being intellectually honest with himself, with his fellow senators and with his constituency. I think we owe this duty to the people of this State.

"This bill, as it stands right now, is the result of many hard and long hours of work, taking into consideration the concerns of many of the members here. As you may know, Mr. President, when the concept first started out, it was far different than what it is now.

"We took into consideration some of the concerns senators had, both minority and majority, and the bill was massaged and amended until finally Senate Bill No. 2813-80 passed. Taking into further consideration the concerns voiced by the minority members, especially the person who is now proposing this amendment, this bill was further massaged, further modified, and we did our very best to accommodate him, a member of the minority. This was done, dealing on a one to one, man to man, intellectually honest level of legislation.

"This amendment is not sincere; it's meant not for members on this floor; it's meant for the people in the press box and in the gallery, and it saddens me that that is the case.

"I hope the members of the majority and even the minority can see this amendment for what it is and deal with it accordingly."

Senator Anderson then responded:

"Mr. President, there seems to be some question and comments made that I was accommodated in this bill and therefore part of it sitting on my desk shares some of my concerns.

"Yes, the Chairman discussed the bill with me as it was presented; yes, it was explained to me in detail; yes, I did not agree with the 5% and the compromise with maybe 4-1/2%, what do you think-- but no part of this bill is Andy Anderson's; none of it.

"I enjoyed and respect the courtesy extended me to explain it to me and what the intent was and I don't argue with the intent or the merits, but that concept that the Ways and Means and this body acted on is across the hall already. The idea, the philosophy and the concept is there across the hall. This, as amended, is not, and I'm saying, let's put that into consideration along with the rest as an alternative."

"I might add that if there is any question, if there is any question among any of you on my sincerity, I would ask the President if he would entertain a motion to recess this body until 5 minutes of midnight now and I'll filibuster out House Bill No. 1912-80, House Draft 1, Senate Draft 1, which is the budget. I'll stand here and stake my reputation, Mr. President. You give me 5 minutes to 12:00 so I could spend my time talking and I'll filibuster that bill out beyond the 12:00 o'clock self-imposed deadline, and let's see if this so-called bicameral legislature will in fact extend the rules, extend the agreement so that it could be considered again."

"Now, I'm willing to gamble my political reputation; I'm willing to stand here and filibuster this bill out if you believe I'm not legitimate in my offer of amendments, if you will grant me the courtesy of recessing this body until 5 minutes of 12:00 and then I will see how rules and self-imposed deadlines can be changed."

The motion to adopt the amendment was put by the Chair, and Roll Call vote having been requested, the motion failed to carry on the following showing of Ayes and Noes:

Ayes, 6. Noes, 17 (Abercrombie, Ajifu, Campbell, Carpenter, Cayetano, Cobb, Hara, Kuroda, Machida, Mizuguchi, O'Connor, Toyofuku, Ushijima, Yamasaki, Yim, Young and Wong). Excused, 2 (Chong and Kawasaki).

Senator Anderson then spoke against H.B. No. 2132-80, S.D. 1, as follows:

"Mr. President, I was accused of, somewhat implied that there was a series of politics being played, that the amendment wasn't meaningful because it was offered in the late days and I say that's a lot of hogwash."

"I might add that it's not right for Senator Anderson, a Republican, to play politics, but it's okay for a majority member to amend and 'gut' a House bill to keep his concept or his philosophy alive. If that's not politics, I'm not sure what is."

"I would urge that this body vote this measure down; the bill is still a tax increase on the public and the people of the State."

"While it has of course some good merits, as I say this philosophy or the contents of this bill are already contained in the measure before the House and I would participate and I would do all I could to move and massage that bill in conference if in fact this house and this body were committed to doing something positive. Thank you."

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

"Mr. President, I would like to just refer the members to page 6 of the Standing Committee Report which I think contains the essence of the measure before us. The second paragraph, 'The net effect of the proposal contained in this is to increase the disposable income of resident taxpayers.'; I repeat, 'increase the disposable income of resident taxpayers.' Thus, it can be anticipated that residents will have more money available to spend in the consumer market."

"Furthermore, since Hawaii is an ocean-locked state, it is improbable that consumers will journey to a neighboring state where there is no excise or sales tax to make purchases solely to avoid the local tax."

"After all the things that have been done tonight to the consumer, it's about time we did something for the consumer."

The motion was put by the Chair and carried, and H.B. No. 2132-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 8 (Anderson, Carroll, George, Hara, Saiki, Soares, Ushijima and Yee). Excused, 2 (Chong and Kawasaki).

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

Senator Campbell moved that H.B. No. 2532-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Young.

Senator Cobb then spoke against the measure as follows:

"Mr. President, I'm going to vote against this measure and one of the principal reasons why is because of the lack of any kind of plan or intention as to where to relocate the Liberty Bell that I and other members of this legislature spent almost five years trying to get legislation for and to locate it."

"I've seen a lot of other bills involving site locations that always and always consider an analysis of alternatives, site locations and even alternate site locations. I find that consideration totally lacking in this bill. If it can't be addressed in conference, it ought to be addressed here."

Senator Kuroda then stated as follows:

"Mr. President, I rise to speak against the bill, but after I do, I'm going to vote 'aye' in order that I will be eligible to be assigned to the conference committee."

"The proposed Liliuokalani sculpture is an excellent idea, befitting the memory of the beloved Queen of Hawaii Nei; however, to preempt a national symbol, the replica of the Liberty Bell, is a proposal I cannot support."

"At first I would have risen to speak in anger when I first became aware of this Senate Draft to House Bill No. 2532-80 which states that it will replace the Liberty Bell, but now I speak in sadness."

"What is disturbing about this present draft is that it also does not make any mention as to where they will put the Liberty Bell. This afternoon I made several inquiries, over the telephone and learned that the plan was to move the Liberty Bell to another part of the Capitol mall."

"I trust the man who gave me that information; however I do not have faith in government bureaucracy and its foot-dragging inasmuch as the Liberty Bell was stuck in a warehouse for many, many years and it took the effort of many legislators and one Joe Morocco and his Retired Federal Workers' Association who finally were able to convince enough people to have the money appropriated and eventually have the Liberty Bell placed where it is. The Legislature appropriated \$10,000 for that purpose."

"I serve on the Senate Education Committee and if I had the opportunity to sign the Standing Committee Report, I would have then approached the Committee Chairman to state my objections; however I did not have a chance to, so therefore my signature is not on the committee report. We have several senators who oppose this bill because it specifically places a site."

"My personal desire is to vote 'no'; however, I plan to vote 'aye' so I can go to conference committee, and, ladies and gentlemen, I think it should go to conference committee. Thank you."

Senator Anderson commented: "Mr. President, I share the feelings, but I'm going to vote 'no.'"

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

"Mr. President, a little background on this is necessary I think to understand why the designation is there."

"The designation of the site is as a result of the efforts made by the Queen Liliuokalani Sculpture Jury, a committee of some 25 or 30 people appointed by the Governor, to precisely take this business out of politics. The bill was passed."

"I'm not in conflict, I'm very happy the bill was passed; it was a bill that I sponsored, and as a result of this sponsoring or in the discussion, we deliberately left out of the bill the circumstances of who would do the sculpturing and what it would look like and all the rest of it, to separate the legislature as far as possible from being involved in any kind of possible conflict of interest, the personal choices in likes or dislikes of any legislator."

"We felt that the subject of the Queen was and the statue was such that it should not get involved in that kind of thing. And I think that that kind of integrity, if you will, has been maintained. There has been no taint or hint of any kind of favoritism or anything of that sort involved in it."

"I myself although obviously very interested in the outcome attended only the first meeting for purposes of expressing my gratitude and thanks to the committee for the task it was about to undertake. I never met the artist that was finally selected; never even saw the brochure that went to the potential artist, assiduously avoided being connected in any way with the subject matter. I have given to the senators a few of the memorandums and a bit of the background and so on. The choice of the site then was made by the committee with the cooperation and consultation of the Comptroller who has the power in this instance and we have given over to the Comptroller in previous times the designation circumstances in respect of the placement of statutes and art in State buildings and so that is where it rests."

"The reason that this bill is before us and chosen is that the artist has now virtually completed her work and had to have instructions as to the pedestal; had to have instructions in terms of the final sculpturing of the face especially because it is very important in order to get the proper effect of the statue (and I have obtained some of the photographs

from the artist, if anyone would care to see them) after the site was chosen. It's very important to have that because the angle of the head and everything else will be entirely dependent upon how one will arrive at that statue, so it's absolutely necessary that there be a site designated in order to have the proper landscaping. In this instance, it's going to be in respect to the banyan tree there, all the rest of it. And this has been chosen entirely devoid of any consideration other than the aesthetic aspects necessary to best display this statue, this addition to our Capitol complex.

"There was never any intent of any kind under any circumstances to thwart off any senator who might consider to be the legitimate efforts, to find a place for the Liberty Bell which had been in the State since 1950, and despite being used in various bond drives, and so on, nonetheless had not found a place to rest, a place of honor, if you will, to rest, and so when it was placed in the area where the Liliuokalani statute is to be now, it was not considered at least by the people who were in charge of its placement that this was to be necessarily a final resting place.

"Obviously, if they had thought so, it would have been brought to our attention because I don't think anyone connected with this in the Department of Land and Natural Resources or in the Department of Accounting and General Services, the State Foundation of Culture and the Arts nor with the many people associated with the committee appointed by the Governor and the Sculpture Jury, ever considered for a moment that they were doing anything out of line in that respect.

"I personally do believe that it should be there because this is the choice of the people who had the duty of carrying forward on this. And I do hope that it will be considered in that light. Most certainly I would be more than happy to try to accommodate anyone in terms of a placement of the Liberty Bell which would do it honor."

Senator Campbell spoke in favor of the measure as follows:

"Mr. President, as Chairman of the subject matter committee which dealt with this issue, I never did realize that the Liberty Bell could create such a problem. I tell you frankly, my personal feeling when this issue was raised before our committee that a citizens' committee would be involved in selecting the location of the Liberty Bell once the Queen would occupy this

space that the Liberty Bell now rests. Of course that's my own personal opinion.

"I would certainly hope that this legislature would not become the final body to select the site of the Liberty Bell and it's my hope that the kind of citizen committee that participated in the selection of the present site for the Liberty Bell be either reactivated or added to by additional citizens so that we could have citizen input. Thank you very much."

The motion was put by the Chair and H.B. No. 2532-80, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE PLACEMENT OF THE SCULPTURE 'THE SPIRIT OF LILIUOKALANI' AT THE STATE CAPITOL COMPLEX", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 8 (Anderson, Cobb, George, Saiki, Soares, Toyofuku, Yee and Young). Excused, 2 (Chong and Kawasaki).

House Bill No. 1912-80, H.D. 1, S.D. 1:

Senator Cayetano moved that H.B. No. 1912-80, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Carroll then inquired if the Chairman of the Committee on Ways and Means would yield to a question, to which Senator Cayetano replied: "Mr. President, in the six years I've been in the legislature, I have never refused to answer a question; I will tonight."

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

"Mr. President, I'd like to indicate to the Senate that I have three serious concerns that I'd like to make sure will be considered in the conference committee both by the Ways and Means Committee and the House Finance Committee.

"Two of them particularly regarding my own Seventh Senatorial District -- the funding for the Kalaniana'ole Highway Improvements and the Ft. Ruger community college site--and also thirdly, the consideration being given by the Ways and Means Committee so far regarding the budget for the Hawaii Visitors Bureau.

"We have talked at length in the Ways and Means Committee about these programs and I feel comfortable that we'll address this in conference, and therefore, I'll be voting for the budget with these concerns in the record."

Senator Carroll then spoke in favor

of the bill as follows:

"Mr. President, I rise to speak in favor of this measure with certain reservations. First of all, there's an item, No. 7-a, which addresses itself to a replacement heliport for the Ala Wai helipad, and it states that it will construct the helipad with parking apron, vehicle access road, parking perimeter fencing, and other appurtenance facilities. And the question that I had was that the use of the word 'replacement' does not indicate that it will be replaced elsewhere, and I was hoping to get assurance from the Chairman of the Ways and Means Committee that it was not going to be replaced at its present site or elsewhere in or near the Sixth Senatorial District.

"This has been my one reservation with respect to this budget measure. I've been assured by the Chairman of the Transportation Committee that this would not happen, but having seen some politics played over the past ten years with respect to numbers of measures, I did want to express my opinion for the record. I'm in opposition to this item if it's to be anywhere within the Sixth Senatorial District.

"The reasons for this opposition are: number one, there is tremendous noise generated by the helicopters; they create debris; they cause disturbances upon take-off and landing; and most importantly, there's always a chance of an engine failure upon take-off above a crowded beach or above surfers who surf just off where the heliport is. I think the sooner that that heliport is shut down, the better off we'll all be.

"The other item happens to be 7-b in this budget, and that is the appropriation of funds for an Oahu general aviation airport at Dillingham Airfield; this is \$3,600,000 to develop Dillingham Airfield as the first satellite general aviation airport, funds to be expended for runway and improvements, taxiways, holding pads, access roads, utilities and administration buildings, hangars, security fencing and other improvements required for general aviation operation.

"First of all, it would be nice if we had an airfield like that, and I'm sure the glider pilots and the few student pilots who go there, certainly fellows with the pit special--the kind of people we typify as general aviation buffs--would be very happy with an expenditure of that sort, particularly when they've only got an 8,000 foot runway to use at present.

"Unfortunately, according to what

I've been able to determine; Dillingham will reach its capacity even with the type of aviation activities going on there now between 1985 and 1990. It's extremely unwise to approve expansion and upgrading of this field when studies have not even been done to determine the site feasibility for the purposes presently being declared.

"As I've said many times before here in the Senate and in the House, Dillingham is far too removed from the center of business in Honolulu to induce the bulk of general aviation away from Honolulu International Airport.

"Now, Mr. President, this choice is not just bad, but it's moronic in the light of the data available on airports. Assuming that this matter goes into conference, we still have the time to select a site to take care of this major deficiency in our State transportation system. In spite of that deficiency, and in spite of the chairman's unwillingness to answer my question, I urge that we vote 'aye.' Thank you."

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

"Mr. President, inasmuch as one of the previous speakers indicated that his remarks were for the record, I wish mine to be for the record also. As Chairman of the Higher Education Committee, I want to re-emphasize and reiterate for that record that there is no such thing as a district school. We have a university system. If it happens to be in somebody's district, that's fine or that's bad depending on how it works out. But we do not fund schools on the basis of districts; we fund them on the basis of need for the university system. If we were funding them on the basis of districts, Kapiolani Community College is in my district."

Senator O'Connor in speaking for the measure, stated:

"Mr. President, I had not intended to speak, but based upon that last comment, I am compelled to.

"I have read through this bill; it's an excellent measure. I commend the Ways and Means Committee and the Chairman for an awful lot of hard work very well done. However, I also with Senator Soares represent the Seventh Senatorial District and I find that that district is really not too well spoken to in this measure.

"Our schools are well taken care of together with the schools of every other district, but in this new era of capital improvements--and it's rare that I speak on these lines--but on this era of capital improvements, where capital improvements

are going to be those of the State in general and of individual districts, I find very few capital improvements for the Seventh Senatorial District.

"As a matter of fact, paging through this measure I find that we have had our major highway, Kalanianaʻole Highway, removed from the bill; we have had the school to which the previous speaker discussed, removed, and evidently it's going to be retained in another district. In fact, as I was paging through it, I came upon a measure having to do with Diamond Head and I anxiously read the measure because Diamond Head is in our district, and it's the Diamond Head extension to the main terminal at the airport.

"Now, I know that joba nuts are important, and I know that Pierre the Pelican is terribly important, and I know that escheat outlawed once are also equally important, and the orthomolecular medicine machine at Hawaii State Hospital also is important, and I know that all of these things are of vital consequence to the State in toto; however, in being a trifle parochial, I will say I hope that when this measure comes out of conference that somebody looks out for the Seventh Senatorial District and puts something besides the Diamond Head extension to the main terminal for our poor little four-Senator Senatorial District. Thank you very much."

Senator Hara then commented: "Mr. President, just for a point of information, it's not joba, it's 'hohoba' and it'll make the project out toward Aina Haina section fly."

Senator Abercrombie then stated: "Mr. President, I do want to give some comfort to my colleague in the Seventh and indicate to him that Diamond Head is also in the Sixth District, so I'm sure that in the course of events, we'll be able to work out something that's mutually compatible."

Senator Cobb then commented: "Mr. President, I'd like to incorporate Senator O'Connor's remarks as my own in observing that the district that puts the most in taxes gets the least back, and also reflect that I just wish there's been as much concern for the site of the statue that we just voted on as there has been for the Aquarium and Kapiolani Community College and a few other things that involved site selection as well. I'm hopeful that in conference committee, something a little more for the eastern part of the town will come out of conference."

Senator Mizuguchi then spoke as

follows:

"Mr. President, I would like to add my support to the Senate draft of the Supplemental Appropriations bill and urge other members of the Senate to vote for this measure.

"The Chairman and members of the Committee on Ways and Means have developed a fiscally sound approach to the supplemental budget and State finances. In these uncertain times, it is an approach we should all support.

"I especially endorse the principle underlying this bill that we be very cautious in making large new capital improvement commitments which have far-reaching financial implications.

"And, Mr. President, I am especially gratified that in following this principle, the Committee on Ways and Means has supported the Committee on Transportation in deleting the appropriations for a second reliever airport at Poamoho and in deferring the requested appropriations for Kalanianaʻole Highway. I believe that the interest of safety at Honolulu International Airport can best be served by upgrading Dillingham Airfield to its fullest general aviation potential and by seeking further improvements to the Honolulu International Airport.

"And may I assure Senator Carroll that there'll be a lot of room at Dillingham for his heliport that he wants to replace at the Ala Wai.

"I also believe that the Kalanianaʻole project should be deferred pending fuller analysis and this analysis should include (1) the finalization of the design report by the Department of Transportation and approval of this report by the Federal Highway Administration; (2) an update of traffic count data on which the final environmental impact statement was based; and (3) a bus or mass transit commitment from the City and County of Honolulu to the Department of Transportation for the KAL corridor, which is the objective of the proposed action as stated in the final EIS.

"There are many aspects of this bill, Mr. President, which merits the support of all of us. I ask for a strong source of support for this measure. Thank you."

Senator Cayetano then spoke for the passage of the measure as follows:

"Mr. President, before I discuss the bill, I would like to extend my appreciation to the members and staff of the Committee on Ways and Means, who labored many days and nights in developing the measure. I would also like to thank the subject matter committees which contributed to the shaping of this bill. I am confident

that the bill before us--the most important expenditure measure in this session of the Legislature--is one that we can all support.

"An article in this morning's newspaper calls to our attention that most states have surplus revenues, a condition brought about mainly by inflation. But the article also cautions that, with a precarious economy and with inflation unchecked, most states would be well advised to reduce their spending levels.

"In this State, we have a surplus. How long it will last and what its magnitude might be three months from now or a year from now, no one can say for sure. But we do know that we are currently affected by uncontrollable national conditions which have a direct effect on state finances and which dictate pursuing a prudent fiscal course.

"For example, Mr. President, the bond market is in great jeopardy. Approximately, six months ago, the State was able to issue \$75 million in general obligation bonds at only 5-3/4%. Today the State cannot even go to the bond market. Our bond counsel has informed us that the State would have to sell its bonds at 9-1/4% in order to remain competitive. Bond experts predict the interest rates may rise to 10% within the next few months.

"We must exhibit caution in our approach to borrowing for capital improvements. Borrowing, if it can take place at all, must be reserved for all but the most critical projects.

"Indeed, the present condition of the bond market and the upward spiral in bond interest rates compels us to reassess and reevaluate our entire capital improvement program. Obviously, the steep increase in interest rates will add to the cost of capital improvements. We should determine what those increases are before we proceed. We must look before we jump.

"Unfortunately, the other body of this Legislature seems oblivious to the conditions of the national financial market. In its draft of the Supplemental Appropriations Bill and in the additional House bill for 'pork barrel' appropriations, the House has mindlessly assumed that we can proceed with 'business as usual', that we can go to even higher levels of cash spending and borrowing, that we can give away the State's surplus as if there was no tomorrow, whereas a clear and judicious understanding of current events, both local and national, would dictate that we proceed on an opposite course.

"Mr. President, it is bad enough that the Administration and the editorial boards of our two major newspapers have used the State's surplus to needlessly raise the expectations of our citizens. It is doubly tragic that the House has now joined the party and sent over to this Senate a Supplemental Appropriations Bill which can best be described as a 'Yes Check.'

"For example, the House approved nearly \$7.7 million in private grants--more than three times the \$2.5 million in private grants this Legislature appropriated last session. My staff's analysis of the applications for private grants indicate that there are many new applications and that some of the old private organizations are applying for grants two to three times the amount they have applied for in the past. Detailed analysis shows some of these applications contain requests for tremendous and outrageous increases in salaries, travel and other cost items. It is unfortunate that the House did not see fit to scrutinize these applications.

"As another example, last session the Pensioner's Bonus bill required an appropriation of little more than \$500,000 for state and county pensioners. Fueled by excited and frenzied discussions regarding the disposition of the State's surplus, a new Pensioner's Bonus bill was introduced this session, this time requiring a \$10 million appropriation or nearly twenty times the sum asked for in last year's bill.

"The House approved an appropriation of approximately \$7 million, including \$6 million for state employees and \$1 million for county employees. And this is only the direct cost. These bonuses will increase the base from which increases for post-retirement is calculated. And these costs are recurring costs which will be borne by future generations of taxpayers.

"I wonder, Mr. President, if the House has taken these kinds of recurring costs into account when it came up with its supplemental budget and financial plan. The clear evidence is that it did not.

"Obviously, then, the Senate and the House are quite far apart on the fiscal approach to be taken. However, I believe the Senate's approach is a fiscally responsible one, and mindful of our duty to provide a check and balance to excesses by the other branches of government. I am hopeful that in the days ahead, the Senate's approach will prevail.

"The committee report outlines both the important principles behind the Supplemental Budget and the key program decisions which have been made. I want at this time to highlight some of

the major considerations.

"First, as to general fund expenditures and the operating budget, we are setting budgetary levels in the spirit of the constitutional amendment calling for an appropriations ceiling. The only exceptions to the ceiling are for the extraordinary expenditures such as unanticipated electricity costs in public facilities and for energy research and development, for appropriations for land acquisition for parks and recreation, housing, and agriculture, for water development, for an accelerated and expanded repairs and maintenance program, and for the removal of asbestos in our schools to insure the safety of our children. Rather than high levels of spending for ongoing operating programs, we believe that cash for capital investments would be both prudent and productive.

"Second, as to capital improvements and the authorization of bonds, we are drawing these down to lower levels. Where executive budget requests appear to be overly ambitious and are not likely to be encumbered in the near future, we have reprogrammed their implementation phases. We have also assigned certain projects to be financed by special funds rather than by general obligation bonds. And we are also taking a stand in preserving the integrity of the appropriations process and instilling confidence in the capital improvements program by resisting the temptation to include 'pork barrel' projects.

"If we maintain these two basic approaches with respect to general fund expenditures and the capital improvements program, I believe that the State will be able to weather the troublesome financial period that seems to be ahead. But if we adopt the approach that 'anything goes,' which is the approach the House seems to be following, then we may be in for perilous times.

"Mr. President, holding spending down is hardly ever the most popular decision. But this Senate can demonstrate leadership; it can demonstrate that it has both the determination and the

capacity to make difficult decisions which will ultimately prove to be in the best interests of the people.

"I urge all Senators to support this bill, so that we can persuade the House that the course to follow is not the course of easy decisions to satisfy today, but the course of difficult decisions to safeguard tomorrow."

The motion was put by the Chair and carried, and H.B. No. 1912-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1979 TO JUNE 30, 1981", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Cobb). Excused, 2 (Chong and Kawasaki).

At 10:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:27 o'clock p.m.

At this time, the President commented as follows:

"The Chair would like to take this opportunity to thank the senators for staying with us from very early this morning until the wee hours of the evening. I think the discussion was good; that this should be the model for the regular dialogue of the Senate where people have an opportunity to express themselves and to give various viewpoints even though we may not agree on the issues.

"I think we ought to maintain some degree of courtesy such as was extended to every member this evening by fellow members and I'm very proud of this particular session."

ADJOURNMENT

At 10:28 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Tuesday, April 1, 1980.

FORTY-EIGHTH DAY

Tuesday, April 1, 1980

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

The Divine Blessing was invoked by Reverend James Koons of the Pearl City Church of the Nazarene, after which the Roll was called showing all Senators present, with the exception of Senators Abercrombie and Yim who were excused.

The President announced that he had read and approved the Journal of the Forty-Seventh Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 243 and 244) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 243) transmitting the State Functional Plan for Health, March 1980, prepared by the Department of Health in accordance with Chapter 226, Hawaii Revised Statutes, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 244) transmitting the Annual Report (July 1, 1978 - June 30, 1979) of the Hawaii Housing Authority, prepared by the Hawaii Housing Authority of the Department of Social Services and Housing, was referred to the Committee on Housing and Hawaiian Homes.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 339 to 396) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 339), returning Senate Bill No. 3, S.D. 3, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action S.B. No. 3, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 340), returning Senate Bill No. 118, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form,

was placed on file.

By unanimous consent, action on S.B. No. 118, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND OCCUPATIONAL BOARDS AND COMMISSIONS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 341), returning Senate Bill No. 209, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

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

A communication from the House (Hse. Com. No. 342), returning Senate Bill No. 1003, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1003, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ZONING", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 343), returning Senate Bill No. 1161, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1161, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS AND EXPENSES OF LITIGATION", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 344), returning Senate Bill No. 1441, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 345), returning Senate Bill No. 1831-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended

form, was placed on file.

By unanimous consent, action on S.B. No. 1831-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 346), returning Senate Bill No. 1832-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1832-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREER CRIMINALS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 347), returning Senate Bill No. 1834-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1834-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT OF A MARRIAGE", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 348), returning Senate Bill No. 1838-80, S.D. 3, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1838-80, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 349), returning Senate Bill No. 1851-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1851-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE SYSTEM", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 350), returning Senate Bill No. 1897-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B.

No. 1897-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 351), returning Senate Bill No. 1944-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1944-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 352), returning Senate Bill No. 1960-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1960-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 353), returning Senate Bill No. 2006-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2006-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAYS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 354), returning Senate Bill No. 2007-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2007-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VENDING FROM STATE HIGHWAYS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 355), returning Senate Bill No. 2070-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2070-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", was deferred

until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 356), returning Senate Bill No. 2071-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2071-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 357), returning Senate Bill No. 2081-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2081-80, S.D. 1, H.D. 1, entitled: "A BILL FOR ACT RELATING TO INSURANCE", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 358), returning Senate Bill No. 2155-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2155-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 359), returning Senate Bill No. 2156-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2156-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 360), returning Senate Bill No. 2202-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2202-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF RADIATION THERAPY TECHNOLOGISTS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse.

Com. No. 361), returning Senate Bill No. 2232-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2232-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT PARKING CONTROL", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 362), returning Senate Bill No. 2253-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2253-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 363), returning Senate Bill No. 2277-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2277-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 364), returning Senate Bill No. 2292-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2292-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 365), returning Senate Bill No. 2302-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2302-80, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 366), returning Senate Bill No. 2329-80, S.D. 2, which passed

Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2329-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 367), returning Senate Bill No. 2419-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2419-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 368), returning Senate Bill No. 2501-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2501-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS: PENALTIES FOR VIOLATIONS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 369), returning Senate Bill No. 2512-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2512-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING AND CONTRACTING", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 370), returning Senate Bill No. 2514-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2514-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 371), returning Senate Bill No. 2531-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed

on file.

By unanimous consent, action on S.B. No. 2531-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 372), returning Senate Bill No. 2571-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2571-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 373), returning Senate Bill No. 2581-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2581-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASED OR RENTED PERSONAL PROPERTY", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 374), returning Senate Bill No. 2635-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

By unanimous consent, action on S.B. No. 2635-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR INDUSTRIAL ENTERPRISES", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 375), returning Senate Bill No. 2665-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2665-80, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 376), returning Senate Bill No. 2682-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended

form, was placed on file.

By unanimous consent, action on S.B. No. 2682-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 377), returning Senate Bill No. 2693-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2693-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL OBJECTS AND SITES; CULTURE AND ARTS; AND HISTORY AND THE HUMANITIES", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 378), returning Senate Bill No. 2741-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2741-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FITNESS TO PROCEED", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 379), returning Senate Bill No. 2744-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2744-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSANITY DEFENSE", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 380), returning Senate Bill No. 2770-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2770-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 381), returning Senate Bill No. 2784-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2784-80, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 382), returning Senate Bill No. 2795-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2795-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 383), returning Senate Bill No. 2869-80, S.D. 3, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2896-80, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 384), returning Senate Bill No. 2870-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2870-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS BY POLICE OFFICERS WITHOUT WARRANT", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 385), returning Senate Bill No. 2877-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2877-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 386), returning Senate Bill No. 2914-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2914-80, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 387), returning Senate Bill No. 2927-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

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

A communication from the House (Hse. Com. No. 388), returning Senate Bill No. 2938-80, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2938-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 389), returning Senate Bill No. 2977-80, S.D. 2, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2977-80, S.D. 2, H.D. 2,, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES COVERED BY CHAPTER 77, HAWAII REVISED STATUTES", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 390), returning Senate Bill No. 3003-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 3003-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 391), returning Senate Bill No. 3012-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on H.B. No. 3012-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 392), returning Senate Bill

No. 3146-80, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1980, in an amended form, was placed on file.

By unanimous consent, action on H.B. No. 3146-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", was deferred until Wednesday, April 2, 1980.

A communication from the House (Hse. Com. No. 393), returning Senate Concurrent Resolution No. 45, which was adopted by the House of Representatives on March 31, 1980, was placed on file.

A communication from the House (Hse. Com. No. 394), returning Senate Bill No. 2005-80, which passed Third Reading in the House of Representatives on March 31, 1980, was placed on file.

A communication from the House (Hse. Com. No. 395), returning Senate Bill No. 2191-80, which passed Third Reading in the House of Representatives on March 31, 1980, was placed on file.

A communication from the House (Hse. Com. No. 396), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1827-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on March 31, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Blair, Honda, Nakamura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 46 to 48) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 46), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING AND CONGRATULATING THE HAWAII JAYCEES ON ITS 50TH ANNIVERSARY", was jointly offered by Senators Chong, Yim, Carpenter, Machida, Yamasaki, Kawasaki, Yee, Soares, Young, Mizuguchi, Ushijima, Toyofuku, Wong, Anderson, Hara, Ajifu, Cobb, Campbell, George, Carroll, Cayetano, O'Connor, Kuroda and Abercrombie.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, S.C.R. No. 46 was adopted.

At this time, Senator Chong introduced to the members of the Senate Mr. Edward Britos, Mr. Frank Fujimura, Chairman of the Hawaii Jaycees 50th Anniversary, and Ms. Sheryl Price, secretary of the Hawaii Jaycees. Senators Young and Chong presented leis and copies of the resolution to the aforementioned.

At 11:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:20 o'clock a.m.

A concurrent resolution (S.C.R. No. 47), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW AND RECOMMEND CHANGES TO CHAPTER 269, HAWAII REVISED STATUTES, PUBLIC UTILITIES COMMISSION", was jointly offered by Senators Chong, Mizuguchi, Yim and Yamasaki.

By unanimous consent, S.C.R. No. 47 was referred to the Committee on Public Utilities, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 48), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A HEALTH FUNCTIONAL PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 48 was referred to the Committee on Health, then to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. No. 231 to 234) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 231), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE HAWAII JAYCEES ON ITS 50TH ANNIVERSARY", was jointly offered by Senators Chong, Yim, Carpenter, Machida, Yamasaki, Kawasaki, Abercrombie, Yee, Soares, Young, Mizuguchi, Ushijima, Wong, Anderson, Hara, Ajifu, Cobb, Campbell, George, Carroll, Cayetano, O'Connor, Toyofuku and Kuroda.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, S.R. No. 231 was adopted.

A resolution (S.R. No. 232), entitled: "SENATE RESOLUTION CONGRATULATING

THE WAIALUA OAHU HONGWANJI MISSION ON THE CELEBRATION OF ITS SEVENTY-FIFTH ANNIVERSARY AND BUILDING", was jointly offered by Senators Mizuguchi, Kuroda, Cayetano, Young, Toyofuku, Carroll, Carpenter, Wong, Hara, Campbell, George, Saiki, Yee, Ajifu and O'Connor.

On motion by Senator Mizuguchi, seconded by Senator Kuroda and carried, S.R. No. 232 was adopted.

At this time, Senator Mizuguchi, before introducing the leaders of the Waialua Hongwanji Mission, rose to state as follows:

"Mr. President, these gentlemen have played an important part in the operations of the Waialua Hongwanji Mission. This particular mission is important to the history of the Waialua plantation community stemming from the immigration of Japanese workers to the plantation to the many changes they have contributed to the every day life of the Waialua community."

Senator Mizuguchi then introduced to the members of the Senate Reverend Takamaro Saigusa of the Waialua Hongwanji Mission, Mr. Sadamu Hinazumi, President of the Kyodan, Mr. Genji Santoki, Mr. Kaoru Tasaki, Mr. Masao Koike and Mr. Tony Masaki, who were presented with leis and copies of the resolution by Senators, Young, George, Saiki and Kuroda.

At 11:23 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:25 o'clock a.m.

A resolution (S.R. No. 233), entitled: "SENATE RESOLUTION REQUESTING CREATION OF A SPECIAL SENATE OR JOINT INTERIM COMMITTEE TO PERFORM A STATEWIDE REVIEW OF THE PROBLEM OF CATTLE AND OTHER LIVESTOCK RUSTLING DURING THE 1980 INTERIM PERIOD", was jointly offered by Senators Machida and Yamasaki.

By unanimous consent, S.R. No. 233 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

A resolution (S.R. No. 234), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW AND RECOMMEND CHANGES TO CHAPTER 269, HAWAII REVISED STATUTES, PUBLIC UTILITIES COMMISSION", was jointly offered by Senators Chong, Mizuguchi, Yim, Campbell and Yamasaki.

By unanimous consent, S.R. No. 234 was referred to the Committee on Public Utilities, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1014-80), informing the Senate that Senate Resolution Nos. 228 to 230 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 Ushijima, for the majority of the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1015-80) recommending that S.C.R. No. 4 be adopted.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, Stand. Com. Rep. No. 1015-80 was adopted and Roll Call vote having been requested, S.C.R. No. 4, entitled: SENATE CONCURRENT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR REPRESENTATION OF THE DISTRICT OF COLUMBIA IN CONGRESS", was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Carroll, Cayetano and Cobb). Excused, 2 (Abercrombie and Yee).

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 31, 1980

Senate Bill No. 1827-80, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1827-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE", was deferred until Wednesday, April 2, 1980.

Senate Bill No. 2093-80, H.D. 1:

By unanimous consent, action on S.B. No. 2093-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERS", was deferred until Wednesday, April 2, 1980.

Senate Bill No. 2097-80, H.D. 1:

By unanimous consent, S.B. No. 2097-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF COSMETOLOGY", was deferred until Wednesday, April 2, 1980.

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

By unanimous consent, action on S.B. No. 2120-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", was deferred until Wednesday, April 2, 1980.

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

By unanimous consent, action on S.B. No. 2186-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", was deferred until Wednesday, April 2, 1980.

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

By unanimous consent, action on S.B. No. 2208-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Wednesday, April 2, 1980.

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

By unanimous consent, action on S.B. No. 2358-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", was deferred until Wednesday, April 2, 1980.

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

By unanimous consent, action on S.B. No. 3145-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", was deferred until Wednesday, April 2, 1980.

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 Wednesday, April 2, 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 Wednesday, April 2, 1980.

House Bill No. 1816-80:

By unanimous consent, action on

H.B. No. 1816-80, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANIES", was deferred until Wednesday, April 2, 1980.

House Bill No. 1817-80:

By unanimous consent, action on H.B. No. 1817-80, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", was deferred until Wednesday, April 2, 1980.

House Bill No. 2351-80, H.D. 1:

By unanimous consent, action on H.B. No. 2351-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", was deferred until Wednesday, April 2, 1980.

House Bill No. 721, H.D. 1:

By unanimous consent, action on H.B. No. 721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER TRANSACTIONS", was deferred until Wednesday, April 2, 1980.

House Bill No. 1827-80:

By unanimous consent, action on H.B. No. 1827-80, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", was deferred until Wednesday, April 2, 1980.

Standing Committee Report No. 905-80 (H.B. No. 1969-80, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 905-80 and H.B. No. 1969-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY", was deferred until Wednesday, April 2, 1980.

House Bill No. 2284-80:

By unanimous consent, action on S.B. No. 2284-80, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS", was deferred until Wednesday, April 2, 1980.

House Bill No. 2259-80:

By unanimous consent, action on H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Wednesday, April 2, 1980.

House Bill No. 2127-80:

By unanimous consent, action on H.B. No. 2127-80, entitled: "A BILL FOR AN ACT RELATING TO THE IMPOUNDMENT OF VESSELS", was deferred until Wednesday, April 2, 1980.

House Bill No. 2487-80:

By unanimous consent, action on H.B. No. 2487-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", was deferred until Wednesday, April 2, 1980.

House Bill No. 2645-80, H.D. 2:

By unanimous consent, action on H.B. No. 2645-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was deferred until Wednesday, April 2, 1980.

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

By unanimous consent, action on H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was deferred until Wednesday, April 2, 1980.

House Bill No. 2064-80:

By unanimous consent, action on H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was deferred until Wednesday, April 2, 1980.

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

By unanimous consent, action on H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Wednesday, April 2, 1980.

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

By unanimous consent, action on Stand. Com. Rep. No. 987-80 and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Wednesday, April 2, 1980.

House Bill No. 2629-80, H.D. 1:

By unanimous consent, action on H.B. No. 2629-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Wednesday, April 2, 1980.

Standing Committee Report No. 909-80 (H.B. No. 2339-80):

By unanimous consent, action on Stand. Com. No. 909-80 and H.B. No. 2339-80, entitled: "A BILL FOR AN ACT RELATING TO PORT PILOTS", was deferred until Wednesday, April 2, 1980.

House Bill No. 2853-80:

By unanimous consent, action on H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", was deferred until Wednesday, April 2, 1980.

At 11:27 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:28 o'clock a.m.

ADJOURNMENT

At 11:31 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 2, 1980.

FORTY-NINTH DAY

Wednesday, April 2, 1980

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

The Divine Blessing was invoked by the Reverend Masanori Ogasawara of the Palolo Higashi Hongwanji Church, after which the Roll was called showing all Senators present with the exception of Senator Saiki who was excused.

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

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

Senator Anderson introduced 50 members of the Area Wide Horizons Senior Citizens Club.

Senator Yamasaki introduced eighteen students from the eighth grade at Kihei School, Island of Maui, together with their teachers, Mr. Vance Yatsushiro and Mr. Dennis Irimata and a chaperone, Ms. Stephanie Kamakeeia.

Senator O'Connor introduced Mr. Phillip Nicholson, an attorney from Los Angeles, California.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 245 to 255) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 245), informing the Senate of the withdrawal of the nominations to the Library Advisory Commission, City and County of Honolulu, dated March 17, 1980, under Governor's Message No. 165, as follows:

Edith L. Clements, term to expire December 31, 1983;

Clinton K. Akana, term to expire December 31, 1983;

Lilyan C. Tom, term to expire December 31, 1983; and

Roy K. Sasaki, term to expire December 31, 1981,

was placed on file.

In compliance with Gov. Msg. No. 245, the nominations listed under Gov. Msg. No. 165 were returned.

A message from the Governor (Gov. Msg. No. 246), informing the Senate of the withdrawal of the nominations to the Defender Council, dated March 11, 1980, under Governor's Message No. 221, as follows:

Myrtle Mokiao, to serve at the pleasure of the Governor;

H. K. Bruss Keppeler, to serve at the pleasure of the Governor;

Terence T. Yoshioka, to serve at the pleasure of the Governor;

Thomas R. Cole, to serve at the pleasure of the Governor; and

Mervyn E. Masumura, to serve at the pleasure of the Governor,

was placed on file.

In compliance with Gov. Msg. No. 246, the nominations listed under Gov. Msg. No. 221 were returned.

A message from the Governor (Gov. Msg. No. 247), submitting for consideration and confirmation to the Board of Agriculture, the nomination of Shoichi Nagamine, term to expire December 31, 1981, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 248), submitting for consideration and confirmation the nominations to the Elevator Mechanics Licensing Board of the following:

Richard E. Peterson, OSHA Representative, new appointment under Act 217, SLH 1979, term to expire December 31, 1983; and

Arthur Fink, Public Member, new appointment under Act 217, SLH 1979, term to expire December 31, 1983,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 249), submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of George Goto, M.D., term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 250), submitting for consideration and confirmation to the Land Use Commission, the nominations of Shinsei Miyasato and Richard B.F. Choy, terms to expire December 31, 1983, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 251), submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nominations of G. Joette Kelley, Lawrence Kawasaki, Edward Espiritu, Jr., and Mary S. Monden, terms to expire December 31, 1983, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 252), submitting for consideration and confirmation to the Kauai County Hospital Management Advisory Committee, the following nominations:

Angela M. Morehead, term to expire December 31, 1983;

Manuel Maxie Moreno, term to expire December 31, 1983; and

Tamotsu Hiraoka, term to expire December 31, 1982,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 253), submitting for consideration and confirmation to the State Advisory Council for Children and Youth, the following nominations:

Bernadine M. Mokiao, term to expire December 31, 1983;

Shirley K. Kamakele, term to expire December 31, 1981;

Rena Alao, term to expire December 31, 1980;

Velma M. Santos, term to expire December 31, 1982;

Edward K. Fujimoto, Ph.D., term to expire December 31, 1983; and

Josephine E. Day, term to expire December 31, 1983,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 254), submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nominations of Gordon C. Murakami, Thomas T. Toguchi and Christian Tirre, terms to expire December 31, 1983, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 255), submitting for consideration and confirmation to the Civil Defense Advisory Council, the nominations of David K. Kaupu and Victor K. Punua, terms to expire December 31, 1983,

was referred to the Committee on Intergovernmental Relations.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 235 to 240) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 235), entitled: "SENATE RESOLUTION IN SUPPORT OF A BIKEWAY BETWEEN WAIMEA AND KEKAHA, KAUAI", was jointly offered by Senators Toyofuku, Mizuguchi, Machida, O'Connor, Young, Yamasaki, Kawasaki, Hara, Yee, Anderson, George, Yim, Ushijima, Carroll, Saiki, Campbell, Cayetano, Chong, Kuroda, Abercrombie, Soares, Carpenter, Cobb, Ajifu and Wong.

By unanimous consent, S.R. No. 235 was referred to the Committee on Transportation.

A resolution (S.R. No. 236), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF DAVID E. THOMPSON AND OFFERING SYMPATHY TO HIS FAMILY AND FRIENDS", was jointly offered by Senators Yamasaki, Machida, Ushijima, Cayetano, Carpenter, Saiki, Ajifu, Young, Anderson, Wong, Toyofuku, Cobb, Mizuguchi, Hara, Abercrombie, Campbell, Chong, O'Connor, Kawasaki, Yim, Soares, Carroll, Yee, Kuroda and George.

On motion by Senator Yamasaki, seconded by Senator Machida and carried, S.R. No. 236 was adopted.

A resolution (S.R. No. 237), entitled: "SENATE RESOLUTION CONGRATULATING AND RECOGNIZING THE 1979 MISS HAWAII, MISS SHERON LEIHUANANI BISSEN AND THE MISS HAWAII SCHOLARSHIP PAGEANT", was jointly offered by Senators Yamasaki, Machida, Hara, Kawasaki, Cobb, Saiki, Yim, Ajifu, Mizuguchi, Cayetano, Ushijima, Campbell, O'Connor, Chong, Young, Toyofuku, Kuroda, Abercrombie, Soares, Wong, Anderson, Carpenter, George, Carroll and Yee.

On motion by Senator Yamasaki, seconded by Senator Machida and carried, S.R. No. 237 was adopted.

Senator Yamasaki then introduced to the members of the Senate the 1979 Miss Hawaii, Miss Sheron Leihuanani Bissen and Mr. Thomas McGarvey, who is in charge of public relations for the Miss Hawaii Pageant, who accompanied her.

Senator Yamasaki then presented a lei to Miss Bissen while Senator Machida presented her with a certified copy of the resolution.

At 11:53 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 Young introduced to the members of the Senate Mrs. Agnes "Aunty Aggie" Cope from Waianae.

A resolution (S.R. No. 238), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING ADOLPH JOHANSEN FOR BEING NAMED THE 1979 'OUTSTANDING EMPLOYEE OF THE YEAR' FOR THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND FOR BEING THE DEPARTMENT'S CANDIDATE FOR THE 1979 'GOVERNOR'S AWARD FOR DISTINGUISHED STATE SERVICE'", was jointly offered by Senators Hara, Ushijima, Carpenter, Machida, George, Mizuguchi, Yamasaki, Chong, Young, Wong, Toyofuku, Yim, Soares, Yee, Cobb, Kuroda, Carroll, Abercrombie, Kawasaki and O'Connor.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 238 was adopted.

A resolution (S.R. No. 239), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING MITSUO MURASHIGE FOR BEING NAMED THE 1979 'OUTSTANDING EMPLOYEE OF THE YEAR' FOR THE DEPARTMENT OF AGRICULTURE AND FOR BEING THE DEPARTMENT'S CANDIDATE FOR THE 1979 'GOVERNOR'S AWARD FOR DISTINGUISHED STATE SERVICE'", was jointly offered by Senators Hara, Ushijima, Carpenter, Machida, George, Mizuguchi, Yamasaki, Chong, Young, Wong, Toyofuku, Yim, Soares, Cobb, Kuroda, Yee, Carroll, Abercrombie, Kawasaki and O'Connor.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 239 was adopted.

A resolution (S.R. No. 240), entitled: "SENATE RESOLUTION REQUESTING THE ADMINISTRATION'S DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO CANCEL ITS ARBITRARY POLICY OF TAGGING MOTORCYCLES FOR MAKING GOOD USE OF WASTED SPACES IN STATE PARKING LOTS", was offered by Senator Chong.

By unanimous consent, S.R. No. 240 was referred to the Committee on Government Operations and Efficiency.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1016-80) informing the Senate that Senate Concurrent Resolution Nos. 46 to 48, Senate Resolution Nos. 231 to 234 and Standing Committee Report No.

1015-80 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, Stand. Com. Rep. No. 1016-80 was adopted.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 1, 1980

Senate Bill No. 2093-80, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 2093-80, and S.B. No. 2093-80, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chong.

Senator Cobb then stated as follows:

"Mr. President, the House amended the time period for the Board of Barbers to be sunsetted from the Senate position of six years down to a period of four years, so it will sunset on December 31, 1984. Given the fact that a conference committee will probably be useless on this point, I recommend that the Senate concur to these changes and that the bill pass Final Reading."

At 12: 02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 11 o'clock p.m.

The motion was then put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2093-80, and S.B. No. 2093-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2097-80, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 2097-80, and S.B. No. 2097-80, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chong.

Senator Abercrombie then inquired if the Chairman of the Committee on Consumer Protection and Commerce would yield to a question to which Senator Cobb replied in the affirmative.

Senator Abercrombie then queried: "How many years is the extension of the

board?"

Senator Cobb replied: "Mr. President, there was a four-year extension of the board and then on page 4, the House amended the bill to state the board may waive the requirement if the operator in charge of the shop has practiced in the State for at least a year upon a showing that a person has had other experiences as an operator equivalent to one year's practice in this State and upon further showing that the aforesaid requirement creates an undue hardship on the shop."

Senator Abercrombie continued: "That is not the question I asked. The question I asked is, is there a four-year extension for the board?"

Senator Cobb answered: "Yes, the board is extended to December 31, 1984."

Senator Abercrombie asked: "Was that the position of the Senate?"

In response, Senator Cobb said: "The position of the Senate was six years; the House amended that to four years."

Senator Abercrombie inquired: "Can the Chairman explain why this four-year term is acceptable and not the six-year term?"

Senator Cobb answered: "Yes, this particular Chairman was told by the House that it was four years or nothing. We decided to take the four years."

Senator Abercrombie further questioned: "Is it going to be the position of the Senate that if the House tells us it's something or nothing, that we agree to it?"

Senator Cobb replied: "Not in all cases, no; and I imagine the Senate would be doing the same thing with a number of bills in conference also."

Senator Abercrombie continued: "Was it the position of the Chairman then that in the absence of four years, there would have been nothing, that the board would have been sunsetted?"

Senator Cobb said: "No, the Senate took the position which my committee supported--the six-years extension."

Senator Abercrombie then queried: "Can the Chairman explain why he considers that it is not useful to take this bill to conference?"

Senator Cobb answered: "Yes,

Mr. President. I consider four years to be better than nothing."

Senator Abercrombie then stated: "Mr. President, I'm faced with a contradiction; perhaps I didn't hear it correctly. Can the Chairman tell us whether or not he believes that the result of a conference would be that the board would be sunsetted, because nothing means it would be sunsetted."

Senator Cobb replied: "Mr. President, after two parties in conference fail to agree, the Senate would be faced with a choice of either accepting the original position or watching the board die."

Senator Abercrombie then stated as follows:

"Mr. President, then I would have to oppose the agreement. I don't think it's a good idea to take the position ahead of time to discuss with the House a position that the Senate had which the House disagreed to the point where it is said, 'well, this is what we will have or nothing.' After all one goes into conference and determines that that is in fact the case one can move to agree."

"The whole idea of going into conference is to give oneself some time to discuss whether what might be an ultimatum or a supposedly fixed position today which will in fact remain the same."

"The Senate position was six years; I was at the meeting of the House Committee where it was decided that four years was the circumstance. I did not notice at that time any file and drum corps come into the committee room; I did not notice any circumstances in which a suggestion was made where hostages were going to be taken; I was under the assumption that while that position was that of the House, it did not mean that the situation could not still be discussed."

"It bothers me if the Chairman is going to stand up and say that I was told by somebody it was this or nothing, so I'm going to agree to it. Nothing meaning that in this instance that the board would be sunsetted or in some other case that a law that the Senate might desire to have enacted would not take place, when there has been indication in this case in particular in that it is not the desire to see the board sunsetted."

"The House after all passed the bill with four years on it; the Senate position was six. The House didn't pass a bill saying 'no' or say that it was going to fail to pass the bill and let's sunset this board. It seems to be a rather unfortunate approach to a legislative activity to simply stand up and answer the question and say that if somebody told me that it's

this or nothing so I guess that's the way it has to be. I don't think that that's an approach that will be very useful to us in this legislature.

"Mr. President, I do not consider the explanation adequate. As I understand our legislative process, there's nothing to prevent us from coming back to this body at some point in the next three weeks and saying that we have made a good effort to try to change the mind of the House and, if after those efforts it is concluded that a lesser time is acceptable and in order, why then we can do so. But to do it before we even discuss it with them seems to me a capitulation to the House position from the Senate position which is unwarranted, given the circumstances.

"Therefore, I would like to see it disagreed with and we take this matter to conference, both on the grounds that I have stated in relation to this particular bill and the general philosophical framework of the utilization of the conference committee to come to mutual agreements in a bicameral legislature."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2097-80, and S.B. No. 2097-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF COSMETOLOGY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

At 12: 22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 26 o'clock p.m.

Senator Chong then introduced to the members of the Senate Mrs. Jean Minton.

At 12: 27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 28 o'clock p.m.

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

By unanimous consent, action on S.B. No. 2120-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", was deferred until Thursday, April 3, 1980.

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

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2186-80, S.D. 1, and 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. 2186-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES".

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

On motion by Senator Mizuguchi, seconded by Senator Carpenter and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2208-80, S.D. 1, and 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. 2208-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS".

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

By unanimous consent, action on S.B. No. 2358-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 3145-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", was deferred until Thursday, April 3, 1980.

At 12: 29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 31 o'clock p.m.

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

By unanimous consent, action on S.B. No. 3, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS", was deferred until Thursday, April 3, 1980.

Senate Bill No. 118, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 118, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND OCCUPATIONAL BOARDS AND COMMISSIONS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 209, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", was deferred until Thursday, April 3, 1980.

Senate Bill No. 1003, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1003, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ZONING", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 1161, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS AND EXPENSES OF LITIGATION", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 1831-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 1832-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREER CRIMINALS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 1834-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT OF A MARRIAGE", was deferred until Thursday, April 3, 1980.

Senate Bill No. 1838-80, S.D. 3, H.D. 1:

By unanimous consent, action on S.B. No. 1838-80, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO THE HAWAII CRIME COMMISSION", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 1851-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE SYSTEM", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 1897-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 1944-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Thursday, April 3, 1980.

Senate Bill No. 1960-80, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1960-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2006-80, H.D. 1:

By unanimous consent, action on S.B. No. 2006-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAYS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2007-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VENDING FROM STATE HIGHWAYS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2070-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2071-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT", was deferred

until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2081-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2155-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2156-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2202-80, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2202-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF RADIATION THERAPY TECHNOLOGISTS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2232-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT PARKING CONTROL", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2253-80, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2253-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2277-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2292-80, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2292-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2302-80, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2302-80, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2329-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2419-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2501-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS; PENALTIES FOR VIOLATIONS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2512-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING AND CONTRACTING", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2514-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2531-80, H.D. 1:

By unanimous consent, action on S.B. No. 2531-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2571-80, H.D. 1:

By unanimous consent, action on S.B. No. 2571-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2581-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASED OR RENTED PERSONAL PROPERTY", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2635-80, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2635-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR INDUSTRIAL ENTERPRISES", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2665-80, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2665-80, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2682-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2693-80, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2693-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL OBJECTS AND SITES; CULTURE AND ARTS; AND HISTORY AND THE HUMANITIES", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2741-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FITNESS TO PROCEED", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2744-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSANITY DEFENSE", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2770-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2784-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2795-80, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2795-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2869-80, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2870-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS BY POLICE OFFICERS WITHOUT WARRANT", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2877-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2914-80, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2914-80, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2927-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 2938-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", was deferred until Thursday, April 3, 1980.

Senate Bill No. 2977-80, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2977-80, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES COVERED BY CHAPTER 77, HAWAII REVISED STATUTES", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 3003-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", was deferred until Thursday, April 3, 1980.

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

By unanimous consent, action on S.B. No. 3012-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS", was deferred until Thursday, April 3, 1980.

Senate Bill No. 3146-80, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 3146-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", was deferred until Thursday, April 3, 1980.

THIRD READING

Standing Committee Report No. 679-80 (S.B. No. 1829-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 679-80 and S.B. No. 1829-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT", was deferred until Thursday, April 3, 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 Thursday, April 3, 1980.

At 12:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

House Bill No. 1816-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1816-80, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Carroll, Saiki, Yee and Yim).

House Bill No. 1817-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1817-80, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Carroll, Saiki, Yee and Yim).

House Bill No. 2351-80, H.D. 1:

By unanimous consent, action on H.B. No. 2351-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", was deferred until Thursday, April 3, 1980.

House Bill No. 721, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER TRANSACTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Yee and Yim).

House Bill No. 1827-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1827-80, entitled: "A BILL FOR AN

ACT RELATING TO PARTNERSHIPS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Anderson).
Excused, 3 (Saiki, Yee and Yim).

Standing Committee Report No. 905-80 (H.B. No. 1969-80, H.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 905-80 was adopted and H.B. No. 1969-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Yee and Yim).

House Bill No. 2284-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2284-80, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Abercrombie).
Excused, 3 (Saiki, Yee and Yim).

House Bill No. 2259-80:

By unanimous consent, action on H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Thursday, April 3, 1980.

House Bill No. 2127-80:

By unanimous consent, action on H.B. No. 2127-80, entitled: "A BILL FOR AN ACT RELATING TO THE IMPOUNDMENT OF VESSELS", was deferred until Thursday, April 3, 1980.

House Bill No. 2487-80:

By unanimous consent, action on H.B. No. 2487-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", was deferred until Thursday, April 3, 1980.

House Bill No. 2645-80, H.D. 2:

By unanimous consent, action on H.B. No. 2645-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was deferred until Thursday, April 3, 1980.

House Bill No. 2533-80, H.D. 1:

By unanimous consent, action on H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was deferred until Thursday, April 3, 1980.

House Bill No. 2064-80:

By unanimous consent, action on H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was deferred until Thursday, April 3, 1980.

House Bill No. 2166-80, H.D. 1:

By unanimous consent, action on H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Thursday, April 3, 1980.

Standing Committee Report No. 987-80 (H.B. No. 2589-80):

By unanimous consent, action on Stand. Com. Rep. No. 987-80 and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Thursday, April 3, 1980.

At 12:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:37 o'clock p.m.

House Bill No. 2629-80, H.D. 1:

By unanimous consent, action on H.B. No. 2629-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Thursday, April 3, 1980.

Standing Committee Report No. 909-80 (H.B. No. 2339-80):

Senator Cobb moved that Stand. Com. Rep. No. 909-80 be adopted and H.B. No. 2339-80, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Kawasaki then inquired if the Chairman of the Committee on Consumer Protection and Commerce would yield to a question to which Senator Cobb replied that he would.

Senator Kawasaki queried: "Is this the bill that does away with the requirement of the pilots association carrying liability insurance to protect the State?"

Senator Cobb replied that it was.

Senator Kawasaki then continued:
"Do we have assurances that the pilots association is carrying some kind of liability insurance if this one is done away with?"

Senator Cobb replied: "I believe that is the case, Mr. President, but the bill was also heard in the Transportation Committee as well and perhaps the committee Chairman would want to elaborate on that point."

Senator Mizuguchi, Chairman of the Committee on Transportation, then stated: "Yes, Mr. President, we've had some assurances that they will carry some kind of liability insurance."

Senator Kawasaki then said: "Under those premises then I trust that its absolutely accurate and I will vote for this bill."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 909-80 was adopted and H.B. No. 2339-80, entitled: "A BILL FOR AN ACT RELATING TO PORT PILOTS",

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Abercrombie).
Excused, 3 (Saiki, Yee and Yim).

House Bill No. 2853-80:

By unanimous consent, action on H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", was deferred until Thursday, April 3, 1980.

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.

ADJOURNMENT

At 12:43 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 3, 1980.

FIFTIETH DAY

Thursday, April 3, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Bishop Stephen L. Molale of the Church of Jesus Christ of Latter-Day Saints, Hawaii Kai, after which the Roll was called showing all Senators present, with the exception of Senator Saiki who was excused.

The President announced that he had read and approved the Journal of the Forty-Ninth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Machida, on behalf of the Senators from the 2nd Senatorial District, introduced two outstanding citizens from the County of Maui, Mr. Alfred Souza and Mr. Winston Miyahira.

Senator Hara, on behalf of the Senators from the 1st Senatorial District, introduced 15 junior and senior students from the Big Island high schools who are here on a legislative experience program, accompanied by Mr. Wallace Aki.

Senator Anderson then introduced 50 members of the Hui O Halawa Senior Citizens Club.

Senator Cayetano introduced a group of HGEA retirees, accompanied by their leaders Mr. Jack Meek and Mr. Mark Briggs.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 256 to 261) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 256), transmitting the State Education Plan which was prepared in compliance with the requirements of The Hawaii State Plan Act, Chapter 226, Hawaii Revised Statutes, by the Department of Education, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 257), transmitting the 1979 Annual Report of the State Energy Resources Coordinator, prepared by the Department of Planning and Economic Development in compliance with Chapter 196, Hawaii Revised Statutes, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 258), informing the Senate that on April 2, 1980, he signed the following bill into law:

H.B. No. 1982-80 as Act 4, entitled: "RELATING TO DISPOSITION OF PUBLIC LANDS",

was placed on file.

A message from the Governor (Gov. Msg. No. 259), submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of Donald K. Tsukiyama, 11th Judge, for a term of 10 years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 260), informing the Senate of the withdrawal of the nominations to the Motor Vehicle Industry Licensing Board of John K. Uyetake and Bryan Mamacalay, terms to expire December 31, 1983, under Governor's Message No. 128, was placed on file.

In compliance with Gov. Msg. No. 260, the nominations listed under Gov. Msg. No. 128 were returned.

A message from the Governor (Gov. Msg. No. 261), informing the Senate of the withdrawal of the nominations to the King Kamehameha Celebration Commission of Daisy L. Aguiar, Gussie Bento and Lillian Cameron, terms to expire December 31, 1983, and Thelma Black, term to expire December 31, 1982, under Governor's Message No. 164, was placed on file.

In compliance with Gov. Msg. No. 261, the nominations listed under Gov. Msg. No. 164 were returned.

DEPARTMENTAL COMMUNICATION

A communication from the Durward Long, Chancellor, University of Hawaii at Manoa (Dept. Com. No. 27), acknowledging receipt of Senate Resolution No. 204, extending recognition to Professor William H. McNeill, which was adopted by the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 397 to 400), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 397), returning Senate Concurrent Resolution No. 46, which was adopted by the House of Representatives on April 2, 1980, was placed on file.

A communication from the House (Hse. Com. No. 398), informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 1684, H.D. 1;
H.B. No. 1784-80, H.D. 1;
H.B. No. 2029-80, H.D. 2;
H.B. No. 2071-80, H.D. 1;
H.B. No. 2286-80, H.D. 1;
H.B. No. 2532-80; and
H.B. No. 2723-80, H.D. 2,

and will name conferees at a later date for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 399), transmitting House Concurrent Resolution No. 86, which was adopted by the House of Representatives on April 2, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING A STATEWIDE OBSERVATION OF EARTH DAY ON TUESDAY, APRIL 22, 1980", was adopted.

A communication from the House (Hse. Com. No. 400), transmitting House Concurrent Resolution No. 95, which was adopted by the House of Representatives on April 2, 1980, was placed on file.

By unanimous consent, H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CITY & COUNTY OF HONOLULU AUTHORIZATION OF JITNEY TAXI OPERATIONS LINKING OFF-CORRIDOR COMMUNITIES TO MTL ROUTES", was referred to the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 241 to 257) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 241), entitled: "SENATE RESOLUTION HONORING THE PRESIDENTIAL APPOINTMENT OF KENNETH S.C. CHAR TO THE FEDERAL BOARD OF FOREIGN SCHOLARSHIPS", was jointly offered by Senators Yee, Carroll, Chong, Cobb, Kawasaki, Anderson, Kuroda, Hara, Saiki, Carpenter, Yamasaki, Young, George, Soares, Campbell, Cayetano, Wong, Toyofuku, Ushijima, Machida, Ajifu and O'Connor.

Senator Yee moved that S.R. No. 241 be adopted, seconded by Senator Carroll.

At this time, Senator Yee rose to say a few words regarding the honoree as follows:

"Mr. President, Mr. Kenneth Char is one of our most outstanding men in the State of Hawaii who grew up under moderate circumstances, became a lawyer, served in the China area in World War II and was very instrumental in getting Aloha Airlines, during its young days, to become a very substantial operation. He served a great many years as president of Aloha Airlines and is now vice chairman and director of that airlines.

"This appointment is a recognition by our national government that we do have distinguished and outstanding citizens in the State of Hawaii to be appointed to the federal board of the Fulbright Scholarship program and is one of significant distinction.

"Last year we also recognized Mr. Char when he and Mrs. Char were the only oriental couple invited by President Carter to Washington, D.C., to attend the reception for Premier Deng Xiaoping. I think Washington looks very kindly towards this very fine man and we are fortunate to have a friend in Hawaii."

The motion was put by the Chair and carried and S.R. No. 241 was adopted.

Senator Yee then introduced to the members of the Senate Mr. Kenneth Char, his wife Irene, and father Charles Char. Mr. Char was presented with a lei by Senator George and a copy of the resolution by Senator Yee.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

A resolution (S.R. No. 242), entitled: "SENATE RESOLUTION CONGRATULATING THE BOYS' CLUB OF HONOLULU ALL-STAR BASKETBALL TEAM ON WINNING THE 12TH ANNUAL KNIGHT'S KEYSTONE CLASSIC", was jointly offered by Senators Yee, Campbell, Ushijima, Chong, Anderson, Ajifu, Hara, Yamasaki, Cayetano, Soares, Carpenter, Machida, Young, O'Connor, Kawasaki, Wong, Toyofuku, Carroll, Abercrombie and Kuroda.

By unanimous consent, action S.R. No. 242 was deferred until Thursday, April 10, 1980.

A resolution (S.R. No. 243), entitled: "SENATE RESOLUTION CONGRATULATING THE PUNAHOU HIGH SCHOOL VARSITY BASKETBALL TEAM FOR WINNING THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION STATE BASKETBALL TOURNAMENT", was jointly offered by Senators Yee, Chong, Soares, Campbell, Ushijima, Cayetano, Machida, Anderson, Yamasaki, Wong, Kuroda, Hara, Carpenter, Toyofuku, George, Ajifu, Young, O'Connor, Kawasaki, Abercrombie and Carroll.

On motion by Senator Yee, seconded by Senator Chong and carried, S.R. No. 243 was adopted.

A resolution (S.R. No. 244), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO NOBORU 'POP' MIYAMOTO UPON HIS BEING NAMED HONORARY CHAIRMAN OF THE TENTH BIENNIAL STATE ILWU PENSIONERS ASSOCIATION CONFERENCE", was jointly offered by Senators Yamasaki, Machida, Ushijima, Wong, Carpenter, Chong, O'Connor, Carroll, Cobb, Hara, Cayetano, Young, Kuroda, Yim, Anderson, Toyofuku, Campbell, Soares, Saiki, Mizuguchi, Kawasaki, George, Ajifu, Yee and Abercrombie.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.R. No. 244 was adopted.

A resolution (S.R. No. 245), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO PREPARE A REPORT ON THE BASIS, EFFECTIVENESS AND IMPACT OF THE CURRENT PROVISIONS OF THE WORKERS' COMPENSATION, TEMPORARY DISABILITY AND EMPLOYMENT SECURITY LAWS WHICH REQUIRE COVERAGE FOR DOMESTIC WORKERS RECEIVING COMPENSATION IN EXCESS OF \$225 PER QUARTER FROM AN EMPLOYER", was jointly offered by Senators George, Toyofuku, Mizuguchi, Machida, Chong, Yim, Anderson, Hara, Cayetano, Young, Yee, Soares, Ushijima, Campbell and Carroll.

By unanimous consent, S.R. No. 245 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 246), entitled: "SENATE RESOLUTION URGING CONGRESS TO HOLD HEARINGS ON H.R. 1918, A MEASURE WHICH WOULD SECURE PENSION RIGHTS FOR WORLD WAR I VETERANS", was jointly offered by Senators Yee, Hara, Cobb, Carroll, Yamasaki, Kawasaki, Saiki, Young,

Carpenter, Soares, Chong, Toyofuku and George.

By unanimous consent, S.R. No. 246 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 247), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO ANA HOTELS HAWAII, INCORPORATED AT ITS FIRST ANNIVERSARY AS OWNER-OPERATORS OF MAKAHA RESORT", was jointly offered by Senators Kuroda, Mizuguchi, Cayetano, Young, Yamasaki, Ushijima, Soares, Cobb, Hara, Ajifu, Wong, Anderson, Carroll, George, Abercrombie, Carpenter, O'Connor and Campbell.

On motion by Senator Mizuguchi, seconded by Senator Young and carried, S.R. No. 247 was adopted.

A resolution (S.R. No. 248), entitled: "SENATE RESOLUTION CONGRATULATING THE CHAIRMAN OF THE AMERICAN DELEGATION, THE HONOLULU JAPANESE CHAMBER OF COMMERCE, THE CHAMBER OF COMMERCE OF HAWAII, AND THE MAYOR OF FUKUOKA, JAPAN FOR THE SUCCESSFUL FIFTEENTH, JAPAN-AMERICAN CONFERENCE OF MAYORS AND CHAMBER OF COMMERCE PRESIDENTS", was jointly offered by Senators Kuroda, Hara, Machida, Yamasaki, Ushijima, Soares, Carpenter, Kawasaki, Saiki, Wong, Abercrombie, Cobb, Ajifu, Yim, Anderson, Carroll, Cayetano, Chong, Campbell, Yee, George, Toyofuku, Young, Mizuguchi and O'Connor.

On motion by Senator Mizuguchi, seconded by Hara and carried, S.R. No. 248 was adopted.

A resolution (S.R. No. 249), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING BEATRICE NISHIMURA, SENIOR VOLUNTEER AT PEARL CITY HIGHLANDS ELEMENTARY SCHOOL", was jointly offered by Senators Young, Mizuguchi, Kuroda, Cayetano, Chong, Cobb, Yamasaki, Machida, Anderson, Wong, Soares, Hara, Campbell, Ajifu, Kawasaki, Carpenter, George, Abercrombie, Carroll, Toyofuku, Saiki, O'Connor, Yee, Ushijima and Yim.

On motion by Senator Young, seconded by Senator Mizuguchi and carried, S.R. No. 249 was adopted.

A resolution (S.R. No. 250), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO EXPLORE THE USE OF AVAILABLE LAND AT HALE MOHALU AS A SITE FOR HOUSING FOR THE ELDERLY", was jointly offered by Senators Carpenter and Abercrombie.

By unanimous consent, S.R. No. 250 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 251), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP AN ENERGY CONSERVATION EDUCATION PROGRAM IN ELEMENTARY AND SECONDARY SCHOOLS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 251 was referred to the Committee on Education.

A resolution (S.R. No. 252), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE EFFECTIVENESS OF THE SCHOOL SECURITY PROGRAM", was offered by Senator Campbell.

By unanimous consent, S.R. No. 252 was referred to the Committee on Education.

A resolution (S.R. No. 253), 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 offered by Senator Campbell.

By unanimous consent, S.R. No. 253 was referred to the Committee on Education.

A resolution (S.R. No. 254), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF REGULATORY AGENCIES TO WORK OUT A MEMORANDUM OF AGREEMENT RELATED TO PRIVATE TRADE, TECHNICAL AND VOCATIONAL SCHOOLS", was jointly offered by Senators Campbell and Cobb.

By unanimous consent, S.R. No. 254 was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Education.

A resolution (S.R. No. 255), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE BOOK SHORTAGE IN OUR PUBLIC SCHOOLS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 255 was referred to the Committee on Education.

A resolution (S.R. No. 256), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EARMARK A CERTAIN ASPECT OF ITS ANNUAL BUDGET SPECIFICALLY FOR NEEDED TEXTBOOKS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 256

was referred to the Committee on Education, then to the Committee on Ways and Means.

A resolution (S.R. No. 257), entitled: "SENATE RESOLUTION CONGRATULATING THE CASTLE HIGH SCHOOL KNIGHTS ON WINNING THE OAHU INTERSCHOLASTIC ASSOCIATION VARSITY GOLF CHAMPIONSHIP", was jointly offered by Senators Ajifu, George, Anderson, Carroll, Cobb, Soares, Machida, Carpenter, Ushijima, Yamasaki, Wong, Toyofuku, Hara, Campbell, Yee, Young, Chong, O'Connor, Kawasaki, Cayetano, Abercrombie, Kuroda, Mizuguchi and Yim.

On motion by Senator Ajifu, seconded by Senator George and carried, S.R. No. 257 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1017-80) informing the Senate that Senate Resolution Nos. 235 to 240 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 Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1018-80) recommending that House Bill No. 2472-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2472-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 7, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2472-80.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1019-80) recommending that House Bill No. 2181-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2181-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1020-80) recommending that Senate Resolution No. 219, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Campbell, seconded by Senator Young and carried, S.R. No. 219, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE SENATE EDUCATION COMMITTEE TO CONVENE A YOUNG CITIZENS' GROUP TO ORGANIZE A DRIVE TO IMPROVE THE VOTING RECORD OF THAT AGE GROUP", was referred to the Committee on Legislative Management.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 2, 1980

Senate Bill No. 2120-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2120-80, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2358-80, S.D. 1, H.D. 1:

Senator Cayetano moved that the Senate agree to the amendments proposed by the House to S.B. No. 2358-80, S.D. 1, seconded by Senator Kawasaki.

At this time, Senator Cayetano stated that the amendment merely conforms two sections, Sections 40-35 and 40-68, to the 1978 Constitutional requirement on appropriations of general funds for a specified period.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2358-80, S.D. 1, and 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. 2358-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING."

At 12:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:12 o'clock p.m.

At this time, Senator Ajifu, on behalf of the Senators from the 3rd Senatorial District, introduced to the members

of the Senate 31 fifth grade students from the Kailua Mission School, accompanied by their teacher Mr. Roy Kakazu and parents, Mrs. Beck, Mrs. Streadbeck and Mrs. Knight. Senator Ajifu then singled out student Donna Wise stating that "this attractive young girl will someday in the future be a shining light in the entertainment field."

Senate Bill No. 3145-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3145-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 3, S.D. 3, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3, S.D. 3, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 118, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 118, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Yim and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 209, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 209, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano and Cobb, Co-Chairmen, Toyofuku and Saiki

as Managers on the part of the Senate at such conference.

Senate Bill No. 1003, S.D. 1, H.D. 1:

On motion by Senator Ushijima, seconded by Senator Yim and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1003, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Ushijima, Chairman, Kuroda and George as Managers on the part of the Senate at such conference.

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:29 o'clock p.m.

Senate Bill No. 1161, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1161, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 1441, S.D. 1, H.D. 1:

Senator Cobb, moved that the Senate agree to the amendments proposed by the House to S.B. No. 1441, S.D. 1, seconded by Senator Chong.

At this time, Senator Abercrombie rose to ask the chairman of the Consumer Protection and Commerce Committee to yield to a question and the chairman replied in the affirmative.

Senator Abercrombie asked as follows:

"Mr. Chairman, can you explain why this version is superior to the version sent over by the Senate, especially with some of the changes that are listed in the committee report from the Consumer Protection Committee ... any of the references to the six points, especially number 4, and any others that he thinks are superior to the Senate version?"

At 12:31 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:35 o'clock p.m.

Senator Abercrombie continued as follows:

"Mr. President, I would ask that the members consider disagreeing on the bill, rather than agreeing, for two reasons, one general, one in particular.

"As the committee report from the House states, 'the main purpose of open-end lending is customer convenience. Traditionally, industrial loan company borrowers have been limited to fixed term loans' and it goes on to describe the refinancing situation.

"Open-end lending would alleviate these problems by allowing customers to borrow once and then use the credit line. I think you need only refer to today's stories coming out of Washington in the newspapers to say that this is anathema to what we're trying to do. I think it will be certainly inconsistent for me at this juncture to vote for a bill which tries to accomplish that when I have been among those most vociferous in indicating that I think we have been adding to an inflationary circumstance in the state by virtue of some of the legislation that we are on the verge of passing.

"I do not think that this is a good idea, especially in the area of industrial loans, where by definition, people are already in a situation where high interest rates and their capacity to gain loans is at question with other institutions. This will encourage people, it seems to me, to at least attempt to borrow, perhaps beyond their means and perhaps because of other pressures in their economic life try to utilize this particular avenue to relieve themselves of that pressure even if only for the moment in a financial sense.

"The second thing in particular is No. 4 on page 3 of the committee report where it indicates that the committee had deleted the requirement that the contract be written in the English language.

"The reason that I favored that previously was that if someone had a contract in a language other than English that's all right with me, but I believe an English contract should also exist, co-exist with it so that there can be no question if there was a dispute as to the meaning of the contract, as to what the language meant. I think anybody who is at all familiar with linguistics and translations in languages is cognizant of the fact that language contains -- any language contains -- nuances within itself which may not be easily translatable or have multiple meanings in another language.

"Where you are dealing with somebody's financial life, especially in the industrial loan area, I think that it's extremely important that a person who does not have a good command of English have that contract already written in English to coincide with that language with which the loan may be originated so that there can be no question subsequently to what the meaning of that contract is."

Senator Cobb replied as follows:

"Mr. President, very briefly, the concept contained in the bill on the so-called open-end lending is in effect a line of credit, the granting of which in itself requires assessing of a preapproved loan, an application, a determination of qualifications, determination of past payment record, a determination of ability to pay; in short a complete assessment of the individual's ability to handle a loan of this nature if he decided to do so. It's the same service that is offered by many banks today.

"In effect then, an individual applying for this type of loan has to get it preapproved before it can be used at all. The same thing would apply at a bank.

"Secondly, in regards to the national policy that's going on, I don't expect very much use of this in a tight money situation because of the federally imposed requirement from the President that 15% of all new credit be deposited in terms of the dollar amount in a non-interest paying account. I would imagine that any industrial loan company in today's environment would be rather selective as to how this credit is granted and to whom it is granted to.

"So, Mr. President, Chapters 408 and 478 both require a contract to be made available in English whenever it is requested and if there was any difference in a language that would be covered in a statute of frauds; if there was any difference in interpretation at all, relative to the honesty of the loan being made with the conditions of its repayment, had there been any difference in the standard form contract to that which is permissible under the law, or it could be addressed already in the existing statutes under the statute of frauds."

Senator Abercrombie further added as follows:

"Mr. President on a point of information.

"I do not have full command, obviously, before me of Chapter 476, it's not 478, it's 476. I'm sure the chairman just made a mistake in number, but I'm not quite sure that that applies here because

the committee report specifically indicates that it deletes that.

"Now, whether that can be deleted from statute or not I'm not sufficiently familiar, but it says that it's taking out the English language contract side of it, regardless of what 476 says or not my presumption is that the chairman of Consumer Protection in the House means it, and that has to be the effect of it.

"I think it would be very unfortunate and, not by way of rebuttal but by way of commentary, I'm afraid that the chairman has not convinced me to the contrary in my position, but rather has affirmed it; that this is in fact setting up a circumstance of another line of credit which will be open to someone and that regardless of whatever appraisal is made by the industrial loan company, if they want to hook somebody into it and those people want that money bad enough, they're going to sign, and will do it in a situation in which somebody may not have reference to the English language contract ahead of time. It seems that that sets up a circumstance that can work to the disadvantage of some of our citizens who may find themselves in tight economic straits and who do not have a good command of the English language."

The motion was put by the Chair and, Roll Call vote having been requested, the Senate agreed to the amendments proposed by the House to S.B. No. 1441, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie).
Excused, 1 (Saiki).

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. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Senate Bill No. 1831-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1831-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 1832-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor,

seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1832-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 1834-80, H.D. 1:

Senate O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1834-80, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments are minor technical changes in the measure.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1834-80, H.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1834-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT OF A MARRIAGE."

Senate Bill No. 1838-80, S.D. 3, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1838-80, S.D. 3, H.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano and O'Connor, Co-Chairmen, Abercrombie, Campbell, Kawasaki, Ajifu and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1851-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1851-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 1897-80, S.D. 1, H.D. 1:

Senator Chong moved that the Senate agree to the amendments proposed by the House to S.B. No. 1897-80, S.D. 1, seconded by Senator Yim.

Senator Chong then explained that

the amendments are nonsubstantive changes.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1897-80, S.D. 1, and 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. 1897-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Senate Bill No. 1944-80, S.D. 1, H.D. 2:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1944-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 1960-80, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1960-80, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Chong and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 2006-80, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2006-80, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Mizuguchi, Chairman, Yim and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2007-80, H.D. 1:

Senator Mizuguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 2007-80, seconded by Senator Yim.

At this time, Senator Mizuguchi explained that "the amendments are minor in nature. The law and intent is clarified with respect to the type of activity that is prohibited in terms of vending on state highways."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2007-80, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2007-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VENDING FROM STATE HIGHWAYS."

Senate Bill No. 2070-80, H.D. 1:

Senator Cobb, moved that the Senate agree to the amendments proposed by the House to S.B. No. 2070-80, seconded by Senator Toyofuku.

Senator Cobb then explained that the amendments are non-substantive clarification of language only.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2070-80, and 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. 2070-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."

Senate Bill No. 2071-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2071-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2081-80, S.D. 1, H.D. 1:

Senator Cobb, moved that the Senate agree to the amendments proposed by the House to S.B. No. 2081-80, S.D. 1, seconded by Senator Chong.

Senator Cobb then explained that the amendments are non-substantive changes clarifying the language.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2081-80, S.D. 1, and 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. 2081-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE."

Senate Bill No. 2155-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2155-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2156-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2156-80, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2202-80, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2202-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter and Cobb, Co-Chairmen, and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2232-80, S.D. 1, H.D. 1:

Senator Mizuguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 2232-80, S.D. 1, seconded by Senator Yim.

Senator Mizuguchi explained that "the House amendments are minor amendments -- clarification regarding written notice of any vehicle removed from airport property and a disposal of unclaimed vehicles at public auction."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2232-80, S.D. 1, and 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. 2232-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT PARKING CONTROL."

Senate Bill No. 2253-80, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded

by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2253-80, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Carpenter and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2277-80, H.D. 2:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 2277-80, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments are minor technical changes in the measure.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2277-80, and 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. 2277-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Senate Bill No. 2292-80, S.D. 1, H.D. 2:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2292-80, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Hara, Chairman, Toyofuku and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2302-80, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2302-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Toyofuku, Yamasaki and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 2329-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2329-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2419-80, S.D. 1, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 2419-80, S.D. 1, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments are minor technical changes made in the measure.

The motion was put by the chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2419-80, S.D. 1, and 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. 2419-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS."

Senate Bill No. 2501-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2501-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2512-80, S.D. 1, H.D. 2:

Senator Kawasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 2512-80, S.D. 1, seconded by Senator Toyofuku.

Senator Kawasaki then explained that the amendment is non-substantive, placing a comma between two words.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2512-80, S.D. 1, and 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. 2512-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING AND CONTRACTING."

Senate Bill No. 2514-80, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 2514-80,

S.D. 1, seconded by Senator Chong.

Senator Cobb explained that "the House clarified the definition of what is meant by licensed contractor in the measure and in accordance with the agreement of the two houses it would not apply to owner-builders when they are doing their own house."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2514-80, S.D. 1, and 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. 2514-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Senate Bill No. 2531-80, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2531-80, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2571-80, H.D. 1:

On motion by Senator Yim, seconded by Senator Mizuguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2571-80, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yim, Chairman, Carpenter and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2581-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2581-80, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

At 12:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:45 o'clock p.m.

Senate Bill No. 2635-80, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2635-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Kawasaki, Yim, Young, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2665-80, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2665-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 2682-80, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 2682-80, S.D. 1, seconded by Senator Chong.

Senator Cobb then explained that the amendments are minor technical changes in nature.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2682-80, S.D. 1, and 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. 2682-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Senate Bill No. 2693-80, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2693-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Campbell and Cayetano,

Co-Chairmen, Abercrombie, Hara, Kawasaki, Yamasaki, Ajifu and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2741-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2741-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2744-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2744-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2770-80, S.D. 1, H.D. 1:

Senator Mizuguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 2770-80, S.D. 1, seconded by Senator Campbell.

Senator Mizuguchi then explained that "the Senate draft prohibited employees of the Department of Planning and Economic Development to serve as members of the Hawaii Visitors Bureau executive board and committees. The House draft allows employees of that Department to serve on committees."

At this time, Senator Abercrombie rose to disagree as follows:

"Mr. President, I think that's a lousy idea. I don't think we should move to agree on that one bit. That's about as clear a conflict of interest situation as I can imagine. I just can't conceive that that position of the House should be acceptable with this House just like that. I don't think we should move to agree with that at this particular time at all. I don't care how many more days we've got before we get to the final vote. To put members of the DPED on the HVB board is like inviting a fox to the fox convention and holding it in the chicken coop."

Senator Kawasaki then stated as follows:

"Mr. President, contrary to the sentiments expressed by the Senator from the 6th District, I don't see any harm, so far as the public interest is concerned, in having somebody from the Planning Department serve on the board of directors of HVB. If there is any conflict, it's a conflict in the public interest. Simply because the DPED has to oversee the expenditures, the allocations to the HVB, and I don't know that's any worse than having Mr. George Chaplin of the Advertiser serving on the HVB board when he can editorialize how HVB needs the half a million dollars the Senate cut out, or if there is any conflict, I think it's a conflict in the interest of the taxpayers who pay for the administration of the Department so I would actually support having someone from DPED serve on the HVB board. For that reason I object to agreeing."

Senator Abercrombie then rose in rebuttal as follows:

"Mr. President, I wish to rebuttal to that. I realize the sense of outrage that Senator Kawasaki has concerning the HNA in the particular maneuvering, in his estimation, of the Honolulu Advertiser editor, but that seems to me to confirm my point of view rather than to form an opposite conclusion."

"If the Senator would recall his commentary there, he said that it may be something against the public interest, and that's exactly what I'm trying to get at. I don't think that it's a good idea to have someone, who after all is part of the funding mechanism or has a good deal to say how it operates, to sit on the board because you formalize, if you will, a conflict of interest in terms of influence and I think it should be voted down now."

Senator Mizuguchi then rose on a point of clarification as follows:

"Mr. President, for clarification purposes on the part of the members, the amendments proposed by the House prohibits an employee of DPED to sit on the Hawaii Visitors Bureau executive board, but it allows employees of DPED to sit on the numerous committees, subcommittees that are formed by HVB, and for this reason I believe that we should accept the House amendment, with that clarification."

Senator Abercrombie then rose to state as follows:

"Mr. President, is that to say that the original presentation by the chairman,

on behalf of the absent chairman and vice chairman, was somewhat allied? It's a little bit different. I understood the original presentation to say that they could sit on the executive board."

Senator Mizuguchi replied as follows:

"Mr. President, no, I think the previous speaker that followed me was in error in interpreting the amendment."

Senator Abercrombie thanked Senator Mizuguchi for the clarification.

Senator Cayetano then rose to remark as follows:

"Mr. President, now that I understand what the amendment is, I vote against this bill because I agree with Senator Kawasaki that they (DPED) should not be precluded from sitting on the executive board of HVB."

Senator Kawasaki then rose on a point of clarification as follows:

"Mr. President, just one point of additional clarification. I think it is in the public interest for someone in DPED, be it the director or any employee so designated by the director, to be able to sit in the discussions of the HVB executive board to see to the needs of the HVB, the needs of the tourist industry, and so forth, because then he would be fully cognizant, at least that single person, and the same information could be imparted to the remainder of the department. He would be cognizant of what the problems are that face HVB and the tourist industry in general. At least then he's got some objective analysis or objective basis by which DPED determines what the funding is that we are going to allocate to the Hawaii Visitors Bureau."

"This is a conduit to enable DPED to get some information as to what goes on on the HVB board, and I think if there is a conflict, it's a conflict in the public interest. For that reason I would vote to disagree."

The motion was put by the Chair and, Roll Call vote having been requested, the Senate agreed to the amendments proposed by the House to S.B. No. 2770-80, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Cayetano, Chong and Kawasaki). Excused, 1 (Saiki).

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. 2770-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO TOURISM."

Senate Bill No. 2784-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2784-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2795-80, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2795-80, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2869-80, S.D. 3, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2869-80, S.D. 3, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2870-80, S.D. 1, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 2870-80, S.D. 1, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments are minor technical changes to the measure.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2870-80, S.D. 1, and 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. 2870-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS BY

POLICE OFFICERS WITHOUT WARRANT."

Senate Bill No. 2877-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2877-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2914-80, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2914-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Chong, Hara, Toyofuku, Yamasaki, Ajifu and Soares as Managers on the part of the Senate at such conference.

At 12:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:55 o'clock p.m.

Senate Bill No. 2927-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2927-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2938-80, H.D. 1:

Senator Mizuguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 2938-80, seconded by Senator Yim.

Senator Mizuguchi then explained the amendment as follows:

"Mr. President, this particular bill deals with persons that shall not be licensed. The House eliminated the provision to any person who has been adjudged a habitual drunkard or an addict by the use of a narcotic drug. There is another section that includes

these people."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2938-80 and 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. 2938-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Senate Bill No. 2977-80, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2977-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Toyofuku, Yamasaki, Ajifu and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 3003-80, S.D. 1, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 3003-80, S.D. 1, seconded by Senator Chong.

Senator O'Connor explained that the amendments are minor technical changes.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 3003-80, S.D. 1, and 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. 3003-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Senate Bill No. 3012-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3012-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 3146-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3146-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

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 Monday, April 7, 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 Monday, April 7, 1980.

House Bill No. 2351-80, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 2351-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Carroll, Kuroda, Machida and Saiki).

House Bill No. 2259-80:

By unanimous consent, action on H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Monday, April 7, 1980.

House Bill No. 2127-80:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, H.B. No. 2127-80, entitled: "A BILL FOR AN ACT RELATING TO THE IMPOUNDMENT OF VESSELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Carroll, Kuroda, Machida and Saiki).

House Bill No. 2487-80:

On motion by Senator Campbell, seconded by Senator Young and carried, H.B.

No. 2487-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Carroll, Kuroda, Machida and Saiki).

At 1:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:05 o'clock p.m.

House Bill No. 2645-80, H.D. 2:

Senator Toyofuku moved that H.B. No. 2645-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", be recommitted to the Committee on Human Resources, and the President, noting that there was no objection, so ordered.

House Bill No. 2533-80, H.D. 1:

By unanimous consent, action on H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was deferred until Monday, April 7, 1980.

House Bill No. 2064-80:

By unanimous consent, action on H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was deferred until Monday, April 7, 1980.

House Bill No. 2166-80, H.D. 1:

By unanimous consent, action on H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Monday, April 7, 1980.

Standing Committee Report No. 987-80 (H.B. No. 2589-80):

By unanimous consent, action on Stand. Com. Rep. No. 987-80 and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Monday, April 7 1980.

House Bill No. 2629-80:

By unanimous consent, action on H.B. No. 2629-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Monday, April 7, 1980.

House Bill No. 2853-80:

By unanimous consent, action on H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", was deferred until Monday, April 7, 1980.

At 1:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:08 o'clock p.m.

MISCELLANEOUS COMMUNICATION

A communication from Mr. Gordon Miwa (Misc. Comm. No. 14), dated April

1, 1980, transmitting a copy of a Report to the Legislature of the Public Defender Office, Prison Legal Services Project, prepared in compliance with Section 31, Act 214, Session Laws of Hawaii 1980, was read by the Clerk and was referred to the Committee on Judiciary.

ADJOURNMENT

At 1:10 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, April 7, 1980.

FIFTY-FIRST DAY

Monday, April 7, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Max Torkelsen of the Honolulu Central Seventh-Day Adventist Church, after which the Roll was called showing all Senators present with the exception of Senator Yee, who was excused.

The President announced that he had read and approved the Journal of the Fiftieth Day.

Senator Anderson introduced to the members of the Senate thirty students from the fifth grade at Jefferson School, with their teacher, Mrs. Moriyama.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 262 and 263) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 262), transmitting the Annual Report of the Department of Agriculture for Fiscal Year 1979, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 263), transmitting a report prepared by the Executive Office on Aging in response to House Resolution No. 573 (1979) which requested the Executive Office on Aging to review the quality and adequacy of State activities for informing elderly persons about public services to which they are entitled, was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 401 to 403) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 401), returning Senate Bill No. 1346, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1980, was placed on file.

A communication from the House (Hse. Com. No. 402), informing the Senate that the House had requested a conference on House Bill No. 2532-80 in consequence of which on April 2, 1980, the Speaker appointed Repre-

sentatives Say, Chairman, Takamine, Toguchi and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

By unanimous consent, the naming of Managers on the part of the Senate was deferred until Tuesday, April 8, 1980.

A communication from the House (Hse. Com. No. 403), informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills and will name conferees at a later date for the consideration of said amendments:

H.B. No. 18, H.D. 1;
H.B. No. 25, H.D. 1;
H.B. No. 159, H.D. 1,
H.B. No. 452, H.D. 1,
H.B. No. 501, H.D. 1,
H.B. No. 687, H.D. 1,
H.B. No. 1222, H.D. 1,
H.B. No. 1606, H.D. 2,
H.B. No. 1610, H.D. 1,
H.B. No. 1758, H.D. 2;
H.B. No. 1762-80;
H.B. No. 1772-80, H.D. 2,
H.B. No. 1775-80, H.D. 2,
H.B. No. 1782-80, H.D. 2,
H.B. No. 1853-80;
H.B. No. 1864-80, H.D. 1;
H.B. No. 1865-80, H.D. 1;
H.B. No. 1871-80, H.D. 1;
H.B. No. 1873-80;
H.B. No. 1911-80, H.D. 1;
H.B. No. 1912-80, H.D. 1;
H.B. No. 1915-80, H.D. 1;
H.B. No. 1919-80;
H.B. No. 1925-80, H.D. 1;
H.B. No. 1947-80, H.D. 2;
H.B. No. 1985-80, H.D. 1;
H.B. No. 1986-80;
H.B. No. 1991-80, H.D. 1;
H.B. No. 1993-80;
H.B. No. 2035-80, H.D. 2,
H.B. No. 2058-80, H.D. 1;
H.B. No. 2059-80;
H.B. No. 2091-80, H.D. 1;
H.B. No. 2161-80, H.D. 1;
H.B. No. 2162-80, H.D. 1;
H.B. No. 2167-80, H.D. 1;
H.B. No. 2172-80;
H.B. No. 2175-80;
H.B. No. 2193-80, H.D. 1;
H.B. No. 2196-80, H.D. 2;
H.B. No. 2215-80, H.D. 1;
H.B. No. 2241-80, H.D. 1;
H.B. No. 2265-80, H.D. 1;
H.B. No. 2321-80, H.D. 1;
H.B. No. 2324-80, H.D. 1;
H.B. No. 2344-80, H.D. 2;
H.B. No. 2357-80;
H.B. No. 2359-80;
H.B. No. 2368-80, H.D. 1;
H.B. No. 2443-80, H.D. 1;
H.B. No. 2558-80, H.D. 1;
H.B. No. 2634-80, H.D. 2;

H.B. No. 2647-80, H.D. 2;
 H.B. No. 2669-80, H.D. 1;
 H.B. No. 2672-80, H.D. 1;
 H.B. No. 2680-80, H.D. 1;
 H.B. No. 2720-80;
 H.B. No. 2729-80, H.D. 3;
 H.B. No. 2773-80, H.D. 1;
 H.B. No. 2826-80, H.D. 1;
 H.B. No. 2929-80, H.D. 1;
 H.B. No. 2930-80, H.D. 1; and
 H.B. No. 2944-80, H.D. 2,

was placed on file.

In accordance therewith, the President made the following appointments as Managers on the part of the Senate at the conference to be held for the consideration of said amendments:

H.B. No. 18, H.D. 1, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 25, H.D. 1, S.D. 3:
 (the naming of conferees on the part of the Senate was deferred until Tuesday, April 8, 1980);

H.B. No. 159, H.D. 1, S.D. 2: Senators Cobb, Chairman, Carpenter and Saiki;

H.B. No. 452, H.D. 1, S.D. 1: Senators Cobb, Chairman, Ushijima and Yee;

H.B. No. 501, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Mizuguchi and Carroll;

H.B. No. 687, H.D. 1, S.D. 1: Senators Cobb, Chairman, Kuroda, Yim and Yee;

H.B. No. 1222, H.D. 1, S.D. 3: Senators Cayetano, Chairman, Carpenter, Yamasaki and Ajifu;

H.B. No. 1606, H.D. 2, S.D. 1: Senators Cayetano, Chairman, Kawasaki, Toyofuku and Anderson;

H.B. No. 1610, H.D. 1, S.D. 1: Senators Cayetano, Chairman, Kawasaki, Toyofuku and Anderson;

H.B. No. 1758, H.D. 2, S.D. 3: Senators Cayetano, Chairman, Kawasaki, Yamasaki and Yee;

H.B. No. 1762-80, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 1772-80, H.D. 2, S.D. 1: Senators Cayetano, Chairman, Abercrombie,

Toyofuku, Yamasaki, Anderson and Ajifu;

H.B. No. 1775-80, H.D. 2, S.D. 1: Senators Yim, Chairman, Yamasaki and George;

H.B. No. 1782-80, H.D. 2, S.D. 1: Senators Cobb, Chairman, Kuroda, Yim and Saiki;

H.B. No. 1853-80, S.D. 3: Senators Cayetano, Chairman, Abercrombie, Hara, Young, Anderson and Yee;

H.B. No. 1864-80, H.D. 1, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 1865-80, H.D. 1, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, O'Connor, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 1871-80, H.D. 1, S.D. 1: Senators Cobb, Chairman, Kuroda, Yim and Saiki;

H.B. No. 1873-80, S.D. 1: Senators O'Connor, Chairman, Cobb and George;

H.B. No. 1911-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Carpenter and Saiki;

H.B. No. 1912-80, H.D. 1, S.D. 1: Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee;

H.B. No. 1915-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Mizuguchi and Carroll;

H.B. No. 1919-80, S.D. 1: Senators O'Connor, Chairman, Ushijima and Carroll;

H.B. No. 1925-80, H.D. 1, S.D. 1: Senators Cobb, Chairman, Kuroda, Yim and Saiki;

H.B. No. 1947-80, H.D. 2, S.D. 2: Senators Chong and Yim, Co-Chairmen, Mizuguchi and Saiki;

H.B. No. 1985-80, H.D. 1, S.D. 1:
 (the naming of conferees on the part of the Senate was deferred until Tuesday, April 8, 1980);

H.B. No. 1986-80, S.D. 1: Senators Cobb, Chairman, O'Connor and Carroll;

H.B. No. 1991-80, H.D. 1, S.D. 2:
 (the naming of conferees on the part of the Senate was deferred until Tuesday,

April 8, 1980);

H.B. No. 1993-80, S.D. 1: Senators Cobb, Chairman, Ushijima and Saiki;

H.B. No. 2035-80, H.D. 2, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Kawasaki, Toyofuku, Anderson and Yee;

H.B. No. 2058-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Ushijima and Saiki;

H.B. No. 2059-80, S.D. 2: Senators O'Connor and Cayetano, Co-Chairmen, Chong, Kawasaki, Ajifu and Carroll;

H.B. No. 2091-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Machida and George;

H.B. No. 2161-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Kuroda and George;

H.B. No. 2162-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Kuroda and George;

H.B. No. 2167-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Kuroda and George;

H.B. No. 2172-80, S.D. 1: Senators Machida, Chairman, Hara and Ajifu;

H.B. No. 2175-80, S.D. 2: Senators O'Connor, Chairman, Mizuguchi and Saiki;

H.B. No. 2193-80, H.D. 1, S.D. 2: Senators Cayetano, Chairman, Kawasaki, Ushijima, Yamasaki and Soares;

H.B. No. 2196-80, H.D. 2, S.D. 2: Senators Cayetano, Chairman, Campbell, Mizuguchi and Yee;

H.B. No. 2215-80, H.D. 1, S.D. 1: Senators Carpenter, Chairman, Campbell and Saiki;

H.B. No. 2241-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Campbell and Carroll;

H.B. No. 2265-80, H.D. 1, S.D. 1: (the naming of conferees on the part of the Senate was deferred until Tuesday, April 8, 1980);

H.B. No. 2321-80, H.D. 1, S.D. 1: Senators Cobb, Chairman, Carpenter and Saiki;

H.B. No. 2324-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Ushijima and Carroll;

H.B. No. 2344-80, H.D. 2, S.D. 2:

Senators Cayetano, Chairman, Abercrombie, Hara, Young, Anderson and Yee;

H.B. No. 2357-80, S.D. 2: Senators Cayetano and O'Connor, Co-Chairmen, Kawasaki and Soares;

H.B. No. 2359-80, S.D. 1: Senators O'Connor, Chairman, Cobb and Saiki;

H.B. No. 2368-80, H.D. 1, S.D. 2: Senators Cobb, Chairman, Kuroda, Yim and Carroll;

H.B. No. 2443-80, H.D. 1, S.D. 1: Senators Cobb, Chairman, Kuroda, Yim and Saiki;

H.B. No. 2558-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Ushijima and Carroll;

H.B. No. 2634-80, H.D. 2, S.D. 2: Senators Cayetano, Chairman, Kawasaki, Toyofuku, Yamasaki, Anderson and Ajifu;

H.B. No. 2647-80, H.D. 2, S.D. 2: (the naming of conferees on the part of the Senate was deferred until Tuesday, April 8, 1980);

H.B. No. 2669-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Campbell and Saiki;

H.B. No. 2672-80, H.D. 1, S.D. 2: Senators Cayetano, Chairman, Abercrombie, Campbell, Kawasaki, Anderson and Yee;

H.B. No. 2680-80, H.D. 1, S.D. 2: Senators O'Connor, Chairman, Kuroda and Saiki;

H.B. No. 2720-80, S.D. 2: Senators Cayetano, Chairman, Kawasaki, O'Connor, Yamasaki, Anderson and Carroll;

H.B. No. 2729-80, H.D. 3, S.D. 2: Senators Cayetano, Chairman, Kawasaki, Yim and Soares;

H.B. No. 2773-80, H.D. 1, S.D. 1: Senators Cayetano, Chairman, Abercrombie, Kawasaki and Ajifu;

H.B. No. 2826-80, H.D. 1, S.D. 1: Senators O'Connor, Kuroda and George;

H.B. No. 2929-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Cobb and George;

H.B. No. 2930-80, H.D. 1, S.D. 1: Senators O'Connor, Chairman, Cobb and George; and

H.B. No. 2944-80, H.D. 2, S.D. 2: Senators Cayetano, Chairman, Carpenter, Kawasaki and Ajifu.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

Senator Kuroda introduced to the members of the Senate a group of famous Hawaiian sculptors and artists as follows: Rocky Jensen, a sculptor, with his wife Lucia and their children Natalie and Frank; and artists, Duncan Seto, Ipo Nihipali and John Dominis Holt.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 49 to 52) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 49), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A STATE EDUCATION PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 49 was referred to the Committee on Education, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 50), entitled: "SENATE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS AND GOOD WISHES TO THE HAWAII AAU TAE KWON DO TEAM IN THE SIXTH NATIONAL AAU TAE KWON DO CHAMPIONSHIPS", was jointly offered by Senators Wong, Chong, Ushijima, Machida, Yamasaki, Carpenter, Cayetano, Hara, Campbell, Ajifu, Young, Abercrombie, Toyofuku, O'Connor, Carroll, Mizuguchi, Soares and Kuroda.

On motion by Senator Mizuguchi, seconded by Senator Chong and carried, S.C.R. No. 50 was adopted.

A concurrent resolution (S.C.R. No. 51), entitled: "SENATE CONCURRENT RESOLUTION URGING THE INTERNAL REVENUE SERVICE TO FORGO CHARGING FEDERAL INCOME TAX TO THE FAMILIES OF AMERICAN HOSTAGES AND THE HOSTAGES THEMSELVES BEING HELD IN IRAN", was jointly offered by Senators Campbell, Chong, Cobb, Ajifu, Yee, O'Connor and Abercrombie.

By unanimous consent, S.C.R. No. 51 was referred to the Committee on Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 52), entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING ACTIONS

BY NEVADA AND OTHER WESTERN STATES TO GAIN EQUALITY WITH OTHER STATES IN LAND MANAGEMENT, CONTROL, AND OWNERSHIP", was jointly offered by Senators Kuroda, Cobb, Chong, Ajifu, Hara, Machida, Yamasaki, Ushijima, Cayetano, Toyofuku, Yee, Yim, Carpenter, Young, O'Connor, Campbell, Wong, Mizuguchi, Carroll, Anderson and George.

By unanimous consent, S.C.R. No. 52 was referred to the Committee on Intergovernmental Relations.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 258 to 266) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 258), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A BUDGETARY DISPLAY BY SCHOOLS OF THE FUNDS REQUIRED TO MEET TEXTBOOK AND OTHER INSTRUCTIONAL MATERIALS NEEDS", was jointly offered by Senators Mizuguchi, Hara, Toyofuku, Chong, Carpenter, Kuroda, Ushijima, Campbell, Carroll, Ajifu, Soares, Young, Yamasaki, Yim and O'Connor.

By unanimous consent, S.R. No. 258 was referred to the Committee on Education, then to the Committee on Ways and Means.

A resolution (S.R. No. 259), entitled: "SENATE RESOLUTION REQUESTING THAT STATE AGENCIES DEVELOP AND INSTITUTE A PROGRAM TO GIVE OPERATORS OF MOTOR VEHICLES USED FOR RIDESHARING PRIORITY WHEN ALLOCATING PARKING STALLS", was jointly offered by Senators Mizuguchi, Hara, Toyofuku, Carroll, Soares, Carpenter, Yamasaki, Campbell, Chong, Ajifu, Young, Yim and O'Connor.

By unanimous consent, S.R. No. 259 was referred to the Committee on Transportation.

A resolution (S.R. No. 260), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT ON PARK AND RIDE LOCATIONS", was jointly offered by Senators Mizuguchi, Hara, Toyofuku, Campbell, Carroll, Soares, Carpenter, Yamasaki, Yim, Chong, Ajifu, Young, Ushijima and O'Connor.

By unanimous consent, S.R. No. 260 was referred to the Committee on Transportation.

A resolution (S.R. No. 261), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND GOOD WISHES TO THE HAWAII AAU TAE KWON DO TEAM IN THE SIXTH NATIONAL AAU TAE KWON DO CHAMPIONSHIPS", was jointly offered by Senators Wong, Chong, Ushijima, Machida, Yamasaki, Toyofuku, Carpenter, Ajifu, Carroll,

Hara, Campbell, Young, O'Connor, Cayetano, Abercrombie, Soares and Kuroda.

On motion by Senator Mizuguchi, seconded by Senator Chong and carried, S.R. No. 261 was adopted.

A resolution (S.R. No. 262), entitled: "SENATE RESOLUTION SALUTING NANCY CORBETT AND THE HONOLULU THEATRE FOR YOUTH ON ITS 25TH ANNIVERSARY", was jointly offered by Senators Hara, Ushijima, Carpenter, Machida, George, Mizuguchi, Yamasaki, Chong, Young, Wong, Toyofuku, Yim, Soares, Yee, Kuroda, Cobb, Carroll, Abercrombie, Kawasaki and O'Connor.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 262 was adopted.

Senator Hara then stated as follows:

"Mr. President, our action this morning in adopting the resolution takes me back to the early years of the Honolulu Theatre for Youth; how it started way back in the Territorial Legislature at the Iolani Palace when the good Judge Gerald Corbett and his wife Nancy would come around and convince us what this program could do for the children throughout the State of Hawaii.

"When I served as Chairman of the Education Committee, I was brought closer to this group. I was informed this morning by the Director of the Theatre that they are now appearing before 125,000 students throughout the State of Hawaii.

"It is unfortunate that Nancy Corbett the honoree of the resolution met with an accident and is confined and therefore unable to be with us here this morning. But in her stead, we have the Managing Director of the Honolulu Theatre for Youth and it is my pleasure to introduce her to you, Ms. Jane Campbell."

Senator Hara presented a certified copy of the resolution to Ms. Campbell and Senator Machida presented her with a lei.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

A resolution (S.R. No. 263), entitled: "SENATE RESOLUTION REQUESTING AN EFFECTIVE PROGRAM TO INFORM PATIENTS ABOUT THE HARMFUL SIDE EFFECTS OF SOME PRESCRIPTION

DRUGS", was offered by Senator Chong.

By unanimous consent, S.R. No. 263 was referred to the Committee on Health, then to the Committee on Higher Education.

A resolution (S.R. No. 264), entitled: "SENATE RESOLUTION RELATING TO PUBLIC SCHOOLS WEEK", was jointly offered by Senators Campbell, Chong, Carpenter, Abercrombie, Young, Soares, Ajifu, Cobb, Yim, Ushijima, Machida, Kawasaki, Kuroda and George.

On motion by Senator Campbell, seconded by Senator Chong and carried, S.R. No. 264 was adopted.

A resolution (S.R. No. 265), entitled: "SENATE RESOLUTION URGING THE INTERNAL REVENUE SERVICE TO FORGO CHARGING FEDERAL INCOME TAX TO THE FAMILIES OF AMERICAN HOSTAGES AND THE HOSTAGES THEMSELVES BEING HELD IN IRAN", was jointly offered by Senators Campbell, Chong, Cobb, Carpenter, Ajifu, Yee, O'Connor and Abercrombie.

By unanimous consent, S.R. No. 265 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 266), entitled: "SENATE RESOLUTION SUPPORTING ACTIONS BY NEVADA AND OTHER WESTERN STATES TO GAIN EQUALITY WITH OTHER STATES IN LAND MANAGEMENT, CONTROL, AND OWNERSHIP", was jointly offered by Senators Kuroda, Cobb, Chong, Ajifu, Young, Hara, Machida, Yamasaki, Ushijima, Cayetano, Carroll, Carpenter, O'Connor, Anderson, George, Wong, Toyofuku, Yim and Yee.

By unanimous consent, S.R. No. 266 was referred to the Committee on Intergovernmental Relations.

CONFERENCE COMMITTEE REPORT

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives to Senate Bill No. 1703, S.D. 1, presented a report (Conf. Com. Rep. No. 3-80) recommending that Senate Bill No. 1703, S.D. 1, H.D. 1, C.D. 2, as amended in C.D. 3, pass Final Reading.

In accordance with Article XVII, Section 3, of the Constitution of the State of Hawaii, ten days written notice was given to the Governor on this date on S.B. No. 1703, S.D. 1, H.D. 1, C.D. 3, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS".

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1021-80) informing the Senate that Senate Resolution Nos. 241 to 257 and Standing Committee Report Nos. 1018-80 to 1020-80 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1022-80) recommending that Senate Concurrent Resolution No. 33, as amended in S.D. 1, and Senate Resolution No. 162, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and

S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF AN AD HOC COMMITTEE TO STUDY THE MODEL STATE TRADEMARK BILL, AND CHAPTER 482, HAWAII REVISED STATUTES"; and

S.R. No. 162, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE FORMATION OF AN AD HOC COMMITTEE TO STUDY THE MODEL STATE TRADEMARK BILL, AND CHAPTER 482, HAWAII REVISED STATUTES",

were adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1023-80) recommending that the Senate advise and consent to the nominations of the following:

William A.K. Waters to the Hawaii Educational Council, term to expire December 31, 1983, in accordance with Gov. Msg. No. 161;

Elizabeth G. Plateau to the King Kamehameha Celebration Commission, for term to expire December 31, 1982, in accordance with Gov. Msg. No. 162;

Gard N. Kealoha to the King Kamehameha Celebration Commission, for term to expire December 31, 1980, in accordance with Gov. Msg. No. 163; and

Leonora Villatora, Hilda D. Cannon

and Helen H. Kaneshiro to the Library Advisory Commission, County of Kauai, for terms to expire December 31, 1983, in accordance with Gov. Msg. No. 166.

By unanimous consent, action on Stand. Com. Rep. No. 1023-80 and Gov. Msg. Nos. 161, 162, 163 and 166 was deferred until Tuesday, April 8, 1980.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1024-80) recommending that Senate Resolution No. 29, as amended in S.D. 1, be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 29, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING FUNDING FOR PROGRAMS FOR THE HANDICAPPED", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1025-80) recommending that Senate Resolution No. 164 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 164, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW POLICY AND REGULATIONS ON REPORTING STUDENT PROGRESS", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1026-80) recommending that Senate Resolution No. 170 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 170, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF IMPLEMENTING A HIGH SCHOOL LEGISLATIVE INTERNSHIP PROGRAM", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1027-80) recommending that Senate Resolution No. 172 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 172, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RE-EVALUATE THE PRESENTATION OF STANDARDIZED TESTS TO PARENTS", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1028-80) recommending that Senate Resolution No. 218 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 218, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON ITS POLICIES AND PROCEDURES ON CONSOLIDATING SCHOOLS WITH DECLINING ENROLLMENTS", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1029-80) recommending that Senate Concurrent Resolution No. 37 and Senate Resolution No. 173 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and

S.C.R. No. 37, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON COMPUTER EDUCATION"; and

S.R. No. 173, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON COMPUTER EDUCATION",

were adopted.

MATTERS DEFERRED FROM APRIL 3, 1980

Senate Bill No. 2120-80, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2120-80, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 3145-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3145-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 1161, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1161, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Campbell and Carroll as

Managers on the part of the Senate at such conference.

Senate Bill No. 1831-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1831-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 1832-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1832-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1851-80, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1851-80, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb, Mizuguchi, Ushijima, George and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 1944-80, S.D. 1, H.D. 2:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1944-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2071-80, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2071-80, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2155-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2155-80, S.D. 1, and the request for a conference on

the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2156-80, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2156-80, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Chong and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2329-80, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2329-80, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Chong and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2501-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2501-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Machida and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2581-80, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2581-80, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 2741-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2741-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Mizuguchi and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2744-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2744-80, S.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Mizuguchi and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2784-80, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2784-80, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 2869-80, S.D. 3, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2869-80, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 2877-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2877-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2927-80, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2927-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", was deferred until Tuesday, April 8, 1980.

Senate Bill No. 3012-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3012-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Machida, Mizuguchi and George as Managers on the part of the Senate at such conference.

Senate Bill No. 3146-80, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3146-80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Machida, Mizuguchi, Ushijima, George and Saiki as Managers on the part of the Senate at such conference.

At 12:02 o'clock p.m., the Senate stood

in recess subject to the call of the Chair.

The Senate reconvened at 12:12 o'clock p.m.

House Bill No. 1684, H.D. 1, S.D. 2:

By unanimous consent, action on H.B. No. 1684, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", was deferred until Tuesday, April 8, 1980.

House Bill No. 1784-80, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1784-80, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb and Young as Co-Chairmen and Yee as Managers on the part of the Senate at such conference.

House Bill No. 2029-80, H.D. 2, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2029-80, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Yamasaki and Yee as Managers on the part of the Senate at such conference.

House Bill No. 2071-80, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2071-80, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Carpenter, Toyofuku, Yamasaki, Ajifu and Soares as Managers on the part of the Senate at such conference.

House Bill No. 2286-80, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2286-80, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Carpenter, Chairman, Abercrombie and Yee as Managers on the part of the Senate at such conference.

House Bill No. 2532-80, S.D. 1:

By unanimous consent, action on H.B. No. 2532-80, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE PLACEMENT OF THE SCULPTURE

'THE SPIRIT OF LILIUOKALANI' AT THE STATE CAPITOL COMPLEX", was deferred until Tuesday, April 8, 1980.

House Bill No. 2723-80, H.D. 2, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2723-80, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Abercrombie, Young and Soares as Managers on the part of the Senate at such conference.

At this time, Senator Yamasaki introduced to the members of the Senate 42 students from the Multicultural Studies Club at Lahainaluna High School, Island of Maui, with their teachers, Donna Domingo and Mr. and Mrs. Allan Kawaguchi, and their chaperones, Linda Shinozuka, Harriette Corpuz and Valerie Fernandez.

FINAL READING

Senate Bill No. 2186-80, S.D. 1, H.D. 1:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 2186-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2208-80, S.D. 1, H.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 2208-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2358-80, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2358-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 1441, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Tuesday, April 8, 1980.

Senate Bill No. 1834-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1834-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT OF A MARRIAGE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 1897-80, S.D. 1, H.D. 1:

On motion by Senator Yim, seconded by Senator Chong and carried, S.B. No. 1897-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2007-80, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2007-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VENDING FROM STATE HIGHWAYS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2070-80, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2070-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2081-80, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2081-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

INSURANCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2232-80, S.D. 1, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2232-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT PARKING CONTROL", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Hara). Excused, 1 (Yee).

Senate Bill No. 2277-80, H.D. 2:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2277-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2419-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2419-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2512-80, S.D. 1, H.D. 2:

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, S.B. No. 2512-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING AND CONTRACTING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2514-80, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2514-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

CONTRACTORS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2682-80, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2682-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2770-80, S.D. 1, H.D. 1:

On motion by Senator Kuroda, seconded by Senator Machida and carried, S.B. No. 2770-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Kawasaki). Excused, 1 (Yee).

Senate Bill No. 2870-80, S.D. 1, H.D. 1:

Senator O'Connor moved that S.B. No. 2870-80, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cobb.

Senator Carroll then spoke for the measure as follows:

"Mr. President, this is a great pleasure to speak in favor of this bill since it has been part of my crime package for the past six years.

"It's the first time we're taking a sensible look at doing something that should have been done long ago and it was an amendment that we suggested should have been made back in 1971 with the passage of the Penal Code. It finally brings reason into this area of allowing an eye witness to give information to the police and allowing him to make an arrest in a misdemeanor situation when there is probable cause. I urge that we all vote 'aye'."

The motion was put by the Chair and carried, and S.B. No. 2870-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS BY POLICE OFFICERS WITHOUT WARRANT",

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2938-80, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2938-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 3003-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 3003-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

MATTERS DEFERRED FROM APRIL 3, 1980

THIRD READING

Standing Committee Report No. 679-80 (S.B. No. 1829-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 679-80 and S.B. No. 1829-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT", was deferred until Thursday, April 10, 1980.

Standing Committee Report No. 695-80 (S.B. No. 1828-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 695-80 and S.B. No. 1828-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NON-PROFIT CORPORATION ACT", was deferred until Thursday, April 10, 1980.

House Bill No. 2259-80:

By unanimous consent, action on H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Thursday, April 10, 1980.

House Bill No. 2533-80, H.D. 1:

By unanimous consent, action on

H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was deferred until Thursday, April 10, 1980.

House Bill No. 2064-80:

By unanimous consent, action on H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was deferred until Thursday, April 10, 1980.

House Bill No. 2166-80, H.D. 1:

By unanimous consent, action on H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Thursday, April 10, 1980.

Standing Committee Report No. 987-80 (H.B. No. 2589-80):

By unanimous consent, action on Stand. Com. Rep. No. 987-80 and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Thursday, April 10, 1980.

House Bill No. 2629-80:

By unanimous consent, action on H.B. No. 2629-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Thursday, April 10, 1980.

House Bill No. 2853-80:

By unanimous consent, action on H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", was deferred until Thursday, April 10, 1980.

House Bill No. 2472-80:

By unanimous consent, action on H.B. No. 2472-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", was deferred until Thursday, April 10, 1980.

Standing Committee Report No. 1019-80 (H.B. No. 2181-80):

By unanimous consent, action on Stand. Com. Rep. No. 1019-80 and H.B. No. 2181-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", was deferred until Thursday, April 10, 1980.

At this time, Senator O'Connor, Chairman of various Conference Committees, then requested a waiver of the 48-hour notice of a Public Hearing on

the following measures:

S.B. No. 1944-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY";

S.B. No. 2156-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT";

S.B. No. 2071-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT";

S.B. No. 2869-80, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES";

H.B. No. 1762-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

H.B. No. 1911-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, AND CORRECTING REFERENCES";

H.B. No. 1915-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION";

H.B. No. 2059-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY";

H.B. No. 2091-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT PROCEEDINGS";

H.B. No. 2324-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING ORDERS";

S.B. No. 2581-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASED OR RENTED PERSONAL PROPERTY";

H.B. No. 2357-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION";

H.B. No. 2669-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION";

S.B. No. 2120-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS";

H.B. No. 2058-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY";

H.B. No. 2161-80, H.D. 1, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS";

H.B. No. 2162-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING";

H.B. No. 2167-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS";

S.B. No. 3146-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING";

S.B. No. 3012-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS";

S.B. No. 2501-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS; PENALTIES FOR VIOLATIONS";

H.B. No. 2826-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF DOG OWNERS"; and

H.B. No. 2175-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NAMES",

and the President granted the waiver.

Senator Carroll then stood on a point of personal privilege and stated as follows:

"Mr. President, I am aggrieved today and I am aggrieved because of the actions which occurred on the floor of this Senate and because of the actions which I believe are being taken on behalf of the Senate.

"On the Thirty-Third Day of this legislative session, addressing Senate Bill No. 2253-80, S.D. 1, I asked the Chairman of the Consumer Protection Committee whether or not certain language within that bill addressed the apartment precinct under the Special Design District definition of our city ordinances. The question had to do with whether or not hotel-apartment use noted in the bill would be includable as an area where time-sharing would be allowed. The Consumer Protection Committee Chairman's answer was, 'my answer is yes; that under either (a) or (b), it would not address the apartment precinct since both of these matters are addressed to areas zoned already by the county for hotel or resort use.'

"In previous hearings, the subject matter of the use of the Waikiki Apartment Precinct had been brought up. It's

noted that the apartment precinct is a residential use by definition. I understand that the conference committee over the weekend has come to the conclusion that the apartment precinct must be sacrificed; in effect that time-sharing will be allowed under special conditions in the apartment precinct.

"Now this is absolutely contrary to my understanding. I am not calling anybody a liar; I'm certain that the way that I posed the question to the Chairman left a certain amount of ambiguity but everything that I was led to believe by both the Chairman of the House Consumer Protection and the Senate Consumer Protection Committees was that the apartment precinct would not be includable as an area for time-share use.

"This is an extremely sensitive matter in the Waikiki district because of the impact on housing, rentals, hotel use, in what is essentially residential area.

"I want it to be known at this time to the conferees on the Senate Committee that I am adamantly opposed and I am certain that virtually anybody who knows anything about this subject matter, other than people in the time-sharing industry, have got to be adamantly opposed to the use of time-sharing in the apartment precinct in the Waikiki Special Design District, and I am aggrieved to understand that this potential use may be being allowed State statute or at least alluded to in the conference committee draft.

"I intend to fight this matter on the floor of this Senate and, if necessary, in the courts in order to insure that the proper uses in the residential district in Waikiki and elsewhere in the Sixth Senatorial District are followed. And to that extent, I am aggrieved and I think you for allowing me to present this to you."

Senator Abercrombie then commented as follows:

"Mr. President, I am not quite sure of the exact designation in which I should stand in response to that. I am equally concerned, but I would not like to see us get into a situation where rumor becomes fact and that becomes the basis for aggrievement by anyone.

"I'm assured that our Senate position is still that which was enunciated by the previous speaker in my conversation, so I would take the same position if I thought otherwise, but I do not now believe that to be the case."

The President then stated: "As I understand the Chairman of the conference committee, the bills alluded to here on the floor are still in conference. I think the Chairman of the conference committee is aware

of the concerns of the good Senator from the Sixth District as well as other Senators.

"My feeling of when discussion should be held on the final form of the bill should be when the conference committee reports out its draft for our consideration. As far as I am concerned, the bills are still in conference. The concerns should be addressed there at this time."

Senator Carroll commented further: "Mr. President, I would just like to add the comment that I am aggrieved because my understanding perhaps may be blurred; I'm rising today to make sure that there is no misunderstanding about what my position is with respect to the apartment precinct use."

Senator Cobb in response thereto stated as follows:

"Mr. President, I rise to attempt to respond and at least answer some of the concerns and also to clarify the record with respect to the question raised by one of the previous speakers.

"When the question was raised, it pertained to part (a) and (b) of the bill alluded to and did not touch upon

the two subsequent sections, both of which did deal quite exclusively in terms of the description of uses with the apartment precinct, and that the discussion that did take place in the committee before the Senate Bill was transmitted over did entail the apartment precinct in the Waikiki Special Design District, and when the bill was transmitted over, it required a 100% approval of the building owners in order for such a project to be done within that area.

"Specifically with regard to the question of part (a) and (b), the questioner did not include, and this was in a previous discussion, the question relative to part (c) and (d), as contained in the Senate Bill before it was transmitted over as Senate Draft 1.

"As the Chair indicated, the matter is still in conference and the good senators are welcome to come to this afternoon's conference if they so desire."

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Tuesday, April 8, 1980.

FIFTY-SECOND DAY

Tuesday, April 8, 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 Reverend Arthur B. Chartier of the Mililani Presbyterian Church, after which the Roll was called showing all Senators present, with the exception of Senators Campbell and Yee who were excused.

The President announced that he had read and approved the Journal of the Fifty-First Day.

The following introductions were then made to the members of the Senate:

Senator Toyofuku introduced 100 senior citizens from the Kokua Council, accompanied by Mabel McConnell, president.

Senator Abercrombie then introduced his friend, Mr. David Hill.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 264 to 267) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 264), transmitting a study on the alternative methods of financing Harbors Division capital improvements, prepared by the Department of Transportation pursuant to H.R. No. 536 (1979), was referred jointly to the Committee on Transportation and the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 265), transmitting the State Higher Education Plan, prepared by the University of Hawaii and the State Higher Education Plan Advisory Committee, in compliance with the requirements of The Hawaii State Plan Act, Chapter 226, HRS, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 266), submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of Richard Y.C. Au, 2nd Judge, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 267), informing the Senate

of the withdrawal of nominations to the Animal Species Advisory Commission of Dennis M. Devaney, Ph.D., and Robert J. Shallenberger, Ph.D., terms to expire December 31, 1983, under Governor's Message No. 146, was placed on file.

In compliance with Gov. Msg. No. 267, the nominations listed under Gov. Msg. No. 146 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 404 to 477) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 404), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1865-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 7, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 405), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1912-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 7, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 406), informing the Senate that on April 7, 1980, the House has reconsidered its action taken on April 3, 1980 in disagreeing to the Senate amendments made to House Bill No. 2265-80, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 407), informing the Senate that on April 7, 1980, the House has reconsidered its action taken on April 3, 1980 in disagreeing to the Senate amendments made to House

Bill No. 2680-80, H.D. 1, 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. 408), returning Senate Bill No. 1835-80, S.D. 1, which passed Third Reading in the House of Representatives on April 7, 1980, was placed on file.

A communication from the House (Hse. Com. No. 409), returning Senate Bill No. 2111-80, S.D. 1, which passed Third Reading in the House of Representatives on April 7, 1980, was placed on file.

A communication from the House (Hse. Com. No. 410), returning Senate Bill No. 2280-80, S.D. 1, which passed Third Reading in the House of Representatives on April 7, 1980, was placed on file.

A communication from the House (Hse. Com. No. 411), returning Senate Bill No. 2676-80, S.D. 1, which passed Third Reading in the House of Representatives on April 7, 1980, was placed on file.

A communication from the House (Hse. Com. No. 412), returning Senate Bill No. 2861-80, which passed Third Reading in the House of Representatives on April 7, 1980, was placed on file.

A communication from the House (Hse. Com. No. 413), returning Senate Bill No. 2862-80, which passed Third Reading in the House of Representatives on April 7, 1980, was placed on file.

A communication from the House (Hse. Com. No. 414), returning Senate Bill No. 2881-80, S.D. 1, which passed Third Reading in the House of Representatives on April 7, 1980, was placed on file.

At 11:35 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:36 o'clock a.m.

A communication from the House (Hse. Com. No. 415), transmitting House Concurrent Resolution No. 129 which was adopted by the House of Representatives on April 7, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION HONORING HERMAN JOHN WEDEMEYER, A GREAT NATIVE SON OF HAWAII, AND CONVEYING WARMEST MAHALO FOR HIS MANY CONTRIBUTIONS, AND EXTENDING BEST WISHES FOR

SUCCESS AND HAPPINESS IN HIS FUTURE ENDEAVORS", was adopted.

A communication from the House (Hse. Com. No. 416), transmitting House Concurrent Resolution No. 130 which was adopted by the House of Representatives on April 7, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING THE INDUCTEES TO THE HAWAII SPORTS HALL OF FAME", was adopted.

A communication from the House (Hse. Com. No. 417), transmitting House Concurrent Resolution No. 131 which was adopted by the House of Representatives on April 7, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION HONORING THE MEMORY OF THE LATE AMY L.K. WUNG RICHARDSON AND EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO HER FAMILY", was adopted.

A communication from the House (Hse. Com. No. 418), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1003, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives Kiyabu, Chairman, Dods, Hashimoto, Kawakami, Sakamoto, Silva, Stanley, Uwayne, Anderson and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 419), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1831-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 420), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1832-

80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 421), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2571-80 and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives Kiyabu, Chairman, Say, Silva, Takamine and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 422), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2741-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 423), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2744-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 424), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2877-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 425), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1161, S.D. 1, and the request for a conference on the subject matter of said amendments,

on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Garcia, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 426), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1851-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 427), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1838-80, S.D. 3, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Garcia, Holt, Honda, Sakamoto, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 428), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2329-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Garcia, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 429), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2693-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives Kawakami and Say, Co-Chairmen, Hagino, Takamine and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 430), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed

by the House to Senate Bill No. 2784-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Garcia, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 431), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2927-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Garcia, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 432), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1944-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 433), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2071-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 434), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2120-80, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 435), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2156-80, and the request for a conference

on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 436), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2501-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Larsen and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 437), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2581-80, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 438), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2869-80, S.D. 3, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 439), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 3012-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Holt, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 440), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed

by the House to Senate Bill No. 3146-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Holt, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 441), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 18, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 442), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 501, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Garcia, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 443), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1222, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 444), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1762-80, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 445), informing the Senate that the House has disagreed to the

amendments proposed by the Senate to House Bill No. 1772-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Takamine, Chairman, de Heer, Hagino, Kunimura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 446), informing the Senate that the House disagreed to the amendments proposed by the Senate to House Bill No. 1775-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Kiyabu, Chairman, Andrews, Fukunaga, Kawakami, Kunimura, Larsen, Silva, Takitani, Toguchi, Medeiros and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 447), informing the Senate that the House disagreed to the amendments proposed by the Senate to House Bill No. 1853-80, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Kawakami, Chairman, Fukunaga, Holt, Honda, Nakamura, Sakamoto, D. Yamada, Anderson and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 448), informing the Senate that the House disagreed to the amendments proposed by the Senate to House Bill No. 1864-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 449), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1873-80, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada,

Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 450), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1911-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 451), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1915-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 452), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1919-80, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 453), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2058-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 454), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2059-80, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 455), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2091-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 456), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2161-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Larsen and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 457), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2162-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Larsen and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 458), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2167-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Larsen and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 459), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2172-80, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Uechi, Chairman, Inaba, Toguchi and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 460), informing the Senate,

that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2175-80, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Larsen and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 461), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2193-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 462), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2196-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Dods, Chairman, de Heer, Lunasco, Say, Silva and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 463), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2241-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 464), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2324-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 465), informing the Senate that the House has disagreed to the amend-

ments proposed by the Senate to House Bill No. 2344-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Kawakami, Chairman, Fukunaga, Holt, Takitani and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 466), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2357-80, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 467), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2558-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 468), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2647-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Dods, Chairman, Blair, de Heer, Takamine and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 469), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2669-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 470), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2672-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7,

1980, the Speaker appointed Representatives Lunasco, Chairman, Dods, Inaba, Say and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 471), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2720-80, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Honda, Inaba and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 472), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2729-80, H.D. 3, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Toguchi, Chairman, Hashimoto, Kawakami, Sakamoto and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 473), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2773-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 474), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2826-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Larsen and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 475), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2929-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros

as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 476), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2930-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 7, 1980, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Nakamura, Ikeda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 477), informing the Senate that on April 8, 1980, the Speaker appointed Representatives Ige and Kobayashi as additional conferees on the part of the House at the conference to be held for the consideration of Senate Bill No. 1851-80, S.D. 2, H.D. 1., was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. No. 53 to 59) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 53), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE AN ADVISORY COMMITTEE TO STUDY RADIOLOGICAL SAFETY", was offered by Senators Hara, Carpenter, Ushijima, Yamasaki, Toyofuku, Abercrombie, Machida, Young, Cobb, Kawasaki, Mizuguchi, Chong and Kuroda.

By unanimous consent, S.C.R. No. 53 was referred jointly to the Committee on Health and the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 54), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A HIGHER EDUCATION FUNCTIONAL PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 54 was referred to the Committee on Higher Education, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 55), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED NATIONS TO ESTABLISH AND PROMOTE THE INTERNATIONAL YEAR OF 'THE PACIFIC, 1981'", was jointly

offered by Senators Kuroda, Yim, Toyofuku, Hara, Cayetano, O'Connor, Machida, Saiki and George.

On motion by Senator Kuroda, seconded by Senator Yim and carried, S.C.R. No. 55 was adopted.

A concurrent resolution (S.C.R. No. 56), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF SOCIAL SERVICES TO STUDY A SYSTEM OF CO-PAYMENTS FOR SERVICES RENDERED THROUGH THE MEDICAID PROGRAM AND ALLOWED BY FEDERAL LAW", was offered by Senator Toyofuku.

By unanimous consent, S.C.R. No. 56 was referred jointly to the Committee on Human Resources and the Committee on Health.

A concurrent resolution (S.C.R. No. 57), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF PREVOCATIONAL PROGRAMS FOR THE HANDICAPPED", was offered by Senator Toyofuku.

By unanimous consent, S.C.R. No. 57 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 58), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE REVIEW AND STUDY OF THE FORMATION OF A STATE INTERAGENCY COORDINATION COMMITTEE ON CHILD ABUSE AND NEGLECT", was offered by Senator Toyofuku.

By unanimous consent, S.C.R. No. 58 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 59), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE TAX REVIEW COMMISSION TO REVIEW AND REPORT ON CERTAIN SPECIFIC TAX ISSUES", was offered by Senator Cayetano.

By unanimous consent, S.C.R. No. 59 was referred to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 267 to 316) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 267), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE JAPANESE WOMEN'S SOCIETY OF HONOLULU FOR THE CARE OF THE ELDERLY", was jointly offered by Senators Young, Saiki, George, Mizuguchi, Kuroda, Yamasaki, Campbell,

Machida, Ushijima, Cayetano, Anderson, Wong, Soares, Carpenter, Hara, Cobb, Chong, O'Connor, Yee, Carroll, Abercrombie, Yim, Toyofuku, Ajifu and Kawasaki.

On motion by Senator Young, seconded by Senator Saiki and carried, S.R. No. 267 was adopted.

A resolution (S.R. No. 268), entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF THE ATTORNEY GENERAL TO CONDUCT A STUDY ON VERTICAL INTEGRATION", was offered by Senator Chong.

By unanimous consent, S.R. No. 268 was referred jointly to the Committee on Public Utilities and the Committee on Tourism.

A resolution (S.R. No. 269), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A HAWAII STATE VETERANS HOME", was jointly offered by Senators Carpenter, Campbell, Hara, Yamasaki, Ushijima, Chong, Kawasaki, Machida, Toyofuku, Young, Ajifu, George, Soares and Abercrombie.

By unanimous consent, S.R. No. 269 was referred to the Committee on Human Resources.

A resolution (S.R. No. 270), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF TRANSPORTATION NEEDS OF THE HANDICAPPED", was jointly offered by Senators Carpenter, Campbell, Yamasaki, Ushijima, Machida, Hara, Chong, Toyofuku, Young, Soares, Ajifu, George, Saiki and Abercrombie.

By unanimous consent, S.R. No. 270 was referred jointly to the Committee on Health and the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 271), entitled: "SENATE RESOLUTION ENCOURAGING ST. FRANCIS HOSPITAL IN ITS ESTABLISHMENT OF A FREE-STANDING HOSPICE FACILITY TO SERVE THE STATE OF HAWAII", was jointly offered by Senators Carpenter, Campbell, Yamasaki, Ushijima, Machida, Chong, Toyofuku, Young, Ajifu, George, Soares, Saiki and Abercrombie.

On motion by Senator Carpenter, seconded by Senator Mizuguchi and carried, S.R. No. 271 was adopted.

A resolution (S.R. No. 272), entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF SOCIAL SERVICES TO STUDY AND IMPLEMENT A SYSTEM OF CO-PAYMENTS FOR SERVICES RENDERED

THROUGH THE MEDICAID PROGRAM AND ALLOWED BY FEDERAL LAW AND IMPLEMENT A SYSTEM OF LIMITATIONS ON ALL SERVICES", was jointly offered by Senators Carpenter, Campbell, Chong, Toyofuku, Kawasaki, Young, Ajifu, George, Soares and Abercrombie.

By unanimous consent, S.R. No. 272 was referred jointly to the Committee on Human Resources and the Committee on Health.

A resolution (S.R. No. 273), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A MEDICAL FACILITY IN THE HAWAII KAI-KULIOUOU AREA", was jointly offered by Senators Carpenter, Campbell, Chong, Abercrombie, Yamasaki, Machida, Toyofuku, Young, Ajifu, George, Soares and Saiki.

By unanimous consent, S.R. No. 273 was referred to the Committee on Health.

A resolution (S.R. No. 274), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE APPROPRIATE PUBLIC EDUCATION ON MEASURES TO BE TAKEN DURING EMERGENCIES", was jointly offered by Senators Carpenter, Campbell, Chong, Toyofuku, Young, Soares, Ajifu, Kawasaki, Yamasaki, Ushijima, Machida, George and Abercrombie.

By unanimous consent, S.R. No. 274 was referred to the Committee on Health.

A resolution (S.R. No. 275), entitled: "SENATE RESOLUTION REQUESTING THAT THE STATE ALLOW STATE HOSPITALS TO PURCHASE SUPPLIES OR COMMODITIES FROM VENDORS OTHER THAN THOSE LISTED ON THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES' PRICE LIST", was jointly offered by Senators Carpenter, Campbell, Yamasaki, Ushijima, Machida, Hara, Chong, Kawasaki, Young, Ajifu, George, Soares, Saiki and Abercrombie.

By unanimous consent, S.R. No. 275 was referred jointly to the Committee on Health and the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 276), entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL FOOD AND DRUG ADMINISTRATION TO CONDUCT A STUDY ON THE EFFECTS OF MONOSODIUM GLUTAMATE (MSG) ON THE USERS", was jointly offered by Senators Carpenter, Young, Chong, George, Kawasaki and Cobb.

By unanimous consent, S.R. No. 276 was referred to the Committee on Health.

A resolution (S.R. No. 277), entitled: "SENATE RESOLUTION REQUESTING

THE LEGISLATIVE REFERENCE BUREAU TO STUDY LIVING WILLS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 277 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 278), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE RETENTION OF MEDICAL RECORDS", was jointly offered by Senators O'Connor, Carpenter, Carroll, Ushijima, Mizuguchi, Toyofuku, Chong, Machida and George.

By unanimous consent, S.R. No. 278 was referred jointly to the Committee on Health and the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 279), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO IDENTIFY IMPORTANT AGRICULTURAL LANDS AND LEGISLATION ENABLING ARTICLE XI, SEC. 3, OF THE HAWAII STATE CONSTITUTION", was jointly offered by Senators Abercrombie and Carroll.

By unanimous consent, S.R. No. 279 was referred jointly to the Committee on Agriculture and the Committee on Economic Development.

A resolution (S.R. No. 280), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS TO IMPLEMENT THE RECOMMENDATIONS CONTAINED IN THE REPORT OF THE ADVISORY COMMITTEE TO STUDY AND RECOMMEND IMPROVEMENTS IN THE AGRICULTURE EDUCATION PROGRAMS OF THE UNIVERSITY OF HAWAII SYSTEM", was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 280 was referred to the Committee on Higher Education.

A resolution (S.R. No. 281), entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE AN ADVISORY COMMITTEE TO STUDY RADIOLOGICAL SAFETY", was jointly offered by Senators Hara, Carpenter, Ushijima, Yamasaki, Toyofuku, Abercrombie, Machida, Young, Cobb, Kawasaki, Mizuguchi, Chong and Kuroda.

By unanimous consent, S.R. No. 281 was referred jointly to the Committee on Health and the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 282), entitled: "SENATE RESOLUTION REQUESTING THE REVISION OF THE HAWAII REVISED

STATUTES TO BE INCLUSIVE OF BOTH MALE AND FEMALE GENDER IN REFERENCE TO LANGUAGE", was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 282 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (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 offered by Senator Abercrombie.

By unanimous consent, S.R. No. 283 was referred to the Committee on Education.

A resolution (S.R. No. 284), entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED NATIONS TO ESTABLISH AND PROMOTE THE INTERNATIONAL YEAR OF THE PACIFIC, 1981", was jointly offered by Senators Kuroda, Yim, Toyofuku, George, Hara, Cayetano, O'Connor, Machida and Saiki.

On motion by Senator Kuroda, seconded by Senator Yim and carried, S.R. No. 284 was adopted.

A resolution (S.R. No. 285), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF EDUCATION AND HEALTH TO CLASSIFY AUTISM FOR SPECIAL EDUCATION AND HEALTH SERVICES", was jointly offered by Senators Carpenter and Abercrombie.

By unanimous consent, S.R. No. 285 was referred jointly to the Committee on Health and the Committee on Education.

A resolution (S.R. No. 286), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF MAXIMIZING THE UTILIZATION OF PARAPROFESSIONALS AND PROVIDING PROPER TRAINING AND INCENTIVES FOR PARAPROFESSIONALS IN THE DELIVERY OF MENTAL HEALTH SERVICES", was jointly offered by Senators Carpenter and Abercrombie.

By unanimous consent, S.R. No. 286 was referred to the Committee on Health.

A resolution (S.R. No. 287), entitled: "SENATE RESOLUTION REQUESTING A SEMINAR ON PROBLEMS FACING THE MEDICAID PROGRAM AND THE OVERALL SYSTEM OF MEDICAL CARE SERVICES IN HAWAII", was jointly offered by Senators Carpenter and Abercrombie.

By unanimous consent, S.R. No. 287 was referred jointly to the Committee

on Health and the Committee on Human Resources.

A resolution (S.R. No. 288), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF LEGISLATIVE OPTIONS REGARDING HEALTH PROMOTION AND WELLNESS", was jointly offered by Senators Carpenter and Abercrombie.

By unanimous consent, S.R. No. 288 was referred to the Committee on Health.

A resolution (S.R. No. 289), entitled: "SENATE RESOLUTION ESTABLISHING AN INTERIM TASK FORCE TO INVESTIGATE RISING HEALTH CARE COSTS AND METHODS FOR CONTAINING THESE COSTS", was offered jointly by Senators Carpenter and Abercrombie.

By unanimous consent, S.R. No. 289 was referred to the Committee on Health.

A resolution (S.R. No. 290), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF TRANSFERRING THE SCHOOL HEALTH SERVICES BRANCH OF THE FAMILY HEALTH SERVICES DIVISION, FROM THE DEPARTMENT OF HEALTH TO THE DEPARTMENT OF EDUCATION", was jointly offered by Senators Carpenter, Chong, Young and Kawasaki.

By unanimous consent, S.R. No. 290 was referred jointly to the Committee on Health and the Committee on Education.

A resolution (S.R. No. 291), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT AN ADMINISTRATIVE AUDIT OF THE DEPARTMENT OF HEALTH", was jointly offered by Senators Carpenter, Chong, Young, Yamasaki and Kawasaki.

By unanimous consent, S.R. No. 291 was referred jointly to the Committee on Health and the Committee on Legislative Management.

A resolution (S.R. No. 292), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE A DETAILED EDUCATIONAL AND HEALTH RELATED SERVICE PLAN FOR THE HANDICAPPED CHILDREN OF THE STATE OF HAWAII", was offered jointly by Senators Carpenter, Chong, Young, Yamasaki and Kawasaki.

By unanimous consent, S.R. No. 292 was referred jointly to the Committee on Health and the Committee on Education.

A resolution (S.R. No. 293), entitled: "SENATE RESOLUTION REQUESTING

A STUDY TO ESTABLISH A HAWAII JUVENILE CRIME PREVENTION PROGRAM COORDINATING OFFICE", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 293 was referred to the Committee on Judiciary.

A resolution (S.R. No. 294), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF CONVERTING TO THE COMMUNITY PROPERTY SYSTEM", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 294 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 295), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON THE BUSINESS CORPORATION LAWS OF THIS STATE", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 295 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 296), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON THE NONPROFIT CORPORATION LAWS OF THIS STATE", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 296 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 297), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE AVAILABILITY OF CHILD SHELTER FACILITIES IN THE STATE OF HAWAII", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 297 was referred jointly to the Committee on Human Resources and the Committee on Judiciary.

A resolution (S.R. No. 298), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF PLANS AND DESIGNS FOR JUVENILE INTAKE CENTERS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 298 was referred to the Committee on Judiciary.

A resolution (S.R. No. 299), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE JUVENILE JUSTICE SYSTEM", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 299 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 300), entitled: "SENATE RESOLUTION CONCERNING THE DEVELOPMENT AND DESIGN OF A PERMANENT PLAN FOR THE KOOLAU YOUTH CORRECTIONAL FACILITY", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 300 was referred to the Committee on Judiciary.

A resolution (S.R. No. 301), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF LAWS RELATING TO GUARDIANSHIP, CIVIL COMMITMENT, AND PROTECTIVE SERVICES", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 301 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 302), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY TO DETERMINE WHETHER A SECOND ACCESS ROAD SHOULD BE CONSTRUCTED AT LEEWARD COMMUNITY COLLEGE", was offered jointly by Senators Cayetano and Mizuguchi.

By unanimous consent, S.R. No. 302 was referred jointly to the Committee on Transportation and the Committee on Higher Education.

A resolution (S.R. No. 303), entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF SOCIAL SERVICES TO STUDY A SYSTEM OF CO-PAYMENTS FOR SERVICES RENDERED THROUGH THE MEDICAID PROGRAM AND ALLOWED BY FEDERAL LAW", was offered by Senator Toyofuku.

By unanimous consent, S.R. No. 303 was referred jointly to the Committee on Human Resources and the Committee on Health.

A resolution (S.R. No. 304), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF PREVOCATIONAL PROGRAMS FOR THE HANDICAPPED", was offered by Senator Toyofuku.

By unanimous consent, S.R. No. 304 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 305), entitled: "SENATE RESOLUTION REQUESTING THE REVIEW AND STUDY OF THE FORMATION OF A STATE INTERAGENCY COORDINATION COMMITTEE ON CHILD ABUSE AND NEGLECT", was offered by Senator Toyofuku.

By unanimous consent, S.R. No.

305 was referred to the Committee on Human Resources.

A resolution (S.R. No. 306), entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK ADDITIONAL REVENUE SHARING FUNDS FOR EDUCATION", was offered by Senator Campbell.

By unanimous consent, S.R. No. 306 was referred to the Committee on Education.

A resolution (S.R. No. 307), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO CLARIFY THE NEED TO MAKE CHANGES IN THE LAWS CONCERNING THE INVOLUNTARY CIVIL COMMITMENT OF MENTALLY ILL PERSONS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 307 was referred to the Committee on Judiciary.

A resolution (S.R. No. 308), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ADOPTING A COMPREHENSIVE ENVIRONMENTAL IMPACT STATEMENT AS PART OF THE STATE PLAN", was offered by Senator Hara.

By unanimous consent, S.R. No. 308 was referred to the Committee on Economic Development.

A resolution (S.R. No. 309), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF EXTENDING THE LAMP PROGRAM", was jointly offered by Senators Chong, Carpenter, Yim and Cobb.

By unanimous consent, S.R. No. 309 was referred to the Committee on Education.

A resolution (S.R. No. 310), entitled: "SENATE RESOLUTION REQUESTING GEOGRAPHIC CODING, BY GEOGRAPHIC CENSUS TRACT AND A STUDY, OF NEW INCIDENCES, MORTALITY, AND MORBIDITY RATES RELATING TO CANCER, BE PERFORMED IN HAWAII", was jointly offered by Senators Chong, Carpenter, Yim and Cobb.

By unanimous consent, S.R. No. 310 was referred to the Committee on Health.

A resolution (S.R. No. 311), entitled: "SENATE RESOLUTION REQUESTING THE TAX REVIEW COMMISSION TO REVIEW AND REPORT ON CERTAIN SPECIFIC TAX ISSUES", was offered by Senator Cayetano.

By unanimous consent, S.R. No. 311 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 312), entitled: "SENATE RESOLUTION REQUESTING

EACH MEMBER OF HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE MEASURES TO EXPEDITE THE ACQUISITION OF THE NEW HONOKAA POST OFFICE AND TO INSURE IMPROVED MAIL DELIVERY SERVICES TO OUTLYING AREAS", was jointly offered by Senators Ushijima, Hara, Carpenter, and Chong.

By unanimous consent, S.R. No. 312 was referred to the Committee on Intergovernmental Relations.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

A resolution (S.R. No. 313), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON TAX RELIEF FOR NATURAL DISASTERS", was jointly offered by Senators Ushijima, Hara, Carpenter and Chong.

By unanimous consent, S.R. No. 313 was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

A resolution (S.R. No. 314), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO STUDY THE ADEQUACY OF PERSONNEL REQUIREMENTS IN THE PUBLIC ASSISTANCE PROGRAMS AND ITS IMPACT IN THE ADMINISTRATION OF THE PROGRAMS", was jointly offered by Senators Ushijima, Hara and Carpenter.

By unanimous consent, S.R. No. 314 was referred to the Committee on Human Resources.

A resolution (S.R. No. 315), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO CONDUCT A STUDY REGARDING THE USE OF THE OLD VINEYARD STREET AREA, SITE OF THE PROPOSED VINEYARD STREET GARAGE COMPLEX, AS A POSSIBLE SITE FOR A NEW HOUSING COMPLEX", was offered by Senator Cayetano.

By unanimous consent, S.R. No. 315 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 316), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT PUBLIC HEARINGS FOR COMMUNITY INPUT AND TO WORK IN COOPERATION WITH PRIVATE NATIVE HAWAIIAN ORGANIZATIONS IN DEVELOPING THE SAND ISLAND STATE PARK REDEVELOPMENT PROJECT", was jointly offered by Senators Chong

and Abercrombie.

By unanimous consent, S.R. No. 316 was referred to the Committee on Ecology, Environment and Recreation.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1030-80) informing the Senate that Senate Concurrent Resolution Nos. 49 to 52, Senate Resolution Nos. 258 to 266, Conference Committee Report No. 3-80 and Standing Committee Report Nos. 1022-80 to 1029-80 have 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 Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 1031-80) recommending that House Bill No. 2066-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 2066-80, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 10, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2066-80.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1032-80) recommending that House Concurrent Resolution No. 42, H.D. 1, be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.C.R. No. 42, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE U.S. SECRETARY OF ENERGY AND HAWAII'S CONGRESSIONAL DELEGATION TO GIVE FAVORABLE CONSIDERATION TO MOLOKAI AND ITS APPLICATION FOR THE SMALL COMMUNITY SOLAR THERMAL POWER EXPERIMENT: SITE PARTICIPATION,

PRDA DE-RAO4-80ET21063", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1033-80) recommending that Senate Concurrent Resolution No. 38 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.C.R. No. 38, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S UNITED STATES CONGRESSIONAL DELEGATION TO STUDY THE IMPACT AND PROBLEMS CREATED BY HIGH INTEREST RATES AND TO INTRODUCE CORRECTIVE LEGISLATION TO LOWER INTEREST RATES", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1034-80) recommending that Senate Resolution No. 174 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 174, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S UNITED STATES CONGRESSIONAL DELEGATION TO STUDY THE IMPACT AND PROBLEMS CREATED BY HIGH INTEREST RATES AND TO INTRODUCE CORRECTIVE LEGISLATION TO LOWER INTEREST RATES", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1035-80) recommending that Senate Resolution No. 14 be referred to the Committee on Economic Development.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 14, entitled: "SENATE RESOLUTION ENCOURAGING THE USE OF ELECTRIC VEHICLES IN THE STATE OF HAWAII", was referred to the Committee on Economic Development.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1036-80) recommending that Senate Concurrent Resolution No. 2, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.C.R. No. 2, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A STUDY OF PRODUCT LIABILITY INSURANCE", was adopted.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 7, 1980

House Bill No. 2532-80, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2532-80, and the request for a conference on the subject matter thereof, the President appointed Senators Campbell, Chairman, Abercrombie, Kuroda and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 25, H.D. 1, S.D. 3:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 25, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Carpenter, Kawasaki, Yamasaki and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 1985-80, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1985-80, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Saiki as Managers on the part of the Senate at such conference.

House Bill No. 1991-80, H.D. 1, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1991-80, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Campbell and Carroll as Managers on the part of the Senate at such conference.

House Bill No. 2647-80, H.D. 2, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2647-80, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Kawasaki, Mizuguchi and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 2927-80, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2927-80, S.D.

2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Carpenter, Ushijima and Saiki as Managers on the part of the Senate at such conference.

House Bill No. 1684, H.D. 1, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1684, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Toyofuku and Yee as Managers on the part of the Senate at such conference.

Standing Committee Report No. 1023-80 (Gov. Msg. Nos. 161, 162, 163 and 166):

Senator Young moved that the Stand. Com. Rep. No. 1023-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Young then moved that the Senate advise and consent to the nominations of the following:

William A.K. Waters to the Hawaii Educational Council, term to expire December 31, 1983;

Elizabeth G. Flateau to the King Kamehameha Celebration Commission, term to expire December 31, 1982;

Gard N. Kealoha to the King Kamehameha Celebration Commission, term to expire December 31, 1980; and

Leonora Villatora, Hilda D. Cannon and Helen H. Kaneshiro to the Library Advisory Commission, County of Kauai, terms to expire December 31, 1983,

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, 20. Noes, none. Excused, 5 (Campbell, O'Connor, Yim, Carroll and Yee).

FINAL READING

Senate Bill No. 1441, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Thursday, April 10, 1980.

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

RE-REFERRAL OF
A SENATE RESOLUTION

The President made the following re-referral of a resolution that was offered on Thursday, April 3, 1980:

Senate	
Resolution	Referred to:

No. 250	Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Health
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At this time, Senator Cayetano, Chairman of the Committee on Conference, requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

H.B. No. 1912-80, H.D. 1, S.D. 1,
entitled: "A BILL FOR AN ACT MAKING
APPROPRIATIONS FOR THE FISCAL
BIENNIUM JULY 1, 1979 to June 30,
1981,

and the President granted the waiver.

House Bill No. 1762-80, S.D. 2:

The President appointed Senator O'Connor as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 1762-80.

House Bill No. 1853-80, S.D. 3:

The President appointed Senator O'Connor as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 1853-80.

ADJOURNMENT

At 12:10 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Wednesday, April 9, 1980.

FIFTY-THIRD DAY

Wednesday, April 9, 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 T. Samuel Lee of the Aldersgate United Methodist Church, after which the Roll was called showing all Senators present with the exception of Senator Yee who was excused.

The President announced that he had read and approved the Journal of the Fifty-Second Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson introduced fifty senior citizens from the Koko Head and Hui Lealea O Hawaii Kai groups.

Senator Saiki introduced sixty students from the English-as-a-Second-Language Class at Kaimuki High School, with their teachers, Joan Ho, Greg Kinkley, Virginia Lee and Shizue Miyasato.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 28 and 29) were read by the Clerk and were disposed of as follows:

A communication from the Chairman, State Plan Policy Council, Department of Planning and Economic Development (Dept. Com. No. 28), transmitting the comments of the members of the State Plan Policy Council on the State Education Plan pursuant to Section 226-54(c), Hawaii Revised Statutes, was referred to the Committee on Education.

A communication from the Chairman, State Plan Policy Council, Department of Planning and Economic Development (Dept. Com. No. 29), transmitting the comments of the members of the State Plan Policy Council on the State Higher Education Plan pursuant to Section 226-54(c), Hawaii Revised Statutes, was referred to the Committee on Higher Education.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 478 to 523) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 478), returning Senate Concurrent Resolution No. 50 which

was adopted by the House of Representatives on April 8, 1980, was placed on file.

A communication from the House (Hse. Com. No. 479), informing the Senate that the amendments proposed by the Senate to House Bill No. 2418-80, H.D. 1, were agreed to by the House; and H.B. No. 2418-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 8, 1980, was placed on file.

A communication from the House (Hse. Com. No. 480), informing the Senate that on April 8, 1980, the Speaker discharged Representative Sakamoto and appointed Representative Hashimoto as a conferee on S.B. No. 1838-80, S.D. 3, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 481), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 3, S.D. 3, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 482), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 118, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Crozier, Fukunaga, Garcia, Ige, Shito, Uechi, Ikeda and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 483), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 209, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, de Heer, Inaba, Lacy, Lee, Masutani, Silva, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 484), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1960-

80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Garcia, Masutani, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 485), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2006-80 and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Dods and D. Yamada, Co-Chairmen, Honda, Stanley and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 486), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2202-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Segawa, Chairman, Blair, Kobayashi, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 487), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2253-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Aki, Larsen, Masutani, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 488), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2292-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Larsen, Chairman, Fukunaga, Takitani, Toguchi and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 489), informing the

Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2302-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Takamine, Chairman, de Heer, Nakamura, Silva and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 490), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2531-80, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 491), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2665-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Segawa, Chairman, Baker, Ige, Kobayashi, Lee and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 492), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2795-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Morioka, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Silva, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 493), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2914-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Takamine, Chairman, Andrews, de Heer, Ige, Kunimura, Sakamoto, Silva, Ikeda and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 494), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2977-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 8, 1980, the Speaker appointed Representatives Stanley and Morioka, Co-Chairmen, Dods, Hashimoto, Inaba, Kunimura, Nakamura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 495), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 25, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Segawa, Chairman, Hashimoto, Ige, Kobayashi, Shito and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 496), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 159, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Baker, Larsen, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 497), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 452, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Dods, Shito, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 498), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 687, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Dods, Masutani, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments,

was placed on file.

A communication from the House (Hse. Com. No. 499), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1606, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Stanley and Morioka, Co-Chairmen, Hagino, Kunimura, Masutani, Ikeda and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 500), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1610, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Stanley and Morioka, Co-Chairmen, Hagino, Kunimura, Masutani, Ikeda and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 501), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1684, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Lee, Chairman, Honda, Kobayashi, Segawa, Yamada and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 502), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1758, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Stanley, Chairman, Crozier, de Heer, Kiyabu, Kunimura, Say, Silva, Takitani, Lacy and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 503), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1782-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Aki, Kobayashi, Masutani, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse.

Com. No. 504), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1784-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Shito, Chairman, Aki, Baker, Blair, Kobayashi and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 505), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1871-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Lee, Nakamura, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 506), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1925-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Lee, Nakamura, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 507), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1947-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Hashimoto, Shito, Uwayne and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 508), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1985-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Garcia, Nakamura, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House

(Hse. Com. No. 509), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1986-80 and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Garcia, Shito, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 510), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1991-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Baker, Masutani, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 511), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1993-80 and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Baker, Masutani, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 512), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2029-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Shito, Chairman, Aki, Ige, Kobayashi, Segawa, Ushijima and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 513), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2035-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Stanley and Morioka, Co-Chairmen, Andrews, Dods, Fukunaga, Holt, Kunimura, Ikeda and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 514), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2071-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8,

1980, the Speaker appointed Representatives Lee, Chairman, Aki, Baker, Ige and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 515), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2215-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Morioka, Chairman, Kunimura, Lunasco, Sakamoto, Segawa, Ushijima and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 516), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2286-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Lee, Chairman, Ushijima and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 517), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2321-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Baker, Masutani, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 518), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2359-80 and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Nakamura, Shito, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 519), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2368-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker

Chairman, Dods, Larsen, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 520), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2443-80, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Blair, Chairman, Dods, Lee, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 521), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2634-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Stanley and Morioka, Co-Chairmen, Dods, Hashimoto, Inaba, Kunimura, Nakamura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 522), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2723-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Shito, Chairman, Aki, Baker, Kobayashi, Segawa and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 523), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2944-80, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 8, 1980, the Speaker appointed Representatives Segawa, Chairman, Ige, Kobayashi, Silva, Takitani and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 60), entitled: "SENATE CONCURRENT RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF THE BIRTH OF DOUGLAS MacARTHUR", was jointly offered by Senators Wong, Yim, Young, Chong, Yamasaki, Ushijima, Toyofuku, Mizuguchi, Machida, Anderson, Soares, Carroll, Hara, Carpenter, Ajifu, George, Saiki, Abercrombie, Kuroda, O'Connor, Cayetano and Cobb and was read by the Clerk.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.C.R. No. 60 was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. No. 317 to 325) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 317), entitled: "SENATE RESOLUTION EXPRESSING CONGRATULATIONS TO MR. SANDY SUMIDA, CHIEF OF THE PERSONNEL DEVELOPMENT AND TRAINING DIVISION, CITY AND COUNTY OF HONOLULU, UPON HIS RETIREMENT FROM PUBLIC SERVICE", was jointly offered by Senators Chong, Yim, Kuroda, Cobb, Ajifu, George, Carroll, Wong, Soares, Yee, Anderson, Abercrombie, Mizuguchi, Hara, Carpenter, Machida, Cayetano, Ushijima, Yamasaki, O'Connor, Toyofuku, Campbell, Young and Kawasaki.

On motion by Senator Chong, seconded by Senator Yim and carried, S.R. No. 317 was adopted.

Senator Chong then introduced to the members of the Senate the honoree of the resolution, Mr. Sandy Sumida, and his wife, Kimi and their son, Jerry. Senator Young presented a lei to Mr. Sumida and Senator Chong presented him with a certified copy of the resolution.

At 11:21 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:22 o'clock a.m.

A resolution (S.R. No. 318), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO CASTLE HIGH SCHOOL SENIOR PAT YAMASAKI UPON RECEIVING THE 1980 HELEN G. MCGILL MEMORIAL SCHOLARSHIP", was jointly offered by Senators Campbell, Chong, Carpenter, Abercrombie, Young, Soares, Ajifu, Yim, Cobb, Ushijima, Machida, Kuroda, George and Kawasaki.

On motion by Senator Campbell, seconded by Senator Chong and carried, S.R. No. 318 was adopted.

A resolution (S.R. No. 319), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO MOANALUA HIGH SCHOOL SENIOR GAYLE YOSHIMURA UPON RECEIVING THE 1980 HELEN G. MCGILL MEMORIAL SCHOLARSHIP", was jointly offered by Senators Campbell, Abercrombie, Young, Soares, Chong, Ajifu, Yim, Cobb, Ushijima, Machida, Kuroda, George and Kawasaki.

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, S.R. No. 319 was adopted.

A resolution (S.R. No. 320), entitled: "SENATE RESOLUTION RECOGNIZING THE CONTESTANTS IN THE 1980 CHERRY BLOSSOM QUEEN PAGEANT", was jointly offered by Senators Ajifu, Kawasaki, Wong, Toyofuku, Hara, Kuroda, Carpenter, Chong, Ushijima, Cobb, Mizuguchi, Yamasaki, Machida, Yim, O'Connor, Cayetano, Young, Abercrombie, Soares, Saiki and George.

On motion by Senator Ajifu, seconded by Senator Chong and carried, S.R. No. 320 was adopted.

A resolution (S.R. No. 321), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO FRANCENE FUMIE KONDO, THE 1980 CHERRY BLOSSOM QUEEN", was jointly offered by Senators Ajifu, Chong, Kawasaki, Wong, Kuroda, Hara, Mizuguchi, Abercrombie, Carpenter, Ushijima, Cobb, Yamasaki, Machida, Yim, O'Connor, Cayetano, Toyofuku, Young, Soares, Saiki and George.

On motion by Senator Ajifu, seconded by Senator Chong and carried, S.R. No. 321 was adopted.

A resolution (S.R. No. 322), entitled: "SENATE RESOLUTION CONGRATULATING AND EXTENDING BEST WISHES TO THE 1980 CHERRY BLOSSOM COURT", was jointly offered by Senators Ajifu, Kawasaki, Chong, Mizuguchi, Wong, Kuroda, Ushijima, Yamasaki, Machida, Yim, Abercrombie, Soares, Hara, Carpenter, O'Connor, Cayetano, Toyofuku, Young, Saiki, Cobb and George.

On motion by Senator Ajifu, seconded by Senator Chong and carried, S.R. No. 322 was adopted.

A resolution (S.R. No. 323), entitled: "SENATE RESOLUTION EXTENDING BEST WISHES AND ALOHA TO THE NISEI WEEK QUEEN AND HER COURT", was jointly offered by Senators Ajifu, Kawasaki, Chong, Mizuguchi, Wong, Kuroda, Ushijima, Yamasaki, Machida, Yim, Abercrombie, Hara, Carpenter, O'Connor, Cayetano, Toyofuku, Young, Soares, Saiki, Cobb and George.

On motion by Senator Ajifu, seconded by Senator Chong and carried, S.R. No. 323 was adopted.

Senator Ajifu then introduced to the members of the Senate the honorees of the resolutions just adopted as follows: Miss Francene Fumie Kondo, the 1980 Cherry Blossom Queen and her court; Miss Paula Michi Ito, Princess; Miss Diane Chiyo Yoshikane, Miss Trude Reiko

Asada and Miss Robyn Kiyo Kikawa, Attendants; Miss Marcia Keiko Doi, Miss Congeniality; and Miss Candyce Sachiko Kaneta. In addition, Senator Ajifu introduced the Nisei Week Queen and her court from Los Angeles as follows: Miss Jeanne Mariko Nakagame, 1980 Nisei Week Queen; Miss Eileen Reiko Suto, Princess; Miss Janice Reiko Sakamoto, Attendant; and Miss Ellen Grace Kojima, Miss Tomodachi.

Senators Ajifu, Cayetano, Chong, Cobb, Kawasaki and Kuroda then presented certified copies of the resolutions to the honorees.

At 11:28 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:34 o'clock a.m.

A resolution (S.R. No. 324), entitled: "SENATE RESOLUTION RECOGNIZING GARY KAJIWARA, WINNER OF THE DORSEY-SIPPY AWARD", was jointly offered by Senators Carpenter, Yee, Campbell, Saiki, Ajifu, Yamasaki, Ushijima, Cayetano, Mizuguchi, Young, Kuroda, Anderson, Soares, Hara, Chong, Toyofuku, Abercrombie, Machida, Kawasaki, Cobb, Carroll, Yim, Wong and O'Connor.

On motion by Senator Carpenter, seconded by Senator George and carried, S.R. No. 324 was adopted.

A resolution (S.R. No. 325), entitled: "SENATE RESOLUTION CONGRATULATING MRS. MITSU AKIMOTO ON HER SELECTION TO REPRESENT THE STATE OF HAWAII IN THE AMERICAN LUNG ASSOCIATION'S HALL OF FAME", was jointly offered by Senators Carpenter, Kuroda, Campbell, Ajifu, Yamasaki, Hara, Machida, Yim, Yee, Soares, Carroll, George, Young, Anderson, Ushijima, Abercrombie, Toyofuku, Chong, Cobb, Cayetano, Wong, Mizuguchi, O'Connor and Kawasaki.

On motion by Senator Carpenter, seconded by Senator George and carried, S.R. No. 325 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1037-80) informing the Senate that Senate Concurrent Resolution Nos. 53 to 59, Senate Resolution Nos. 267 to 316 and Standing Committee Report Nos. 1031-80 to 1036-80 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the

the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1038-80) recommending that the Senate advise and consent to the nominations of the following:

Clayton Tsuchiyama to the Board of Public Accountancy, in accordance with Gov. Msg. No. 114;

Barbara M. Yamada and Gary T. Taogoshi to the Board of Barbers, in accordance with Gov. Msg. No. 115;

Louis B. Oclaray to the Boxing Commission, in accordance with Gov. Msg. No. 116;

Milton K. Hironaka and Robert M. Imose to the CATV Advisory Committee, in accordance with Gov. Msg. No. 117;

Rose T. Ohashi, Theodore Palisbo and Robert M. Abe to the Collection Agency Board, in accordance with Gov. Msg. No. 118;

Ralph S. Inouye, Deen I. Morita and Norman Janicki to the Contractors License Board, in accordance with Gov. Msg. No. 119;

Eudora Akana Lee to the Board of Cosmetology, in accordance with Gov. Msg. No. 120;

Robert K. Maeda to the Credit Union Review Board, in accordance with Gov. Msg. No. 121;

Edwin N. Fujimoto, D.D.S., to the Board of Dental Examiners, in accordance with Gov. Msg. No. 122;

Teruo Hasegawa and June Uehara-Isono to the Board of Hearing Aid Dealers and Fitters, in accordance with Gov. Msg. No. 123;

Bill Nishita to the Board of Massage, in accordance with Gov. Msg. No. 124;

Albert C.K. Chun-Hoon, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 125;

Samuel M. Haraguchi, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 126;

Ruben P. Mallari, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 127;

Nelson N. Nishida to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 129;

Akira Sato to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 130;

Richard Robin, N.D., to the Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 131;

Yoshiko Shimamoto, Dorothy K. Ono, Elizabeth J. Waite, Claire R. Alfiler and Hilario Ramiscal to the State Board of Nursing, in accordance with Gov. Msg. No. 132;

Vernon S. Page, Anne T. Yamada and Hatsune Sekimura to the Board of Examiners of Nursing Home Administrators, in accordance with Gov. Msg. No. 133;

Gloria M. Mayer to the Board of Dispensing Opticians, in accordance with Gov. Msg. No. 134;

Beryl B. Chun, O.D., and Carolee Stamper to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 135;

Douglas P. Hagen, D.O., to the Board of Osteopathic Examiners, in accordance with Gov. Msg. No. 136;

Roy M. Shimotsukasa and Paul Romias to the Pest Control Board, in accordance with Gov. Msg. No. 137;

Paul T. Sakimoto to the Board of Pharmacy, in accordance with Gov. Msg. No. 138;

Kent H. Bowman, Steven Loui and Jed J. Inouye to the Board of Pilot Commissioners, in accordance with Gov. Msg. No. 139;

Jeanne W. Woolf, Ph.D., ABPP, to the Board of Certification for Practicing Psychologists, in accordance with Gov. Msg. No. 140;

E. A. Berlin to the Board of Private Detectives and Guards, in accordance with Gov. Msg. No. 141;

Joan E. McGarry-Nakayama to the Board of Radiologic Technologists, in accordance with Gov. Msg. No. 142;

Joseph F. Blanco, Edwin H. Shiroma and Ralph S. Yagi to the Real Estate Commission, in accordance with Gov. Msg. No. 143;

Dennis T. Sekine, Susumu Awaya and Vickie M.I. Peiler to the Board of Speech Pathology and Audiology,

in accordance with Gov. Msg. No. 144; and

Calvin W.S. Lum, D.V.M., to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 145.

By unanimous consent, action on Stand. Com. Rep. No. 1038-80 and Gov. Msg. Nos. 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144 and 145 was deferred until Thursday, April 10, 1980.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1039-80) recommending that Senate Concurrent Resolution No. 34, as amended in S.D. 1, and Senate Resolution No. 166, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and

S.C.R. No. 34, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE NECESSITY FOR A CONDOMINIUM COMMISSION OR A SEPARATE DIVISION TO REGULATE REAL ESTATE WITHIN THE DEPARTMENT OF REGULATORY AGENCIES", and

S.R. No. 166, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE NECESSITY FOR A CONDOMINIUM COMMISSION OR A SEPARATE DIVISION TO REGULATE REAL ESTATE WITHIN THE DEPARTMENT OF REGULATORY AGENCIES",

were adopted.

Senators Kawasaki and Carpenter, for the Committees on Government Operations and Efficiency and Health, presented a joint report (Stand. Com. Rep. No. 1040-80) recommending that Senate Resolution No. 16, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Kawasaki, seconded by Senator Carpenter and carried, the joint report of the Committees was adopted and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE MONITORING OF HABILITAT'S OPERATIONS AND OF THE EXERCISE OF RESPONSIBILITIES BY THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AND THE DEPARTMENT OF HEALTH IN THE LIGHT OF THE RECENT LEGISLATIVE AUDITOR'S REPORT", was referred to the Committee on Legislative Management.

Senator Toyofuku, for the Committee on Human Resources, presented a report

(Stand. Com. Rep. No. 1041-80) recommending or that comment. that House Bill No. 1964-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1964-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEE COMPENSATION LAW", passed Second Reading and was placed on the calendar for Third Reading on Friday, April 11, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1964-80.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1042-80) recommending that Senate Resolution No. 156 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 156, entitled: "SENATE RESOLUTION DECLARING THE INTENT OF THE STATE OF HAWAII TO BE THE SITE FOR THE CONSTRUCTION AND OPERATION OF THE DEPARTMENT OF ENERGY'S ANNOUNCED OCEAN THERMAL ENERGY CONVERSION PILOT PLANT", was adopted.

At this time, Senator Ushijima, Chairman of the Committee on Intergovernmental Relations, requested a waiver of the 48-hour notice of a Public Hearing on Senate Resolution No. 312, entitled: "SENATE RESOLUTION REQUESTING EACH MEMBER OF HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE MEASURES TO EXPEDITE THE ACQUISITION OF THE NEW HONOKAA POST OFFICE AND TO INSURE IMPROVED MAIL DELIVERY SERVICES TO OUTLYING AREAS", and the President granted the waiver.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock a.m.

Senator Carroll rose on a point of personal privilege and spoke as follows:

"Mr. President, I am aggrieved today because certain remarks which I made on the floor of the Senate on Monday, generated a small portion of a newspaper story and one comment that was made in that story was to the effect that I should have known the Senate's position before I made that speech

"Now, first of all, with respect to Senate Bill No. 2253-80, Senate Draft 1, we had it for a very short period of time. I did read both the bill and the committee report. I discussed the matter in committee with the Chairman. I discussed the matter with the Chairman on this floor before asking him a question. I asked him a question on the floor, and asked a question perhaps which was not, as I indicated, a model of clarity, but the indication was in his answer to me that apartment precincts in the Waikiki Special Design District would not be subject to time-sharing use in the future.

"My opinion was that when the bill went forward, and as I spoke in favor of it, I indicated in my floor speech that the apartment precinct would be sacrosanct because by definition they are residential.

"Now perhaps I was naive. In any event, other members of this Senate who heard the speech, who read the Senate Draft, who read the committee report, are of the same opinion that I was, that is, that the apartment precincts would not be utilized for time-sharing.

"The conference draft has got to be a model of clarity. Whatever comes out of that conference draft has got to give a very clear message to the time-share developers and to the City and County and to the City Council that this particular use will not be tolerated in the apartment precincts. That is my understanding prior to the passage of the bill in the Senate. That is the way that I understood matters all the way until I heard comments from the Chairman of the House Consumer Protection Committee on Sunday morning.

"Now, it is possible, but I doubt it, that I did not understand what was going on, that I misread or misinterpreted it, but that is not one of my failings.

"I hope that my message that time-sharing must be banned in the apartment precincts is clear and unequivocal, and I trust that my comment on this subject matter is unambiguous and not subject to question.

"I want that clear in our record so that this matter does not cause any further disturbance either to the Chairman of Consumer Protection or to the conferees, or to the people who are impacted upon by this use. I thank you again for your patience."

Senator Abercrombie rose on a point of personal privilege and stated as follows:

"Mr. President, I'm sorry we have to keep going over this. I indicated the

other day that I did not want to have rumors to be thought of as fact nor have the opportunity to do it. Unfortunately, this rather agonizing situation continues to persist.

"I also think that I can understand the language reasonably well, spoken and written, and there's no question in my mind that the Senate position is that there shall be no time-sharing in the apartment precincts. It runs against everything that we've tried to do by way of compromise on this issue short of an outright ban on time-sharing. And if something else is being maintained, and it gives every appearance of being maintained, other than that which was just stated by the previous speaker and what I'm saying right now, it is in fact not the Senate position and I don't think that we should be engaged in it. And if that's the case, then I think we're right back to banning time-sharing completely because failure to do so, given the circumstance of allowing the apartment precincts, will literally disrupt the lives of thousands upon thousands of citizens who live here and pay their taxes here.

"It's very important for everyone to realize and remember that Waikiki is not simply an area where tourists congregate, but it is an area where tens of thousands of our citizens live and conduct their personal lives as well as business lives, and the very clear--not understanding, it's not an understanding, it's not an interpretation--the clear and unambiguous import of the bill that we sent out from this Senate was that there should not be a any time-sharing in the apartment precincts. Otherwise, why have a designation or differentiation as to what apartment precincts are, as opposed to the other sub-designations.

"We all know perfectly well that in Waikiki, you have that differentiation of apartment precincts as opposed to some of the other counties and the bill was supposed to address, and this does address itself, to the various designations which differentiate themselves somewhat with the other counties. They are not comparable in any way, shape or form, and no other county has any kind of problem nor does the rest of Oahu have any other kind of a problem with this time-sharing situation other than Waikiki apartment precincts.

"Those apartment precincts would not be listed as such if it was not the clear intent and the sensible designation in the Waikiki Special Design District. That is why it has the Special Design

District designation that it does."

Senator Cobb then rose on a point of personal privilege and stated as follows:

"Mr. President, I would like to respond not only to some of the remarks made, but also to read portions of the bill that are pertinent to the discussion just raised.

"One of the principal problems that we have encountered, and I find it unusual that we are in a discussion of this when we are still in a conference committee, but nevertheless, one of the problems that has been encountered is the failure of the county in this particular case to adequately address the situation not only in the apartment precinct, but in all of the Waikiki Special Design District relative to what is or is not a permitted use.

"The ordinance of the Waikiki Special Design District is silent on the question of time-sharing, but the way that ordinance reads is to list affirmatively the activities that are permitted. That activity is not listed. Yet a number of time-share units have gone into the apartment precinct and other areas of Waikiki since the passage of the Waikiki Special Design District in 1975 and as amended in 1976. It's clearly a case where the County has not been enforcing its own zoning ordinances.

"Furthermore, with respect to the committee report as contained in page 2 of the report, it states and I quote 'With respect to condominiums and cooperative apartment buildings in areas where time-sharing and hotel-apartments are in existing or permitted use, the bill establishes that the approval of 100% of the owners of units in a given building is required before time-sharing can be initiated in such buildings. Your committee had in mind, for example, the apartment precinct of the Waikiki Special Design District.'

"Furthermore, on page 5 of the bill under (c) states: 'Time-sharing and transient vacation rentals may be permitted in an area where hotel-apartments and time-sharing or transient vacation rentals are a permitted or existing use, if one hundred per cent of the unit owners in the project approve such use. In all other residential areas, time-sharing and transient vacation rentals is prohibited.'

"This was discussed not only in the bill and in the committee report, but in the hearing that we had on this measure before it went over to the House. The conferees appear to be moving in the direction of rather than attempting to do the zoning job for the counties, first, we are going to provide enabling legislation for them to do so, and second, set guidelines

to tell them to 'get off their duff' and do their job. We have not yet formally resolved this issue; we're meeting again tonight to further discuss it."

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55

o'clock a.m.

ADJOURNMENT

At 11:59 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Thursday, April 10, 1980.

FIFTY-FOURTH DAY

Thursday, April 10, 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 Reverend Kenneth Seske of the First Baptist Church, Windward District, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Third Day.

The following introductions were made to the members of the Senate:

Senator Yee, on behalf of the Senators from the 6th and 7th Senatorial Districts, introduced 30 fifth grade students from Jefferson Elementary School, accompanied by their teacher, Mrs. Wakida.

Senator Cayetano, on behalf of the Senators from the 4th Senatorial District, introduced 46 third grade students from King School of Wahiawa, accompanied by their teacher, Ms. Connie Sullivan and parent, Mrs. Nishimoto.

Senator Anderson, on behalf of the Senate, then introduced 50 members of the Golden Age Senior Citizens Club.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. No. 524 to 540) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 524), transmitting House Concurrent Resolution No. 8, H.D. 1, which was adopted by the House of Representatives on April 9, 1980, was placed on file.

By unanimous consent, H.C.R. No. 8, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE TOURISM FUNCTIONAL PLAN", was referred to the Committee on Tourism, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 525), transmitting House Concurrent Resolution No. 59, H.D. 1, which was adopted by the House of Representatives on April 9, 1980, was placed on file.

By unanimous consent, H.C.R. No. 59, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE

AGRICULTURE FUNCTIONAL PLAN", was referred to the Committee on Agriculture, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 526), transmitting House Concurrent Resolution No. 60, H.D. 1, which was adopted by the House of Representatives on April 9, 1980, was placed on file.

By unanimous consent, H.C.R. No. 60, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE WATER RESOURCES DEVELOPMENT FUNCTIONAL PLAN", was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 527), transmitting House Concurrent Resolution No. 66, H.D. 1, which was adopted by the House of Representatives on April 9, 1980, was placed on file.

By unanimous consent, H.C.R. No. 66, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE RECREATION FUNCTIONAL PLAN", was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 528), transmitting House Concurrent Resolution No. 141 which was adopted by the House of Representatives on April 9, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS AND GOOD WISHES TO THE HAWAII AAU TAE KWON DO TEAM IN THE SIXTH NATIONAL AAU TAE KWON DO CHAMPIONSHIPS", was adopted.

A communication from the House (Hse. Com. No. 529), transmitting House Concurrent Resolution No. 142 which was adopted by the House of Representatives on April 9, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF THE BIRTH OF DOUGLAS MAC ARTHUR", was adopted.

A communication from the House (Hse. Com. No. 530), transmitting House Concurrent Resolution No. 143 which was adopted by the House of Representatives on April 9, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING THE NATIONAL LEAGUE OF AMERICAN PEN WOMEN, INC., HONOLULU BRANCH, FOR SPONSORING THE 1980 HAWAII WRITERS AND ARTISTS CONFERENCE", was adopted.

A communication from the House (Hse. Com. No. 531), informing the Senate that the Speaker on April 9, 1980 appointed Representative Segawa as an additional Manager on the part of the House at the conference to be held for the consideration of amendments made by the House to Senate Bill No. 2927-80, S.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 532), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2155-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1980, the Speaker appointed Representatives Nakamura, Chairman, Baker, Ige, Kobayashi, Masutani and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 533), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2635-80, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 9, 1980, the Speaker appointed Representatives Uwaine and Kawakami, Co-Chairmen, Fukunaga, Hashimoto, Holt, Kunimura, Takitani, Anderson and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 534), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 3145-80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1980, the Speaker appointed Representatives Blair, Chairman, Honda, Shito, D. Yamada and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 535), informing the

Senate that the amendments proposed by the Senate to House Bill No. 366 were agreed to by the House; and H.B. No. 366, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1980, was placed on file.

A communication from the House (Hse. Com. No. 536), informing the Senate that the amendments proposed by the Senate to House Bill No. 1607 were agreed to by the House; and H.B. No. 1607, S.D. 2, passed Final Reading in the House of Representatives on April 9, 1980, was placed on file.

A communication from the House (Hse. Com. No. 537), informing the Senate that the amendments proposed by the Senate to House Bill No. 1961-80, H.D. 2, were agreed to by the House; and H.B. No. 1961-80, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1980, was placed on file.

A communication from the House (Hse. Com. No. 538), informing the Senate that the amendments proposed by the Senate to House Bill No. 2168-80, H.D. 1, were agreed to by the House; and H.B. No. 2168-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1980, was placed on file.

A communication from the House (Hse. Com. No. 539), informing the Senate that the amendments proposed by the Senate to House Bill No. 2191-80, H.D. 1, were agreed to by the House; and H.B. No. 2191-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1980, was placed on file.

A communication from the House (Hse. Com. No. 540), informing the Senate that the amendments proposed by the Senate to House Bill No. 2372-80, H.D. 1, were agreed to by the House; and H.B. No. 2372-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1980, was placed on file.

SENATE RESOLUTION

A resolution (S.R. No. 326), entitled: "SENATE RESOLUTION RECOGNIZING PROJECT OPERATION ALOHA INTERNATIONAL", was offered by Senators

Young, Chong, Carpenter, Hara, Machida, Ajifu, Saiki, Kawasaki, Ushijima, Yamasaki, Toyofuku, Mizuguchi, Soares, Anderson, Wong, Abercrombie, Kuroda, Campbell, George, Cobb, Carroll, Cayetano and Yim, was read by the Clerk and was placed on file.

On motion by Senator Young, seconded by Senator Chong and carried, S.R. No. 326 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1043-80) informing the Senate that Senate Concurrent Resolution No. 60, Senate Resolution Nos. 317 to 325 and Standing Committee Report Nos. 1038-80 to 1042-80 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 O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1044-80) recommending that the Senate advise and consent to the nomination of R.O. Dan Schoenbacher to the Intake Service Center Advisory Board, in accordance with Governor's Message No. 222.

By unanimous consent, action on Stand. Com. Rep. No. 1044-80 and Gov. Msg. No. 222 was deferred until Friday, April 11, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1045-80) recommending that the Senate advise and consent to the nomination of Susan Marie Coy to the Hawaii Paroling Authority, in accordance with Governor's Message No. 223.

By unanimous consent, action on Stand. Com. Rep. No. 1045-80 and Gov. Msg. No. 223 was deferred until Friday, April 11, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1046-80) recommending that the Senate advise and consent to the nomination of Harry H. Hasegawa to the Board of Registration, Island of Hawaii, in accordance with Governor's Message No. 224.

By unanimous consent, action on Stand. Com. Rep. No. 1046-80 and Gov. Msg. No. 244 was deferred until Friday, April 11, 1980.

Senator O'Connor, for the Committee

on Judiciary, presented a report (Stand. Com. Rep. No. 1047-80) recommending that the Senate advise and consent to the nomination of Evelyn T. Brand to the Board of Registration, Kauai and Niihau, in accordance with Governor's Message No. 225.

By unanimous consent, action on Stand. Com. Rep. No. 1047-80 and Gov. Msg. No. 225 was deferred until Friday, April 11, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1048-80) recommending that the Senate advise and consent to the nomination of Leonilda T. Caires to the Board of Registration, Maui, Molokai, Lanai, and Kahoolawe, in accordance with Governor's Message No. 226.

By unanimous consent, action on Stand. Com. Rep. No. 1048-80 and Gov. Msg. No. 226 was deferred until Friday, April 11, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1049-80) recommending that the Senate advise and consent to the nomination of Michael M.C. Yee to the Board of Registration, Island of Oahu, in accordance with Governor's Message No. 227.

By unanimous consent, action on Stand. Com. Rep. No. 1049-80 and Gov. Msg. No. 227 was deferred until Friday, April 11, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1050-80) recommending that the Senate advise and consent to the nomination of Hiroshi Sakai to the Commission to Promote Uniform Legislation, in accordance with Governor's Message No. 228.

By unanimous consent, action on Stand. Com. Rep. No. 1050-80 and Gov. Msg. No. 228 was deferred until Friday, April 11, 1980.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1051-80) recommending that the Senate advise and consent to the nomination of Robert S. Toyofuku to the Commission to Promote Uniform Legislation, in accordance with Governor's Message No. 229.

By unanimous consent, action on Stand. Com. Rep. No. 1051-80 and Gov. Msg. No. 229 was deferred until Friday, April 11, 1980.

Senator Campbell, for the Committee

on Education, presented a report (Stand. Com. Rep. No. 1052-80) recommending that Senate Resolution No. 220, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 220, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON NOISE LEVEL LIMITS IN SCHOOL COMMUNITIES", was referred to the Committee on Legislative Management.

At 11:30 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1053-80) recommending that Senate Resolution No. 7, as amended in S.D. 1, be adopted.

Senator Mizuguchi moved that Stand. Com. Rep. No. 1053-80 and S.R. No. 7, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT A SYSTEMATIC DETERMINATION BE MADE OF FUTURE MARITIME NEEDS AND FUTURE USE OF THE FACILITIES OF KEWALO BASIN AND HONOLULU HARBOR", be recommitted to the Committee on Transportation, and the President, noting that there was no objection, so ordered.

ORDER OF THE DAY

MATTER DEFERRED
FROM APRIL 3, 1980

Senate Resolution No. 242:

On motion by Senator Yee, seconded by Senator Carroll and carried, S.R. No. 242, entitled: "SENATE RESOLUTION CONGRATULATING THE BOYS' CLUB OF HONOLULU ALL-STAR BASKETBALL TEAM ON WINNING THE 12TH ANNUAL KNIGHT'S KEYSTONE CLASSIC", was adopted.

At this time, Senator Yee introduced to the members of the Senate Mr. David Nakada, executive director of the Boys' Club of Honolulu, Ms. Caroline Yee, social director, and members of the All-Star Basketball Team: Harvey Huckso, team captain; Ray Devilla, Kenji Soranaka; Jonathan Gelacio; Robby Klein; Russell Zablan; Bobby Ohr; Kirt Miyashiro; Carl Otsuka; and Don Masauli, who were accompanied by their coaches: Glenn Kajiware, David Nakada and Barry Klein; and den mother, Mrs. Dorothy Otsuka.

FINAL READING

MATTER DEFERRED
FROM APRIL 8, 1980

Senate Bill No. 1441, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Friday, April 11, 1980.

THIRD READING

MATTERS DEFERRED
FROM APRIL 7, 1980

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 Monday, April 14, 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 Monday, April 14, 1980.

THIRD READING

House Bill No. 2259-80:

By unanimous consent, action on H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Monday, April 14, 1980.

House Bill No. 2533-80, H.D. 1:

By unanimous consent, action on H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was deferred until Friday, April 11, 1980.

House Bill No. 2064-80:

By unanimous consent, action H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was deferred until Monday, April 14, 1980.

House Bill No. 2166-80, H.D. 1:

By unanimous consent, action on H.B. No. 2166-80, H.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Friday, April 11, 1980.

Standing Committee Report No. 987-80 (H.B. No. 2589-80):

By unanimous consent, action on Stand. Com. Rep. No. 987-80 and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Friday, April 11, 1980.

House Bill No. 2629-80:

By unanimous consent, action on H.B. No. 2629-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Friday, April 11, 1980.

House Bill No. 2853-80:

By unanimous consent, H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", was recommitted to the Committee on Transportation.

House Bill No. 2472-80:

By unanimous consent, action on H.B. No. 2472-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", was deferred until Friday, April 11, 1980.

Standing Committee Report No. 1019-80 (H.B. No. 2181-80):

By unanimous consent, action on Stand. Com. Rep. No. 1019-80 and H.B. No. 2181-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", was deferred until Friday, April 11, 1980.

THIRD READING

MATTER DEFERRED FROM APRIL 8, 1980

House Bill No. 2066-80:

By unanimous consent, action on H.B. No. 2066-80, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", was deferred until Friday, April 11, 1980.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

MATTER DEFERRED FROM APRIL 8, 1980

Standing Committee Report No. 1038-

80 (Gov. Msg. Nos. 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, and 145):

Senator Cobb moved that Stand. Com. Rep. No. 1038-80 be received and placed on file, seconded by Senator Chong and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Clayton Tsuchiyama to the Board of Public Accountancy, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Barbara M. Yamada and Gary T. Taogoshi to the Board of Barbers, terms to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Louis B. Oclaray to the Boxing Commission, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the CATV Advisory Committee as follows:

Milton K. Hironaka, term to expire December 31, 1981; and

Robert M. Imose, term to expire December 31, 1983,

seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Rose T. Ohashi, Theodore Palisbo and Robert M. Abe to the Collection Agency Board, terms to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Ralph S. Inouye, Deen I. Morita, Norman Janicki to the Contractors License Board, terms to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Eudora Akana Lee to the Board of Cosmetology, term to expire December 31, 1983, seconded by Senator Mizuguchi.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Chong and Kawasaki). Excused, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Robert K. Maeda to the Credit Union Review Board, term to expire December 31, 1982, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Edwin N. Fujimoto, D.D.S., to the Board of Dental Examiners, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations

of Teruo Hasegawa and June Uehara-Isono to the Board of Hearing Aid Dealers and Fitters, terms to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Bill Nishita to the Board of Massage, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Albert C.K. Chun-Hoon, M.D., to the Board of Medical Examiners, term to expire December 31, 1982, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Samuel M. Haraguchi, M.D., to the Board of Medical Examiners, term to expire December 31, 1982, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Reuben P. Mallari, M.D., to the Board of Medical Examiners, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Nelson N. Nishida to the Motor Vehicle Repair Industry Board, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Akira Sato to the Motor Vehicle Repair Industry Board, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Richard Rovin, N.D., to the Board of Examiners in Naturopathy, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the State Board of Nursing as follows:

Yoshiko Shimamoto, term to expire December 31, 1982;

Dorothy K. Ono, term to expire December 31, 1982;

Elizabeth J. Waite, term to expire December 31, 1980;

Claire R. Alfiler, term to expire December 31, 1982; and

Hilario Ramiscal, term to expire December 31, 1982,

seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Examiners of Nursing Home Administrators as follows:

Vernon S. Page, term to expire December 31, 1983;

Anne T. Yamada, term to expire December 31, 1983; and

Hatsune Sekimura, term to expire December 31, 1981,

seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Gloria M. Mayer to the Board of Dispensing Opticians, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Examiners in Optometry as follows:

Beryl B. Chun, O.D., term to expire December 31, 1983; and

Carolee Stamper, term to expire December 31, 1981,

seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Douglas P. Hagen, D.O., to the Board of Osteopathic Examiners, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Roy M. Shimotsukasa and Paul Romias to the Pest Control Board, terms to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Paul T. Sakimoto to the Board of Pharmacy, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Pilot Commissioners as follows:

Kent H. Bowman, term to expire December 31, 1981;

Steven Loui, term to expire December 31, 1980; and

Jed J. Inouye, term to expire December 31, 1982,

seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Jeanne W. Woolf, Ph.D., ABPP, to the Board of Certification for Practicing Psychologists, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of E.A. Berlin to the Board of Private Detectives and Guards, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Joan E. McGarry-Nakayama to the Board of Radiologic Technologists, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Joseph F. Blanco, Edwin H. Shiroma and Ralph S. Yagi to the Real Estate Commission, terms to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Speech Pathology and Audiology as follows:

Dennis T. Sekine, term to expire December 31, 1982;

Susumu Awaya, term to expire December 31, 1982; and

Vickie M.I. Peiler, term to expire December 31, 1980,

seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Calvin W.S. Lum, D.V.M., to the Board of Veterinary Examiners, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 11, 1980.

FIFTY-FIFTH DAY

Friday, April 11, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dennis Koshko, Associate Pastor, Our Lady of Peace Cathedral, after which the Roll was called showing all Senators present with the exception of Senators O'Connor and Young who were excused.

The President announced that he had read and approved the Journal of the Fifty-Fourth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Yee introduced a group of twenty-seven students from the second grade at Punahou School, with their teacher, Ms. Malia Ane.

Senator Anderson introduced a group of thirty senior citizens from Puunui.

Senator Campbell then introduced Miss Gayle Yoshimura, a senior at Moanalua High School, who recently received the 1980 Helen G. McGill Memorial Scholarship. Miss Yoshimura is the honoree of Senate Resolution No. 319 which was adopted by the Senate on April 9, 1980.

At this time, Senator Campbell presented a certified copy of the resolution to Miss Yoshimura while Senators Carpenter and Kawasaki presented her with leis.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

Senator Carpenter then introduced to the members of the Senate the following students from the University of Hawaii, Hilo Campus, Hilo, Hawaii as follows: Laura Hashimoto, Roann Okamura, Dale Yamada and Toni Yamada, and their chaperones, Greg Yamanaka and Wayne Iwamoto.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 268), informing the Senate that on April 9, 1980, he signed the following bills into law:

S.B. No. 1115 as Act 5, entitled:
"RELATING TO MOTOR VEHICLE

INSURANCE RATES";

H.B. No. 1802-80 as Act 6, entitled:
"RELATING TO THE MILITIA";

H.B. No. 1803-80 as Act 7, entitled:
"RELATING TO THE HAWAII STATE GUARD";

H.B. No. 1826-80 as Act 8, entitled:
"RELATING TO PENSION AND RETIREMENT SYSTEMS";

H.B. No. 1957-80 as Act 9, entitled:
"RELATING TO THE CERTIFICATION OF CIVIL SERVICE ELIGIBLES";

H.B. No. 1997-80 as Act 10, entitled:
"RELATING TO THE BOARD OF SOCIAL SERVICES";

H.B. No. 2163-80 as Act 11, entitled:
"RELATING TO HOLIDAYS";

H.B. No. 2174-80 as Act 12, entitled:
"RELATING TO THE EXPUNGEMENT OF ARREST RECORDS"; and

H.B. No. 2178-80 as Act 13, entitled:
"RELATING TO THE LIMITATION OF FEES",

was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 541 to 556) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 541), returning Senate Concurrent Resolution No. 60 which was adopted by the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 542), informing the Senate that the amendments proposed by the Senate to House Bill No. 1981-80 were agreed to by the House; and H.B. No. 1981-80, S.D. 1, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 543), informing the Senate that the amendments proposed by the Senate to House Bill No. 2183-80 were agreed to by the House; and H.B. No. 2183-80, S.D. 1, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 544), informing the Senate that the amendments proposed by the Senate to House Bill No. 2454-80, H.D.

2, were agreed to by the House; and H.B. No. 2454-80, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 545), informing the Senate that the amendments proposed by the Senate to House Bill No. 2496-80, H.D. 2, were agreed to by the House; and H.B. No. 2496-80, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 546), informing the Senate that the amendments proposed by the Senate to House Bill No. 850, H.D. 1, were agreed to by the House; and H.B. No. 850, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 547), informing the Senate that the amendments proposed by the Senate to House Bill No. 1975-80 were agreed to by the House; and H.B. No. 1975-80, S.D. 1, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 548), informing the Senate that the amendments proposed by the Senate to House Bill No. 1977-80 were agreed to by the House; and H.B. No. 1977-80, S.D. 1, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 549), informing the Senate that the amendments proposed by the Senate to House Bill No. 1979-80, H.D. 1, were agreed to by the House; and H.B. No. 1979-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 550), informing the Senate that the amendments proposed by the Senate to House Bill No. 2660-80 were agreed to by the House; and H.B. No. 2660-80, S.D. 2, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 551), informing the Senate that the amendments proposed by the Senate to House Bill No. 2661-80, H.D. 1, were agreed to by the House; and H.B. No. 2661-80, H.D. 1, S.D. 1, passed Final Reading in

the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 552), informing the Senate that the amendments proposed by the Senate to House Bill No. 2745-80, H.D. 1, were agreed to by the House; and H.B. No. 2745-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 553), informing the Senate that the amendments proposed by the Senate to House Bill No. 2842-80, H.D. 1, were agreed to by the House; and H.B. No. 2842-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 554), informing the Senate that the amendments proposed by the Senate to House Bill No. 3048-80, H.D. 1, were agreed to by the House; and H.B. No. 3048-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 10, 1980, was placed on file.

A communication from the House (Hse. Com. No. 555), transmitting House Concurrent Resolution No. 144 which was adopted by the House of Representatives on April 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION ALOHA AND BEST WISHES TO THE NATIONAL PTA AT THEIR ANNUAL NATIONAL CONVENTION TO BE HELD JUNE, 1980, IN HONOLULU, HAWAII", was adopted.

A communication from the House (Hse. Com. No. 556), transmitting House Concurrent Resolution No. 145 which was adopted by the House of Representatives on April 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING THE INTERNATIONAL TELECOMMUNICATION UNION ON THE CELEBRATION OF WORLD TELECOMMUNICATION DAY", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 327 to 332) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 327), entitled: "SENATE RESOLUTION RECOGNIZING NUCLEAR FREE PACIFIC CONFERENCE, WHICH IS TO BE HELD IN HAWAII, HOSTED BY THE HAWAII COALITION FOR A NUCLEAR FREE PACIFIC, FROM MAY 10-17, 1980",

was jointly offered by Senators Chong, Yamasaki, Abercrombie, Carpenter and Cayetano.

On motion by Senator Chong, seconded by Senator Yamasaki and carried, Roll Call vote having been requested, S.R. No. 327 was adopted on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Anderson, Carroll, Saiki and Soares). Excused, 2 (O'Connor and Young).

A resolution (S.R. No. 328), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE HAWAII-POETS-IN-THE-SCHOOLS PROGRAM FOR ITS DEDICATED SERVICE AND OUTSTANDING CONTRIBUTION TO THE EDUCATION OF HAWAII'S SCHOOLCHILDREN", was jointly offered by Senators Chong, Abercrombie, Machida and Hara.

On motion by Senator Chong, seconded by Senator Abercrombie and carried, S.R. No. 328 was adopted.

A resolution (S.R. No. 329), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE HAWAII ETHNIC RESOURCES CENTER: TALK STORY, INC., FOR ITS CONTRIBUTIONS IN THE FIELDS OF CULTURE, THE ARTS, AND EDUCATION IN THE STATE OF HAWAII", was jointly offered by Senators Chong, Abercrombie, Machida and Hara.

On motion by Senator Chong, seconded by Senator Abercrombie and carried, S.R. No. 329 was adopted.

A resolution (S.R. No. 330), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE KUIIPOS FOR WINNING THE 1980 KANEOHE POLICE ACTIVITIES LEAGUE GIRLS VOLLEYBALL CHAMPIONSHIP", was jointly offered by Senators Anderson and George.

On motion by Senator Anderson, seconded by Senator George and carried, S.R. No. 330 was adopted.

A resolution (S.R. No. 331), entitled: "SENATE RESOLUTION EXTENDING ALOHA AND BEST WISHES TO THE WAIKIKI YACHT CLUB AND OTHER PARTICIPANTS AND VISITORS IN THE UPCOMING INTERNATIONAL PAN AMERICAN CLIPPER CUP YACHT RACE AND SPECIAL THANKS TO PAN AMERICAN WORLD AIRWAYS FOR THEIR SPONSORSHIP OF THIS EVENT", was jointly offered by Senators Kuroda, Machida, Toyofuku, Carpenter, Soares, Carroll, Ushijima, Ajifu, Anderson, Cayetano, Yamasaki, Mizuguchi, Yim, Cobb, Wong, Hara, Campbell, Chong, Young, George, Kawasaki, Saiki, O'Connor, Yee and

Abercrombie.

On motion by Senator Kuroda, seconded by Senator Machida and carried, S.R. No. 331 was adopted.

A resolution (S.R. No. 332), entitled: "SENATE RESOLUTION RECOGNIZING THE OBSERVANCE OF NATIONAL SECRETARIES WEEK, APRIL 20 TO 26, 1980", was jointly offered by Senators Kuroda, Machida, Toyofuku, Carpenter, Wong, Ajifu, Chong, Cobb, Anderson, Cayetano, Soares, Hara, Carroll, Ushijima, Campbell, Yamasaki, Mizuguchi, George, Kawasaki, Abercrombie, Young, Yim, Saiki, O'Connor and Yee.

On motion by Senator Kuroda, seconded by Senator Machida and carried, S.R. No. 332 was adopted.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1054-80) informing the Senate that Senate Resolution No. 326 and Standing Committee Report Nos. 1044-80 to 1053-80 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 O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1055-80) recommending that Senate Concurrent Resolution No. 20 be adopted.

Senator Cobb moved that the report of the Committee be adopted and S.C.R. No. 20 be adopted, seconded by Senator Mizuguchi.

Senator Kawasaki then spoke against the resolution as follows:

"Mr. President, while I laud the design and intent of the bill to establish each neighborhood council of sorts, I just wondered and I'm a little worried about whether this is not again opening the door for a whole slew of requests for additional staffing, perhaps a law school graduate who has passed the bar and who might serve very adequately as the legal counsel in these organizations and then funding requests just proliferating throughout the state, starting with one district, the Makiki District, and then proliferating all over the state and then causing a burden on the taxpayers because the program has just burgeoned into something we cannot quite control with the money implications involved therein.

"I would like to speak against the adoption of this resolution, however

well meaning it might be, I think again we're opening the door for just adding to the cost of government."

Senator Chong then stated:

"Mr. President, with all due respect to the previous speaker whom I agree totally with when it comes to burgeoning government expenses, this particular resolution simply recognizes the fine work that the Makiki Neighborhood Justice Center has been doing, and as a matter of fact, they have been saving the taxpayers a tremendous amount of money by taking a tremendous amount of burden off the shoulders of police officers so that the police officers can charge forward and solve crime."

The motion was put by the Chair and carried, and Roll Call vote having been requested, the report of the Committee was adopted and S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF NEIGHBORHOOD JUSTICE CENTERS IN HAWAII", was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Cayetano, Hara and Kawasaki). Excused, 2 (O'Connor and Young).

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1056-80), recommending that Senate Resolution No. 163 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1056-80 and S.R. No. 163, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION MAKE THE MOANALUA-SALT LAKE AREA PUBLIC LIBRARY FIRST PRIORITY ON ITS LIBRARY CONSTRUCTION LIST", was deferred until Monday, April 14, 1980.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 10, 1980

FINAL READING

Senate Bill No. 1441, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Monday, April 14, 1980.

THIRD READING

House Bill No. 2533-80, H.D. 1:

By unanimous consent, H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was recommitted to the Committee on Human Resources.

House Bill No. 2166-80, H.D. 1;

By unanimous consent, action on H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Monday, April 14, 1980.

Standing Committee Report No. 987-80 (H.B. No. 2589-80):

By unanimous consent, action on Stand. Com. Rep. No. 987-80 and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Monday, April 14, 1980.

House Bill No. 2629-80:

By unanimous consent, action on H.B. No. 2629-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Monday, April 14, 1980.

House Bill No. 2472-80:

By unanimous consent, action on H.B. No. 2472-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", was deferred until Monday, April 14, 1980.

Standing Committee Report No. 1019-80 (H.B. No. 2181-80):

By unanimous consent, action on Stand. Com. Rep. No. 1019-80 and H.B. No. 2181-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", was deferred until Monday, April 14, 1980.

House Bill No. 2066-80:

By unanimous consent, action on H.B. No. 2066-80, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", was deferred until Monday, April 14, 1980.

House Bill No. 1964-80:

By unanimous consent, action on H.B. No. 1964-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEE COMPENSATION LAW", was deferred until Monday, April 14, 1980.

MATTERS DEFERRED
FROM APRIL 10, 1980

Standing Committee Report No. 1044-80 (Gov. Msg. No. 222):

Senator Cobb moved that Stand. Com. Rep. No. 1044-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of R. O. Dan Schoenbacher to the Intake Service Center Advisory Board, term to expire December 6, 1982, 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, 23. Noes, none. Excused, 2 (O'Connor and Young).

Standing Committee Report No. 1045-80 (Gov. Msg. No. 223):

Senator Cobb moved that Stand. Com. Rep. No. 1045-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Susan Marie Coy to the Hawaii Paroling Authority, term to expire December 31, 1983, 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, 23. Noes, none. Excused, 2 (O'Connor and Young).

Standing Committee Report No. 1046-80 (Gov. Msg. No. 224):

Senator Cobb moved that Stand. Com. Rep. No. 1046-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Harry H. Hasegawa to the Board of Registration, Island of Hawaii, term to expire December 31, 1983, 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, 23. Noes, none. Excused, 2 (O'Connor and Young).

Standing Committee Report No. 1047-80 (Gov. Msg. No. 225):

Senator Cobb moved that Stand. Com. Rep. No. 1047-80 be received and placed on file, seconded by Senator

Mizuguchi and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Evelyn T. Brand to the Board of Registration, Kauai and Niihau, term to expire December 31, 1983, 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, 23. Noes, none. Excused, 2 (O'Connor and Young).

Standing Committee Report No. 1048-80 (Gov. Msg. No. 226):

Senator Cobb moved that Stand. Com. Rep. No. 1048-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Leonilda T. Caires to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, term to expire December 31, 1983, 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, 23. Noes, none. Excused, 2 (O'Connor and Young).

Standing Committee Report No. 1049-80 (Gov. Msg. No. 227):

Senator Cobb moved that Stand. Com. Rep. No. 1049-80 be received and placed on file, seconded by Senator Mizuguchi.

Senator Cobb then moved that the Senate advise and consent to the nomination of Michael M.C. Yee to the Board of Registration, Island of Oahu, term to expire December 31, 1983, 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, 23. Noes, none. Excused, 2 (O'Connor and Young).

Standing Committee Report No. 1050-80 (Gov. Msg. No. 228):

Senator Cobb moved that Stand. Com. Rep. No. 1050-80 be received and placed on file, seconded by Senator Mizuguchi.

Senator Cobb then moved that the Senate advise and consent to the nomination of Hiroshi Sakai to the Commission to Promote Uniform Legislation, term to expire December 31, 1983, 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, 23. Noes, none. Excused, 2 (O'Connor and Young).

Standing Committee Report No. 1051-80 (Gov. Msg. No. 229):

Senator Cobb moved that Stand. Com. Rep. No. 1051-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Robert S. Toyofuku to the Commission to Promote Uniform Legislation, term to expire December 31, 1983, 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, 23. Noes, none. Excused, 2 (O'Connor and Young).

At 12:12 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.

Senator Kawasaki then stated as follows:

"Mr. President, I want to express my appreciation to you as the presiding officer and to my colleagues for their indulgence and the recess that we took before we adjourn for the day.

"Last night I was privileged to be invited to a dinner sponsored by the Hawaiian Association of Foreign Language Teachers, and generally at a time like this when we are in conference committee on the budget, etc., all of these things, and very pressing schedules being imposed upon us, I would not attend these meetings or dinner functions that I am invited to, but I made it an exception last night and I'm very happy that I did because rarely in Hawaii have I been to a dinner function and listened to a speech that was as thought-provoking as the one I listened to last night.

"The gentleman we have as our guest here today is a former senator from the State of Illinois, the former lieutenant governor of the State of Illinois, and the leader in the Congress of the United States for the development of the foreign language teaching program

in the public schools and understanding the different foreign cultures, a sure path to peace on earth, good will to all men, a goal that we have not quite even reached after decades of spending literally billions of dollars and effort on the part of many, many people in the free world.

"The speech that this gentleman gave last night was in the true tradition of eloquent speakers from the State of Illinois, starting with the man who came from Springfield, Illinois, Adlai Stevenson, and of course John Anderson, who came from out of nowhere and is getting to be almost a leading presidential contender.

"In this same tradition, I listened to this gentleman deliver a very thought-provoking and very humorous in a way sometimes, yet a very important speech that I think all of us should listen to.

"For this reason, I have asked the President to make an exception of this case to have us have the privilege of listening to Congressman Paul Simon of the State of Illinois. May I introduce the Congressman at this time."

The President then welcomed Congressman Simon to the Senate and Congressman Simon addressed the members of the Senate as follows:

"Thank you very much, Mr. President and Senator Kawasaki, for that generous introduction.

"I had the privilege of serving in the state senate of Illinois for six years and for four years as lieutenant governor, I presided over the state senate. Two of those years, we had the state senate divided 29 to 29, and as you might guess, they were an interesting two years in which to preside over the state senate.

"When I was a state senator, I used to sit just about where Senator Cobb is sitting now, but he looks like a more thoughtful, sensible, effective senator, more reflective than I was when I was in the state senate. At least one member of the Senate agrees with that.

"I am pleased to be here, and let me express my appreciation, first of all, for the privilege of serving with your delegation in Washington, your two Senators and my colleagues in the House, Daniel Akaka and Cecil Heftel. I've had the privilege of working closely with them and they represent your state fittingly well.

"I want to cover several points very briefly. One is my appreciation to Hawaii for what you are doing in this area of understanding other cultures and in the area of promoting foreign languages.

"You are a great illustration of what can be done in the way of blending of cultures. Your efforts not only in the public schools and in your great university (and I had the privilege of having breakfast this morning with President (Fujio) Matsuda and some of the leaders of the University of Hawaii), but your Japanese afternoon schools, for example, are a great contribution. Your other contributions in the East-West Center and other things are all greatly appreciated.

"Let me touch very briefly now on where we are now as a nation and why I stand here as one who is concerned and why I am taking the time to impose on you in these last hours and I know what it is like -- I serve on the Budget Committee of the House in Washington and I sympathize with you as you go through these final hours -- but we have a major problem, and frankly while I pay tribute to Hawaii, Hawaii also has some of the answers as well as some of the problems as to where we should go. Let me tick off where we are.

"The State of Indiana conducted a survey of what would be needed from 1978 to 1983 in all the grade schools, high schools, colleges and universities, in the way of new foreign language teachers because of retirements, new programs and so forth. The answer came back in those hundreds of forms which were returned. They had a grand total of seven teachers that were needed. One-fifth of the high schools in this nation offer no foreign language studies; fewer than one percent of our elementary schools do. Yet in most countries, all elementary schools offer foreign language study.

"In Hawaii, somewhere between 10% and 15% of your secondary school students study foreign languages; you're just about where the rest of the nation is, I regret to say in that respect, and that's woefully behind where we ought to be.

"Right now, Chinese is struggling to continue to exist in your secondary schools. There's a very real possibility that it will be dropped, and I say to you as a national legislator who serves on the Security Task Force of the Budget Committee that it is not in our national interest and it is not in the best interest of the future of Hawaii that Chinese be dropped from your secondary school program.

"You are like all the rest of the nation. At the very time we ought to be increasing our interest in foreign languages and other cultures, you

are experiencing the same kind of percentage drop that the rest of the nation is experiencing. And, my friends in the Senate, you here and we in Congress, I think have to do something about it in the interest of your state and in the interest of our nation.

"One-fifth of the community colleges in this nation offer no foreign languages. We have state universities that offer no foreign language, including one in my state. We are the only nation on the face of the earth where you can go all the way through grade school, high school, college, get a Ph.D. and never have a year of foreign language. We've experienced roughly a 30% drop in foreign language students in the last ten years.

"And, what harm is done the nation? Now let me tick off just three things, very briefly, and then say what I think you maybe can do about it.

"Number one, the cultural harm -- I spoke not too long ago at the University of North Carolina and there was a professor from the University of Georgia there by the name of Jannelle Moragne. She said that the school board member from Macon, Georgia came up to her and said, 'Why should a student who is never going to leave Macon, Georgia study foreign languages?' And Professor Moragne responded, 'That's why he should study foreign languages.'

"I happen to be one of these readers, a pile of books on my nightstand, I don't read with any kind of organized fashion; I read two or three books on one thing or another. I have the habit of reading at least one book that is at least ten years old and let me read this sentence from Gibbons' 'The Rise and Fall of the Roman Empire' and see if it sounds familiar, 'But the weakness of the Moslems was they deprived themselves of the principal benefits of a familiar intercourse with Greece and Rome, the knowledge of antiquity, the purity of taste, and the freedom of thought. Confident in the riches of their native tongue, the Arabians disdained the study of any foreign idiom.' It sounds, my friends, all too familiar.

"I know some of you probably have been on the sharp end of editorial barbs. I've experienced that from time to time, myself. I mention this editorial from the Progress Bulletin of Pomona Valley, California, simply to illustrate the kind of cultural arrogance and isolation that so easily creep up. 'Pointing to a little known part of the Helsinki accords of 1975 which obligates the signing nations to encourage the study of foreign languages within its borders, Representative Paul Simon of Illinois is proposing to bribe colleges and universities with tax dollars to expand their foreign

language departments. America has come further in the realm of individual living standards in 200 years than other nations have advanced in 2,000. We've conquered the problems of travel, disease, construction and subdued the earth, skies and the seas and caused them to serve humanity. And we did it all without the aid of the metric system or an expensive foreign language education to assuage some politician's inferiority complex.'

"Well, it is not the kind of editorial you like to read, but I think it says in addition to maybe saying something about me, I think it says something about where we are culturally and what we have done. We ought to be enriching ourselves, and, my friends, narrow, short-sighted, provincial people inevitably will produce narrow, short-sighted, provincial leaders, and that we cannot afford.

"The second reason why we have to change is the harm that it has done in the economic area. We're in a new era, economically. We knew we were in a new era militarily when the Soviets detonated that nuclear weapon, but we have been less aware of the new era in the financial area.

"I happen to be chairman, and you can sympathize with me on this, I'm chairman of the House Task Force on Inflation--not a welcome task these days. Roughly one-ninth of inflation in the United States today is caused by our adverse balance of trade, much of it caused by oil, but much of it is caused by our failure to sell abroad. Eighty percent of the American businesses that ought to be selling abroad do not sell abroad, and one of the reasons is we can't communicate. You can buy in any language, (I used to be in business) but you can't sell in any language.

"Jack Colbert, the President of Monterey Institute of California, tells about visiting in Paris and running into a Japanese businessman who had just completed a major contract and he asked the Japanese businessman, 'What is the most important trade language in the world today,' and the Japanese businessman replied in fluent French, 'Your client's is the most important.' He's right. And we do foolish things, accidentally.

"Parker pen had an ad distributed throughout Latin America which accidentally advertised that Parker pen has contraceptive benefits. Body by Fisher came out in Flemish, 'corpse by Fisher.' And 'come alive with Pepsi' came out in Chinese 'Pepsi brings your ancestors back from the grave.' Well, we laugh, but we laugh

through our tears because American jobs are at stake, because our economy is at stake in this.

"And finally, the third area is our security. As I mentioned, I am on the Security Task Force of the Budget Committee. We had Secretary of Defense and the Joint Chiefs of Staff testify before us. We measure things just to illustrate the importance of this security thing and you cannot over-stress this, and I know that you are in an area where there is particular sensitivity to security problems.

"We measure nuclear warheads today in megatons. The MX missile, for example, has 3.5 megatons at the head of it. Now, what's a megaton? When you have a bus explode in Israel or a bomb explode in Ireland, it's usually one or two or three pounds of TNT. A megaton is the equivalent of a railroad train jammed with TNT, 300 miles long. It is power and destruction as you and I cannot imagine.

"And that's the kind of a world we live in and that's the kind of a world where we have to communicate in order that we don't accidentally detonate this nuclear gene, either, that just hangs over all of us. And obviously we have to communicate with the Soviet Union.

"After my talk last night, Senator Kawasaki and a gentleman from the University of Hawaii came up to me and he said, 'I teach Russian; we can't get anyone interested in studying Russian.' In the last three years, 52 colleges and universities in this nation dropped the teaching of Russian. There are more teachers of English in the Soviet Union than there are students of Russian in the United States.

"I was one of the U.S. delegates to the U.N. session on Disarmament. The second day we were there, the Soviet Foreign Minister Gromyko invited our delegation to come over. We entered this very typically severe Soviet room, unlike this by any stretch of the imagination, and we sat around this green felt-covered table, about eight of our delegation headed by Secretary Vance and Governor Harriman and eight in their delegation.

"We worked through an interpreter. I say we worked through an interpreter, but that's not quite accurate. I believe I'm correct in saying that everyone of their delegation spoke and understood English and not a one of us spoke or understood Russian. I would love, and I'm sure you members of the Senate would love to do this; I would love to get into a debate on the floor of the house where I have that kind of an advantage over my opponent in debate. And yet

we are in that situation and I've been in dozens of meetings in our country and other countries where we were in that situation over and over and over again.

"I had the chance to get acquainted with a second level Soviet official by the name of Kongrecha. Fortunately he speaks excellent English; I don't speak Russian. We've had lunch together, and dinner, and he's gotten acquainted with my family. We don't agree on an awful lot of things, but I think I understand his system a little better and he understands ours a little better. Now why is that important?

"You members of the Senate can understand this better than, with all due respect, our friends in the gallery here for this reason, that the way decisions are made is that you not always have a chance to weigh everything very, very carefully and then make a decision. Frequently, you come in and you have to make a decision in two minutes or five minutes or ten minutes, and maybe, just maybe, I'm going to make a decision at some point that's a little more responsible, that can inch us a little more toward peace because I've had the chance to work with this fellow Kongrecha and perhaps he can do the same on the other side.

"We now let the American Ambassador determine how many people must speak a foreign language. Right now in Somali, a very key country in the horn of Africa, the ambassadors decided that we don't need anyone who speaks the language of the people there, and so we are harmed.

"I could go on and on with the security examples, but let me close with this final example from Vietnam. When the hostilities in Vietnam broke out, we had as far as I know, only two people—certainly fewer than five—totally in the United States, in the State Department, Defense Department and any American university who was an American-born expert who spoke the language of that area and who understood the culture of that area.

"What if we had had 20 or 50 or 100 for 56,000 American lives lost, almost 3,000,000 Asian lives, \$135 billion and scars in our society in your state and mine to this day. We don't know the answers but security-wise, we don't know where the next 'Vietnam' is going to be and we better do something.

"What can you do? Let me just very

specifically and in two minutes close here. First, do what you can to urge the schools and universities to promote foreign language and international studies, and I appeal particularly to those of you on the education committees and the appropriations committees. You're in a very key spot and I would also stress right now a decision that's going to be made by your office of education within the next year as to whether you are going to continue Chinese or not. I think that's a very fundamental kind of a question. I hope you come up with the right answer. answer.

"Second, I would push the schools for more in-depth studies. We think we have studied a foreign language if we take two years, and my friends, this isn't the case.

"I think of Hangwood Brood, the journalist who took beginning French and he was assigned by the Associated Press to Paris and he said he got over there and there was only one problem; he said, 'I got over to Paris and no one spoke beginning French.' Well, that is a problem.

"We have to be looking with much more depth. Frankly what we need and what you have to help give us is a minor cultural revolution. We simply have to be paying attention to the rest of the world, more than we are. And I can't think of a state that is more logical to lead this nation in this regard than the State of Hawaii.

"Let me close with an illustration that I used last night that the Senator can appreciate and I think all of you can appreciate. Couple of years ago for the first time in the history of the House of Representatives in Washington, we invited a senator to come and speak to the House of Representatives. Now, you can understand that's quite a condescension for the House to invite a senator to come and speak to them. That senator was Hubert H. Humphrey.

"It was about eight weeks before he died, and it was one of those genuine outpouring of affection by people in both parties to this national leader we all loved. We knew he was dying and he knew he was dying. He didn't have any prepared script. He got up, and let me say when he got up there, he received an ovation like I've never seen or heard. In fact, Luke, the old doorkeeper said, 'I've been here for thirty years and I have heard kings and prime ministers and presidents welcomed, but no one like this.'

"But he got up and he said, 'You know, as far as we know, in this whole vast universe, the only place where there is life is this small planet of the earth, and you and I who are engaged in politics are engaged in an experiment, whether

we can have peace and freedom and justice on that small planet.'

"And, my friends, when everything else is said and done, when all the bills you're passing now are completed and signed or vetoed, that's really what the ball game is all about -- whether we can give our children and future generations a world of peace and freedom and justice.

"And I suggest that a very key element to that is whether we can build a world that can communicate, one person to another, people from one country to people of another country. I cannot over-stress, and I say this as one who has just accidentally come into this field, I cannot over-stress how important I think this is to the economy and to the security of this nation. And the decisions on this are not going to be just made in Washington; they are going to be made right in this hall by you who will play a very, very key role.

"I thank all of you for this special privilege of addressing you. I thank particularly my friend Senator Kawasaki, for his generosity and I hope I have not infringed on his time in the future too much.

"Thank you very, very much."

The President thanked Congressman Simon for sharing his thoughts with the members of the Senate.

Senator Kawasaki then introduced to the members of the Senate Mr. John Wollstein, Education Specialist, Foreign Language Program of the Department of Education, who accompanied Congressman Simon.

ADJOURNMENT

At 12:45 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 14, 1980.

FIFTY-SIXTH DAY

Monday, April 14, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend William Ah You of the Palisades Community Chapel, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Fifth Day.

The following introductions were then made to the members of the Senate:

Senator Carpenter, on behalf of the Senators from the 1st Senatorial District, introduced Political Science Professor Jim Wang of the University of Hawaii, Hilo Campus.

Senator Chong then introduced a group of 15 students from The Kamehameha Schools who are members of the student council of the Associated Students of Kamehameha Schools, accompanied by Ms. Sandy Young, Dean of Students. Senator Chong singled out Debbie Tokuhara, student body vice president; Glenn Akiona, junior class president; William Kalakau, sophomore class vice president; and Patrice Tim Sing, freshman class vice president.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 269 to 285) were read by the Clerk and were disposed as follows:

A message from the Governor (Gov. Msg. No. 269), transmitting a report on agricultural parks prepared by the Departments of Land and Natural Resources and Agriculture, April 7, 1980, in response to House Resolution No. 108 (1980), was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 270), submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of Bertram T. Kanbara, 10th Judge, for a 10-year term, in accordance with Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 271), submitting for consideration and confirmation to the Board of Acupuncture the following nominations:

Cheuk Tong Tse, term to expire December 31, 1983;

Mabel S.C. Chang, term to expire December 31, 1982;

Yosei Shinsato, term to expire December 31, 1983; and

John K. Char, D.D.S., term to expire December 31, 1981,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 272), submitting for consideration and confirmation to the Board of Chiropractic Examiners the nomination of Dr. Roy H. Tanaka, D.C., term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 273), submitting for consideration and confirmation to the Cemetery and Mortuary Board the nomination of Aloysius M. Texeira, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 274), submitting for consideration and confirmation to the Consumer Advisory Council the nominations of Melvin M. Kaetsu, Leonard F. Scanlan, George M. Waialeale, Jalna S. Keala, Kwan Ho Kuh, Jean F. Cornuelle, Keenan K. Kelekolio, Robert M. Oda, Marvin R. Funes and Pamela S. Kimura, terms to expire at the pleasure of the Governor, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 275), submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, and Surveyors, the nominations of Donald D. Chapman, Tadaka Nakahata, Cesar Portugal, Juli M. Kimura-Walters, terms to expire December 31, 1983, and Masaji Yamashita, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 276), submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nominations of John K. Uyetake and Gregory T. Laureta, terms to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 277), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Hawaii, the nomination of Alvin M. Inoue, term to expire December 31, 1981, was referred

to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 278), submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of Daisy L. Aguiar, Roy L. Benham and Lilliam Cameron, terms to expire December 31, 1983, and Thelma Black, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 279), submitting for consideration and confirmation to the Library Advisory Commission, County of Hawaii, the nominations of Lynne T. Shimazu and Chitose Kanuha, terms to expire December 31, 1983, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 280), submitting for consideration and confirmation to the Library Advisory Commission, City and County of Honolulu, the nominations of Edith L. Clements, Clinton K. Akana, Li'amanaia Afuvai, Jr., terms to expire December 31, 1983, and Roy K. Sasaki, term to expire December 31, 1981, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 281), submitting for consideration and confirmation to the Hawaii Community Development Authority, the nominations of Mitsuo Shimizu and Michael J. Coy, terms to expire December 31, 1983, and Thomas M. Itagaki, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 282), submitting for consideration and confirmation to the Hawaii Housing Authority, the nomination of Paul A. Tom, term to expire December 31, 1983, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 283), submitting for consideration and confirmation to the Defender Council, the nominations of Myrtle Mokiao, H.K. Bruss Keppeler, Terence T. Yoshioka, Thomas R. Cole and Donald M. Fujimoto, terms to expire at the pleasure of the Governor, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 284), submitting for consideration and confirmation to the Board of Social Services, the nominations of Lois H. Matsuda, Carolina S. Boland, Sandra T. Ohara and Barbara Adams, terms to expire December 31, 1983, and William K. Pacatang, term to expire December 31, 1982, was referred to the Committee

on Human Resources.

A message from the Governor (Gov. Msg. No. 285), submitting for consideration and confirmation to the Tax Review Commission, the nominations of Ah Quon McElrath, Fred W. Bennion, Christopher G. Pablo, Elliott H. Brilliant, Albert S. Nishimura, Hideo Matsushita and John M. Hamano, terms to expire upon completion of duties, was referred to the Committee on Ways and Means.

At this time, Senator Anderson rose to remark on the Governor's messages as follows:

"Mr. President, on these messages, I don't know how you overcome this but I would ask that the leadership next year consider notifying the Governor that with four days of the session to go and heavy in conferences, to send down some 15 Governor's messages covering 50 people is really unfair to the Senate. We're going to have to rush these in and out of committees or some may die, and the Senate is going to be criticized some day for not screening the Governor's appointments clearly and in depth. He should be notified that sending down this many during the last week of the session is really unfair to the Senate."

Senator Cobb added his remarks as follows:

"Mr. President, I'd like to concur with the previous remarks. We've been asking the administration to get the names (on appointments) down earlier and I think the spirit of the previous remarks on the point is very well taken."

Senator Chong rose to concur with the remarks as follows:

"Mr. President, I also would like to concur and point out that the opening on the very important Public Utilities Commission, even though we've been discussing this with the Governor for the past three months and even before the session started, that the appointment has still not come down."

Senator Cayetano also added his remarks as follows:

"Mr. President, I'd like to concur also."

"I have here the Tax Review Commission appointments which is a very important commission and we just got the names today."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. No. 557 to 569) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 557), returning Senate Bill No. 43, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 558), returning Senate Bill No. 871, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 559), returning Senate Bill No. 1951-80, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 560), returning Senate Bill No. 1991-80, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 561), returning Senate Bill No. 2197-80, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 562), returning Senate Bill No. 2214-80, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 563), returning Senate Bill No. 2225-80, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 564), returning Senate Bill No. 2278-80, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 565), returning Senate Bill No. 2357-80, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 566), returning Senate Bill No. 2359-80, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 567), returning Senate Bill No. 2473-80, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 568), returning Senate Bill No. 2520-80, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 569), returning Senate Bill No. 3098-80, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 1980, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 61), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING THE NATIONAL LEAGUE OF AMERICAN PEN WOMEN, INC., HONOLULU BRANCH, FOR SPONSORING THE 1980 HAWAII WRITERS AND ARTISTS CONFERENCE", was jointly offered by Senators Young, George, Saiki, Machida, Hara, Ajifu, Kawasaki, Ushijima, Yamasaki, Toyofuku, Mizuguchi, Soares, Anderson, Wong, Abercrombie, Carpenter, Kuroda, Chong, Cayetano, Carroll, Yim and Campbell, and was read by the Clerk and placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 333 to 335) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 333), entitled: "SENATE RESOLUTION CONGRATULATING WORLD AIRWAYS ON THEIR NEW LOW AIRFARE", was jointly offered by Senators Wong, Carpenter, Yim, Ushijima, Yamasaki, Chong, Machida, Saiki, Soares, Carroll, Anderson, Kuroda, Mizuguchi, Campbell, Ajifu, Hara, Toyofuku, Cobb, George, Yee, Abercrombie, Cayetano, Kawasaki and Young.

On motion by Senator Mizuguchi, seconded by Senator Carpenter and carried, S.R. No. 333 was adopted.

A resolution (S.R. No. 334), entitled: "SENATE RESOLUTION CONGRATULATING THE PARTICIPATING MEMBERS OF THE HAWAII NATIONAL GUARD, STATE DEPARTMENT OF TRANSPORTATION HIGHWAYS DIVISION, HAWAII COUNTY DEPARTMENT OF TRANSPORTATION HIGHWAYS DIVISION, STATE DEPARTMENT OF LAND AND NATURAL RESOURCES FORESTRY DIVISION, STATE DEPARTMENT OF AGRICULTURE AND THE KULANI CORRECTIONAL FACILITY STAFF AND INMATES FOR PROVIDING EMERGENCY FLOOD RELIEF SERVICES FOR THE WAIPIO VALLEY, HAWAII COUNTY", was jointly offered by Senators Hara, Carpenter, Ushijima, Yamasaki, Machida, Mizuguchi, Cobb, Yim, Carroll, Soares, Kuroda, Yee, Anderson, Chong, Campbell, Kawasaki, Young, Cayetano, Saiki,

Ajifu, Toyofuku, George, O'Connor, Abercrombie and Wong.

On motion by Senator Hara, seconded by Senator Carpenter and carried, S.R. No. 334 was adopted.

A resolution (S.R. No. 335), entitled: "SENATE RESOLUTION CONGRATULATING THE NATIONAL LEAGUE OF AMERICAN PEN WOMEN, INC., HONOLULU BRANCH, FOR SPONSORING THE 1980 HAWAII WRITERS AND ARTISTS CONFERENCE", was jointly offered by Senators Young, George, Saiki, Machida, Hara, Ajifu, Kawasaki, Ushijima, Yamasaki, Toyofuku, Mizuguchi, Soares, Anderson, Wong, Abercrombie, Carpenter, Kuroda, Chong, Campbell, Cayetano, Carroll and Yim, and was placed on file.

CONFERENCE COMMITTEE REPORT

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2134-80, H.D. 1, presented a report (Conf. Com. Rep. No. 4-80) recommending that S.B. No. 2134-80, H.D. 1, 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. 2134-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS."

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1057-80) informing the Senate that Senate Resolution Nos. 327 to 332 and Standing Committee Report Nos. 1055-80 and 1056-80 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 Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1058-80) recommending that the Senate advise and consent to the following nominations:

Michael J. Chun, Ph.D., Richard S.C. Mau, and Herbert Bob Stellmacher to the Environmental Quality Commission, in accordance with Gov. Msg. No. 147;

Ivan H. Morita and Donald K. Andrews to the Fish and Wildlife Advisory Committee, City and County of Honolulu, in accordance

with Gov. Msg. No. 148;

John Duarte to the Fish and Wildlife Advisory Committee, County of Kauai, in accordance with Gov. Msg. No. 149;

Philip M. Yamagata to the Fish and Wildlife Advisory Committee, County of Kauai, in accordance with Gov. Msg. No. 150;

Adolph H. Desha, Edward H. Tamura, and Wallace H. Fujii to the Fish and Wildlife Advisory Committee, County of Maui, in accordance with Gov. Msg. No. 151;

Dr. D. Mueller-Dombois to the Natural Area Reserves System Commission, in accordance with Gov. Msg. No. 152;

P. Quentin Tomich, Ph.D., to the Natural Area Reserves System Commission, in accordance with Gov. Msg. No. 153;

Richard K.T. Au and Tommy Kakesako to the Pacific War Memorial Commission, in accordance with Gov. Msg. No. 154; and

Curt T. Tagawa and Samuel J. Weimer to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 155.

By unanimous consent, action on Stand. Com. Rep. No. 1058-80 and Gov. Msg. Nos. 147, 148, 149, 150, 151, 152, 153, 154, and 155 was deferred until Tuesday, April 15, 1980.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1059-80) recommending that Senate Resolution No. 179 be adopted.

On motion by Senator Hara, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.R. No. 179, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES ARMY CORPS OF ENGINEERS TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING A SMALL BOAT REFUGE HARBOR NEAR LAUPAHOEHOE POINT ON THE BIG ISLAND", was adopted.

Senator Hara, for the majority of the Committee on Ecology Environment and Recreation, presented a report (Stand. Com. Rep. No. 1060-80) recommending that House Bill No. 2815-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hara, seconded by Senator Mizuguchi and carried, the report of the majority of the Committee was adopted and H.B. No. 2815-80, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 16, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2815-80.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1061-80) recommending that the Senate advise and consent to the nominations of William Kennison, Keith I. Oda, William Y. Nakamatsu, and Kenneth I. Crow to the Commission on Transportation of the State of Hawaii, in accordance with Governor's Message No. 230.

By unanimous consent, action on Stand. Com. Rep. No. 1061-80 and Gov. Msg. No. 230 was deferred until Tuesday, April 15, 1980.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1062-80) recommending that the Senate advise and consent to the nomination of Rick Eveleth to the State Highway Safety Council, in accordance with Governor's Message No. 231.

By unanimous consent, action on Stand. Com. Rep. No. 1062-80 and Gov. Msg. No. 231 was deferred until Tuesday, April 15, 1980.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1063-80) recommending that the Senate advise and consent to the nomination of Robert Lee, Jr., M.D., to the Medical Advisory Board, in accordance with Governor's Message No. 232.

By unanimous consent, action on Stand. Com. Rep. No. 1063-80 and Gov. Msg. No. 232 was deferred until Tuesday, April 15, 1980.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1064-80) recommending that the Senate advise and consent to the nomination of B.E. Realica, M.D., to the Medical Advisory Board, in accordance with Governor's Message No. 233.

By unanimous consent, action on Stand. Com. Rep. No. 1064-80 and Gov. Msg. No. 233 was deferred until Tuesday, April 15, 1980.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1065-80) recommending that House Bill No. 2185-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2185-80, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE OFFICE OF THE ASSISTANT REGISTRAR OF THE LAND COURT IN THE STATE BUREAU OF CONVEYANCES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1066-80) recommending that House Bill No. 2540-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2540-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 16, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2540-80.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1067-80) recommending that House Bill No. 2752-80, H.D. 2 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2752-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE INITIAL APPOINTMENT OF CIVIL SERVICE EMPLOYEES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 16, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2752-80, H.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1068-80) recommending that House Bill No. 2137-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2137-80, entitled: "A BILL

FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 16, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2137-80.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1069-80) recommending that the Senate advise and consent to the nomination of Takeo Yamamoto to the Board of Land and Natural Resources, in accordance with Governor's Message No. 156.

By unanimous consent, action on Stand. Com. Rep. No. 1069-80 and Gov. Msg. No. 156 was deferred until Tuesday, April 15, 1980.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1070-80) recommending that the Senate advise and consent to the nominations of Edwin Y. Otsuji, Randolph G. Moore, Raymond T. Sasaki, Jr., William L. Palakiko, and Manuel Moniz, Jr., to the Board of Planning and Economic Development, in accordance with Governor's Message No. 157.

By unanimous consent, action on Stand. Com. Rep. No. 1070-80 and Gov. Msg. No. 157 was deferred until Tuesday, April 15, 1980.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1071-80) recommending that the Senate advise and consent to the nominations of A. Edward Kato, Pam H. Kekumano, and Thomas M.W. Lee to the Commission on Population and the Hawaiian Future, in accordance with Governor's Message No. 158.

By unanimous consent, action on Stand. Com. Rep. No. 1071-80 and Gov. Msg. No. 158 was deferred until Tuesday, April 15, 1980.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1072-80) recommending that the Senate advise and consent to the nomination of Virginia Dee Costello to the Commission on the Year 2000, in accordance with Governor's Message No. 159.

By unanimous consent, action on Stand. Com. Rep. No. 1072-80 and Gov. Msg. No. 159 was deferred until Tuesday, April 15, 1980.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1073-80) recommending that the Senate advise and consent to the nominations of Shinsei Miyasato and Richard B.F. Choy to the Land Use Commission, in accordance with Governor's Message No. 250.

By unanimous consent, action on Stand. Com. Rep. No. 1073-80 and Gov. Msg. No. 250 was deferred until Tuesday, April 15, 1980.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 10, 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 Tuesday, April 15, 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 Tuesday, April 15, 1980.

At 11:57 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

House Bill No. 2259-80:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2064-80:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTER DEFERRED
FROM APRIL 11, 1980

Standing Committee Report No. 1056-80 (S.R. No. 163):

By unanimous consent, action on Stand. Com. Rep. No. 1056-80 and S.R. No. 163, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION MAKE THE MOANALUA-SALT LAKE AREA PUBLIC LIBRARY FIRST PRIORITY ON ITS LIBRARY CONSTRUCTION LIST", was deferred until Tuesday, April 15, 1980.

FINAL READING

Senate Bill No. 1441, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 1441, S.D. 1, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

At this time, Senator Kawasaki rose to state as follows:

"Mr. President, I had intended to speak against this bill and had a speech prepared but, consonant with my agreement to shave off a few minutes of my speaking time so that we could give the speaker last week some time to talk to us, I will just vote 'no' on this bill."

Senator Abercrombie then rose to ask if the chairman of the Consumer Protection and Commerce would yield to a question and the chairman replied in the affirmative.

Senator Abercrombie then asked: "Would the chairman explain the degree to which he believes, if any, the open-end loan concept has an inflationary element?"

Senator Cobb, chairman of the Consumer Protection and Commerce Committee replied as follows:

"Mr. President, in regard to the inflation, I think that would depend on how much of it is used. And, like any other open-end agreement with any other type of financial institution, under the provisions of the new federal regulation that has been implemented by executive order of the President, any new credit extended would require a deposit of 15% of the amount of the credit to be extended in a noninterest bearing account with the Federal Reserve System. As a result, I think, any lender is going to be very judicious in the use or extension of credit to an individual."

Senator Abercrombie remarked and

further inquired as follows:

"Mr. President, I have had like assurances given to me by different members of the community involved in industrial loans. If this is the case...I understand what the purpose is, but could the chairman just explain a little more than as to why this is necessary at this time? If I can get an explanation on that I think I can see my way clear to vote for it."

Senator Cobb replied as follows:

"Yes, Mr. President, the purpose of this bill in allowing an open-end system is because the law is silent with respect to the Industrial Loan Act, relative to whether or not such open-end loans are permitted; whereas, it is more explicit under Chapter 478 which deals with other types of financial institutions.

"Because of the silence in the law on this, particular type of loan lenders have not felt they had the requisite authority to go ahead and make such types of loans, even though it is very much an element of competition with other types of lenders. This bill will clarify that ambiguity and make certain that they do have that authority."

Senator Abercrombie then thanked the chairman and spoke in favor of the measure as follows:

"Mr. President, under those circumstances, I would like to speak in favor of this bill.

"Principally, Mr. President, I believe that because of some of the other actions we have either taken this term already or contemplate taking in the next few days, I believe that there would be situations in which, especially people in small business may find it necessary to take advantage of this open-end lending situation. That doesn't mean that I think it's a good idea. I think they're going to be forced into it and regret it. I would not want to find myself in the position of voting against or urging a vote against some other propositions which may come before us and finding myself in a situation where I feel pretty good about having done the right thing and then have with the knowledge that there may be people who will be suffering as a result of those votes...whom I believe may suffer as a result of those votes...and they would not have an opportunity to at least attempt to bail themselves out for the short run.

"I think it's a helluva way to try and have to do something to somebody, but I'd rather, for the moment, find myself in a position of at least having opened that particular avenue...if that kind

of financial disaster takes place which I fear all too well will take place...should we deal in a positive fashion here with some of the other changes with respect to interest rates and so on. On that basis, I will vote for it."

At this time, Senator Cobb rose on a point of clarification as follows:

"Mr. President, I have received a communication on this measure from the chairman of the House Committee on Consumer Protection and Commerce relative to technical errors in the bill and we had checked further with the Revisor of Statutes that we may read into the record the clarification of those matters so that there is no question as to the legislative intent with the underscoring. I would like to do so at this time, if I may.

"Mr. President, on page 19, lines 1 through 12 should be underlined; this is a continuation of a new subsection (H) which begins on page 18, and the entire subsection (H) should have been underlined.

"Secondly, on page 12, lines 2 through 5, the sentence 'Loans providing for repayment on demand may be contracted for, under this subsection and subject to a maturity date of not later than six years from the date of the note.' should be underlined as it is new material.

"Lastly, on page 19, line 16, 'SECTION 4.' should read: 'SECTION 3.'"

The Chair then stated that "those comments will be inserted into the Journal."

At this time, Senator Kawasaki rose to ask the chairman of the Consumer Protection and Commerce to yield to a question and the chairman replied in the affirmative.

Senator Kawasaki asked as follows:

"Mr. Chairman, what is the maximum interest chargeable under the operation of this bill, the very highest maximum? I'm led to believe that it's about 31%, is that correct?"

Senator Cobb replied as follows:

"Mr. President, at the present time it's an annual percentage rate of 18%. If '1925' were to pass, the House will pass a conference committee with an annual percentage rate of 24%. That would be the amount, but, at the present time, 18% is controlling.

"Under an 18% roll-over loan involving a two to three-year period, the actual

annual percentage rate, with the old and new funds taken into account, will be 25.75%, but that would involve the use of both old and new money in a consolidated roll-over loan for a short period of time."

Senator Anderson then rose to state as follows:

"Mr. President, not to the merits or demerits of the bill, but for precedent and for the record, I'm not really sure that's a technical amendment as defined under the Ramseyer method because it's not underscored, but that's pretty clear an amendment. Because of the shortness of time and the intent is pretty clear, for the record and for the Clerk's desk drawer, I want on record that it's not a technical amendment in the true fashion."

The Chair then stated as follows:

"Senator Anderson, for your information, we have checked with the Revisor of Statutes and we have been advised that this is the procedure in which to take care of this problem. In actuality, we are not making an amendment but, rather, just calling attention to a typographical error in the bill--namely, that some new statutory language was inadvertently not underlined. However, your comments will be inserted into the record as to whether or not these are technical or substantial amendments to the bill."

The motion was put by the Chair and carried, and S.B. No. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

At 12:12 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.

THIRD READING

House Bill No. 2166-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 987-80
(H.B. No. 2589-80):

Senator Cobb moved that Stand. Com. Rep. No. 987-80 be adopted and H.B. No. 2589-80, having been read throughout, pass Third Reading, seconded by Senator Chong.

At this time, Senator Kawasaki rose to speak against the measure as follows:

"Mr. President, I think it behooves this body to very carefully think of the impact of this particular bill.

"First of all, this bill, if it's enacted, I think, violates the concept of home rule that we've been trying to espouse. Twenty years or so ago, we, believing in the home rule concept, gave to the counties the right to administer the police commission the police department's operations. We gave them the right to administer the liquor sales program and gave them the liquor commission and all that's involved in the liquor sales program.

"Last year, the 1978 Constitutional Convention also took into consideration the logic of the home rule concept as it relates to certain types of programs and mandated us to now give the real property tax program, both the setting of the property tax rates in each county and the assessment judgment, to the counties and we passed a bill to effectuate this.

"This bill, in effect, tells the City and County Liquor Commission that they can or they cannot charge license fees according to what we think the license fee should be. The bill requires that the liquor commission charge license fees no higher than what is the total cost, the direct cost, of administering the liquor sales program.

"In actuality, if we pass this bill, I think the fees that the counties could charge to their licensees would be even higher than what it is today. Today, they are taking in about \$1,427,000 and what is attributable to direct costs is much in excess of this.

"Let me just explain. I think they have used a figure of about \$900,000 to estimate the cost of administering, that is to say, that they have to pay the liquor inspectors, the staff of the liquor commission, etc. If we were to add all of the costs involved because of the consumption and the sale of liquor, then we will have to take in the cost of the extra police department personnel that's needed to take care of problems caused by traffic accidents and traffic deaths which involve the use of liquor;

the cost of providing extra services and staff for cleaning up of the parks because of liquor consumption.

"If you don't think this is a problem, I suggest that each member here go to Ala Moana Park, in the vicinity of Magic Island, to see in that parking lot, every morning, literally dozens of bottles busted right on the road. It requires the park keepers to send out staff to clean it up; the next morning it's the same thing.

"There are a lot of added costs because of the consumption of liquor.

"We had a total of 1900 drunk driving arrests last year, and the county estimates that the cost of processing these particular cases, if it's uncontested, averages about \$1500 each case. For the 1900 arrests, it's roughly a little below \$3 million, which is almost double the total revenue taken in by license fees.

"Now on the contested cases, it is estimated that the average cost is about \$5000 each case. Taking a more conservative view, using half of the figure of \$2500, the cost of administering drunk driving charge cases before the courts would amount to about \$4.75 million, three times the amount of the revenues taken in by the license fees.

"Last year, we had 55 traffic deaths involving liquor, again, because of liquor consumption, and a nation-wide study shows that the cost impact of each death as a result of a traffic accident involving liquor is about \$200,000. This is a nation-wide study figure. Using just \$50,000 as a figure, one-fourth of what is said to be the actual average cost in the nation-wide study, the cost impact, we have again a cost of \$2,750,000 involved for a total of \$7.5 million, much in excess of what they take in in liquor license fees.

"These things considered, I think (first of all because it violates the home rule concept) we should not be interfering with the counties' operation of the liquor program by telling them what kind of license fees they could charge. License fees for the small liquor establishments--the bars and the restaurants--are rather nominal.

"The proponents of this bill primarily, I think, are the big licensees who have to pay a percentage of their gross income on liquor sales as a license fee and the percentage does not go any higher than one percent as it is designed, as it is proposed by the liquor commission.

"Incidentally, what has been the increase

in the price of liquor at the retail level or at the consumption level? In five years the cost of buying a drink has gone up about 25%. The last time the liquor commission increased their fees was ten years ago. Now they are proposing to possibly raise the fee to about 1% only for the large licensees. When I say large licensees... the hotels are required to have just one license regardless of the fact that they may have a dozen cocktail lounges in the hotel complex. What is anticipated here is that perhaps the fee is going up to 1% of the total consumption of liquor, which is still a very reasonable figure for the cost of doing business, to sell and to dispense liquor.

"As I said, the county people have calculated that the direct cost attributable just for the operation of the liquor licensing staff, the commission's activities, is about \$900,000. The remainder goes into the general fund to help pay for the things that I outlined, the cost of police, the park keepers, the administration of the traffic program, and so forth, so I think there is no need to pass this bill, and if we want cooperation from the City Council, from the liquor commissioners, whom we've instructed to try to police these 'clip' joints as we call them... these bars that charge exorbitant prices for the consumption of champagne and so forth by their clients... if we want cooperation from them, I think we have no business trying to order them as to what they should be charging.

"For these reasons, I think, this bill is a very bad one; we violate the home rule concept; we should not be getting involved in this kind of controversy with the county people.

"I hope that you will vote against this bill."

Senator Abercrombie then rose to ask if the chairman of the Committee on Consumer Protection and Commerce would yield to a question and the chairman replied in the affirmative.

Senator Abercrombie then inquired as follows:

"Mr. President, if one goes back to the bill which came here on March 7, 1980, the committee report indicates the following: 'The present law is silent as to the proper method of fee assessments to be followed by the commission. Section 281-17 (11) states in pertinent parts: 'the liquor commission... shall have the sole jurisdiction, power, authority and discretion... to prescribe, by rule and regulation, ... the annual or prorated amount and the manner of payment of

fees for such licenses and permits, and the amount of filing fees.'"

"Then it states that '...each county's liquor commission is currently free to promulgate its own fee assessment structure.'

"Can the chairman give me any rationale for changing that situation?"

Senator Cobb replied as follows:

"Mr. President, I believe that came from a previous committee report. This bill was heard by both the Committee on Intergovernmental Relations as well as the Committee on Consumer Protection and Commerce.

"This bill as it is presently worded certainly allows the liquor commission to set its fees but it is also in conformity with the previous position we took relative to state boards and commissions when we said that their fees should reflect their operating expenses and be adjusted either upwards or downwards.

"The point of agreement between the two committees, the chairman and vice chairman of the previous committees sit on the Consumer Protection Committee. It is that we agreed this situation involved a defacto taxing power of the county that had not been granted by the Legislature and if we're going to impose this kind of restraint on our own boards and commissions we should do likewise on those in the counties."

Senator Abercrombie remarked as follows:

"Mr. President, I don't think that answers my question. Maybe I didn't state it correctly, or clearly enough.

"I referred to the committee report it seemed to me, to make quite clear what the liquor commission could do. The liquor commission and each commission, by definition, has a separate function. If we were just dealing with commissions and boards we could assign people to them at random or we could allow them to do things at random. They have specific functions and what may be considered direct or indirect may vary depending on the context with which that commission deals with.

"My question to the chairman was what is the rationale given as to what the liquor commission does for making a change in its having the sole discretion, power, and authority to prescribe by rule and regulation, etc. the payment of fees for licenses and permits, especially in the light of the previous speaker's

remarks?"

Senator Cobb, at this time, rose for clarification as follows:

"Mr. President, I'd like to ask a question. Is that a committee report from the Committee on Consumer Protection and Commerce or Intergovernmental Relations or some other committee?"

Senator Abercrombie replied as follows:

"I've already stated, Mr. President, if you refer to the bill which came over on March 7, 1980, House Bill 2589. That committee report states that and I'm trying to find out from the Consumer Protection chairman what the rationale is for eliminating that unless he wants to indicate that this is in fact not true.

"I'm trying to find out what the rationale is inasmuch as it does not appear in a satisfactory manner to me. It doesn't seem to answer what the rationale is for having the liquor commission no longer be able to do that, given the context of the remarks of the previous speaker?"

Senator Cobb stated: "Mr. President, I'm still trying to ascertain whether or not that committee report came from my committee or from the Committee on Intergovernmental Relations. May we have a short recess?"

Senator Abercrombie then remarked as follows:

"Oh hell, just take a look at it; it comes from the Consumer Protection Committee in the House; that's what I said, March 7, 1980. It's attached right to the bill here. Here it is."

At 12:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:34 o'clock p.m.

At this time, Senator Abercrombie readressed his inquiry as follows:

"Mr. President, perhaps my question might be better addressed to the chairman of Intergovernmental Relations Committee. May I do so with his permission?"

The Chair replied, "If the chairman has no objection."

Senator Ushijima replied that he did not have any objections.

Senator Abercrombie proceeded to ask as follows:

"Mr. Chairman, perhaps it might make more clear my concern if I asked you in respect of the bill before us, on page 2, line 7, 8 and 9, 'Such fees shall not be used for any cost or expenses other than those directly relating to its operation and administration.' Can that language be construed to mean that expenses such as those outlined by Senator Kawasaki would be involved?"

Senator Ushijima replied, "No."

Senator Abercrombie continued: "In other words the payment of inspectors and so on constitutes sum and substance of..."

Senator Ushijima replied: "No."

Senator Abercrombie further continued: "administration, etc."

Senator Ushijima again replied: "No."

Senator Abercrombie then followed with: "Well then, perhaps you can explain what is its operation and administration? What is the scope?"

Senator Ushijima replied as follows:

"Well, I suppose that it's payment for the liquor commissioners, anything directly involved with the operation of the liquor commission...people they hire."

Senator Abercrombie asked: "It's inspectors, for example?"

Senator Ushijima replied: "But not to take care of social costs."

Senator Abercrombie then thanked Senator Ushijima and spoke against the measure as follows:

"Mr. President, I speak against this bill under those circumstances."

"Senator Kawasaki has already outlined in some detail and the chairman of the Intergovernmental Relations Committee has aptly indicated our social costs."

"I think that even in the Health Committee hearings and Ways and Means deliberations and hearings on some of the private agency grant applications in the area of substance abuse, most particularly where alcohol related, will reveal to the members enormous costs, enormous social costs associated here."

"Now, what has happened is that the philosophy of the Consumer Protection and Commerce Committee has been that this constitutes a tax by having the fees set, as the report says, is substantially

higher than in other states in fees that are collected, in one case twice as large as the commission's operating expenses. I do not believe that this is a tax in that sense at all. I consider this a fee associated with the business that is being done. One of the effects of that business, say as opposed to the tire business or the business of making chairs that we sit in or the microphone that we are using now. The effect of the microphone is to enable us to hear our speech in all areas of the floor. The effect of the chair is to enable us to be able to be seated rather than to stand. The effect of tires is to move one down the highway. The effect of the liquor is to alter the capacity of the individual in terms of his or her reaction time, reflexes, etc. in such a way that it is inevitable in a society which counts on people to exercise discretion individually. Inevitable that the costs would occur which I would call direct.

"It may possibly be that, as the chairman indicated, the social costs are not generally thought to be directly attributable. Perhaps in a legal sense that is true, but from the point of view of policy which is within the purview of this body to enact, it most certainly, in my judgment, is and should be considered as such-- a direct cost. We are involved in our own state in millions and millions of dollars.

"I've had personal experience as a member of the advisory board of the alcohol treatment facility in Nuuanu Valley dealing with the not aftereffects, but ongoing effects of alcoholism, the social and economic costs to this state. I think the insurance claims would bear that out. I think the tragic family circumstances, histories of families involved, would bear that out. So, I make a plea to you, Mr. President, and the other members here, not on the basis of any kind of sentimentality as such, but on cold, hard realities of what dispensing of alcohol involves directly, in my judgment, to this state and to the taxpayers of this state. It is an enormous cost.

"Under those circumstances, I think it is entirely within the purview of the liquor commission to have a license fee structure which reflects that. I think that is common sense; I think it is realistic; I think it is neat and proper that it do so.

"I understand also, Mr. President, that one may impose a direct tax on liquor, say increase it even further than it is now, and I most certainly would support such an activity but I do not think that in doing so we are recognizing the responsibility that exists for the people who are

doing business in this area and I think that the imposition of higher fees over and above the cost of the operation of the commission itself are entirely in order, as a result.

"Thank you."

Senator Ushijima then rose to remark as follows:

"Mr. President, I think at the hearings, the people from the City and County came over and tried to justify their turning over \$500-\$500,000 in license fees money to their general fund was because of this social cost, and I believe they tried to say that because liquor is sold and consumed they have to chase after all the drunken drivers at night and need extra police, etc., and some of the problems that are created by the consumption of liquor. I think that if this is going to be a problem, next session you just come in and have a bill introduced here to prohibit liquor completely. This will solve your problem."

Senator Anderson rose to speak in favor of the measure and on a question of a conflict of interest as follows:

"Mr. President, very briefly, I am in a small way affected by this bill. I have a license.

"I guess that there will be some monetary benefit for me and I don't have a historical record yet however small it might be.

"I plan to vote for the bill, Mr. President, unless the Chair rules otherwise. My record will reflect that I have always voted against excessive fees where I felt they have gone beyond the cost of that particular program. I don't take argument to the previous two speakers. If there are social costs then we ought to take a look at that social legislation or taxation. This is not taxation; it's a fee, and unless the chair rules otherwise I plan to support the bill."

The Chair ruled that Senator Anderson is not in conflict in voting on the measure.

Senator Abercrombie rose on a point of clarification as follows:

"Mr. President, I do want to make it clear that I do not favor prohibition in this area, otherwise, as I indicated in my remarks, and want to reiterate them for the record that we do engage in individual responsibility approach, I think, in our country and while superficially that might solve the problem, I don't think that it would in the sense that it would stop the consumption of alcohol. I'm talking about what we might

do when we are engaged in legitimate business and what would be a legitimate fee in the course of those events."

Senator Kawasaki continued to speak against the measure as follows:

"Mr. President, I think what has to be realized here is that the cost, direct and indirect costs of the consumption of liquor is many, many times more than the total revenues brought in to the City and County of Honolulu by license fees. This is about a million and a half. The total cost, the social impact cost, the direct end result of liquor being consumed is many times more than the mere \$1.5 million that the liquor commission takes in.

"The fee, in my judgment, has been reasonable; there has been no raise in ten years. The price of a drink has gone up 25% in the last five years.

"One of the things I think we have also got to realize is that the organized criminal elements are making inroads into the industry involved in the sale of liquor, sale of drinks. They find it very attractive. And interesting enough, the sole introducer of the bill is the very gentleman who chairs the Judiciary Committee in the House who is opposed to the Senate position in giving the crime..."

Senator Anderson rose on a point of order as follows:

"Mr. President, I really think it's in bad taste to tie in a charge of that nature to a bill that's under discussion. I sympathize with what we are trying to achieve, but that is really unfair and a low blow. Mr. President, it should be ruled out of order."

The Chair replied: "Senator Anderson, I was going to caution Senator Kawasaki that the bill under discussion here is as a result of our committee action."

Senator Kawasaki rose to further remark as follows:

"Mr. President, I believe that there is some relevancy in the position taken by the Senate in the crime commission issue and there is a relevancy of how much the criminal elements are involved in the liquor business, and I think this should be pointed out to give us an idea of what kind of costs, what kind of end result comes about because of liquor consumption. I think this is very pertinent to the discussion on hand and the bill on hand."

Senator Hara then rose to request for a recess.

At 12:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:50 o'clock p.m.

At this time, Senator Carpenter rose to speak against the bill as follows:

"Mr. President, I'm rising to speak against the bill. I think that this particular bill aims at telling the counties how to operate, in particular, in the area of liquor control.

"I believe the purview of the county should be recognized and that the changes that are contemplated in this bill should be advanced to the individual counties so that they can make their own recommendations and follow through on whatever programs they wish to and in the manner they wish to. I believe they have certain obligations equally as well as the state, and should be given the opportunity to carry them out in a manner they see fit."

Senator Ushijima then rose to state as follows:

"Mr. President, might I point out one thing, in closing. I think the basic question here is more a constitutional question. It's not a question of social justice or social costs or anything else. The power to tax is reserved with the state, and unless we give that power, I don't think the counties have the right to make this kind of assessment through fees and licenses. That's all, PERIOD."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 987-80 was adopted and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Abercrombie, Carpenter, Cayetano, Chong and Kawasaki). Excused, 2 (Campbell and Carroll).

House Bill No. 2629-80:

On motion by Senator Young, seconded by Senator Cayetano and carried, H.B. No. 2629-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Campbell, Anderson and Carroll).

House Bill No. 2472-80:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2472-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Campbell, Anderson and Carroll).

Stand. Com. Rep. No. 1019-80 (H.B. No. 2181-80):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 1019-80 was adopted and H.B. No. 2181-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Campbell, Anderson and Carroll).

House Bill No. 2066-80:

By unanimous consent, action on H.B. No. 2066-80, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", was deferred until Tuesday, April 15, 1980.

House Bill No. 1964-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1964-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEE COMPENSATION LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Campbell, Anderson and Carroll).

At 12:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:57 o'clock p.m.

RE-REFERRAL OF A RESOLUTION

The President made the following re-referral of a resolution that was offered on Tuesday, April 8, 1980:

Senate Resolution	Referred to:
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No. 269	Committee on Health
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At this time, Senator Carpenter, Chairman

of the Health Committee, requested a waiver of the 48-hour notice of a Public Hearing on the following resolution:

S.R. No. 269, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A HAWAII STATE VETERANS HOME",

and the President granted the waiver.

At 1:00 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate stood in recess until 4:00 o'clock p.m., this afternoon.

AFTERNOON SESSION

The Senate reconvened at 4:00 o'clock p.m., with all Senators present, with the exception of Senators Abercrombie, Campbell, Cayetano, Cobb, Kawasaki, O'Connor and Young who were excused.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 286 to 288) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 286), submitting for consideration and confirmation to the Stadium Authority, the nominations of Edwin K. Hayashi, Herman P. Clark and Edmund Toma, terms to expire December 31, 1983, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 287), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of William F. Mielcke, term to expire December 31, 1982, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 288), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Constance B. Smales, term to expire December 31, 1983, was referred to the Committee on Higher Education.

CONFERENCE COMMITTEE REPORTS

Senator Cobb, for 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, presented a report (Conf. Com. Rep. No. 5-80) recommending that H.B. No. 159, H.D. 1, S.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 H.B. No. 159, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY."

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1986-80, presented a report (Conf. Com. Rep. No. 6-80) recommending that H.B. No. 1986-80, S.D. 1, 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 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."

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2253-80, S.D. 1, presented a report (Conf. Com. Rep. No. 7-80) recommending that S.B. No. 2253-80, S.D. 1, H.D. 1, 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. 2253-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE."

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1516, S.D. 1, presented a report (Conf. Com. Rep. No. 8-80) recommending that S.B. No. 1516, S.D. 1, H.D. 1, 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. 1516, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING."

At this time, the Chair announced that there is a corrected page 4 to S.B. No. 1516, S.D. 1, H.D. 1, C.D. 1, on the desk of each member. The Chair indicated for the record the typographical error on line 17, page 4, the word "gross" is corrected to read "general."

Senator O'Connor, for 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, presented a report (Conf. Com. Rep. No. 9-80) recommending that S.B. No. 2869-80, S.D. 3, H.D. 1, 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. 2860-80, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES."

Senator O'Connor, for 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, presented a report (Conf. Com. Rep. No. 10-80) recommending that S.B. No. 1944-80, S.D. 1, 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. 1944-80, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Senator O'Connor, for 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, presented a report (Conf. Com. Rep. No. 11-80) recommending that S.B. No. 2071-80, S.D. 2, H.D. 1, 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. 2071-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2120-80, presented a report (Conf. Com. Rep. No. 12-80) recommending that S.B. No. 2120-80, H.D. 1, 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. 2120-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2156-80, presented a report (Conf. Com. Rep. No. 13-80) recommending that S.B. No. 2156-80, H.D. 1, 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. 2156-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT."

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2202-80, S.D. 2, presented a report (Conf. Com. Rep. No. 14-80) recommending that S.B. No. 2202-80, S.D. 2, H.D. 1, 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. 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."

REFERRAL OF A HOUSE BILL

The President made the following referral of a House Bill that was received on Thursday, March 13, 1980:

House Bill	Referred to:
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No. 3006-80, H.D. 1	Committee on
Human Resources	

At 4:20 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 11:30 o'clock a.m., Tuesday, April 15, 1980.

FIFTY-SEVENTH DAY

Tuesday, April 15, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Doctor Curtis Askew of the Olivet Baptist Church, after which the Roll was called showing all Senators present with the exception of Senator Cayetano who was excused.

The President announced that he had read and approved the Journal of the Fifty-Sixth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Chong introduced two members of the Commission on the Status of Women as follows: Judith Parrish and Josephine Bucaney; and Jean Okinaga from the Office of Children and Youth.

Senator Carpenter, in making an introduction, stated as follows:

"Mr. President, it is my pleasure to introduce Lieutenant Serge Doucette from Washington D.C., representing the Bureau of Medicine and Surgery, Department of the Navy.

"Lt. Doucette is head of the Family Advocacy Program and a member of the Federal Board on Child Abuse and Neglect. He is here in Hawaii at the request of our State Office of Children and Youth, and will be conferring with our federal, state and private agencies that work with abused and neglected children.

"Lt. Doucette's visit is very welcome because it shows the Navy's concern with a problem that our civilian families share with military families. The willingness of the Navy to work with our Hawaii agencies is a positive step toward coordinating our local efforts with that of Washington, D.C.

"We are confident that Lt. Doucette will find his two weeks' work here very profitable and we extend to him our warmest Aloha."

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 289), informing the Senate that on April 12, 1980, he signed the following bills into law:

S.B. No. 2093-80 as Act 14, entitled: "RELATING TO THE BOARD OF

BARBERS";

S.B. No. 2097-80 as Act 15, entitled: "RELATING TO THE BOARD OF COSMETOLOGY";

H.B. No. 1685 as Act 16, entitled: "RELATING TO PUBLIC ASSISTANCE";

H.B. No. 1804-80 as Act 17, entitled: "RELATING TO PUBLIC LANDS";

H.B. No. 1805-80 as Act 18, entitled: "RELATING TO THE STATE FORESTER"; and

H.B. No. 2179-80 as Act 19, entitled: "RELATING TO THE SAFETY OF BOILERS, ELEVATORS AND AMUSEMENT RIDES",

was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 570 to 638) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 570), informing the Senate that the amendments proposed by the Senate to House Bill No. 2073-80, H.D. 1, were agreed to by the House; and H.B. No. 2073-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 571), informing the Senate that the amendments proposed by the Senate to House Bill No. 2361-80, H.D. 1, were agreed to by the House; and H.B. No. 2361-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 572), informing the Senate that the amendments proposed by the Senate to House Bill No. 2362-80, H.D. 1, were agreed to by the House; and H.B. No. 2362-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 573), informing the Senate that the amendments proposed by the Senate to House Bill No. 2795-80 were agreed to by the House; and H.B. No. 2795-80, S.D. 1, passed Final Reading in the House of Representatives on April 11, 1980, was placed on file.

A communication from the House (Hse. Com. No. 574), transmitting House Concurrent Resolution No. 146 which was adopted

by the House of Representatives on April 14, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING MAY 1, 1980, AS LAW DAY U.S.A.", was adopted.

A communication from the House (Hse. Com. No. 575), informing the Senate that the House had reconsidered its action taken on April 3, 1980, in disagreeing to the Senate amendments made to House Bill No. 2729-80, H.D. 3, 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. 576), informing the Senate that the amendments proposed by the Senate to House Bill No. 422 were agreed to by the House; and H.B. No. 422, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 577), informing the Senate that the amendments proposed by the Senate to House Bill No. 584, H.D. 1, were agreed to by the House; and H.B. No. 584, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 578), informing the Senate that the amendments proposed by the Senate to House Bill No. 713 were agreed to by the House; and H.B. No. 713, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 579), informing the Senate that the amendments proposed by the Senate to House Bill No. 714 were agreed to by the House; and H.B. No. 714, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 580), informing the Senate that the amendments proposed by the Senate to House Bill No. 1060 were agreed to by the House; and H.B. No. 1060, S.D. 2, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 581), informing the Senate that the amendments proposed by the Senate to House Bill No. 1422

were agreed to by the House; and H.B. No. 1422, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 582), informing the Senate that the amendments proposed by the Senate to House Bill No. 1655, H.D. 1, were agreed to by the House; and H.B. No. 1655, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 583), informing the Senate that the amendments proposed by the Senate to House Bill No. 1801-80 were agreed to by the House; and H.B. No. 1801-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 584), informing the Senate that the amendments proposed by the Senate to House Bill No. 1806-80 were agreed to by the House; and H.B. No. 1806-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 585), informing the Senate that the amendments proposed by the Senate to House Bill No. 1821-80 were agreed to by the House; and H.B. No. 1821-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 586), informing the Senate that the amendments proposed by the Senate to House Bill No. 1829-80 were agreed to by the House; and H.B. No. 1829-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 587), informing the Senate that the amendments proposed by the Senate to House Bill No. 1880-80, H.D. 1, were agreed to by the House; and H.B. No. 1880-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 588), informing the Senate that the amendments proposed by the Senate to House Bill No. 1918-80 were agreed to by the House; and H.B. No. 1918-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 589), informing the Senate that the amendments proposed by the

Senate to House Bill No. 1945-80, H.D. 1, were agreed to by the House; and H.B. No. 1945-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 590), informing the Senate that the amendments proposed by the Senate to House Bill No. 1976-80 were agreed to by the House; and H.B. No. 1976-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 591), informing the Senate that the amendments proposed by the Senate to House Bill No. 1989-80 were agreed to by the House; and H.B. No. 1989-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 592), informing the Senate that the amendments proposed by the Senate to House Bill No. 1992-80, H.D. 2, were agreed to by the House; and H.B. No. 1992-80, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 593), informing the Senate that the amendments proposed by the Senate to House Bill No. 2026-80, H.D. 1, were agreed to by the House; and H.B. No. 2026-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 594), informing the Senate that the amendments proposed by the Senate to House Bill No. 2061-80 were agreed to by the House; and H.B. No. 2061-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 595), informing the Senate that the amendments proposed by the Senate to House Bill No. 2062-80 were agreed to by the House; and H.B. No. 2062-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 596), informing the Senate that the amendments proposed by the Senate to House Bill No. 2063-80 were agreed to by the House; and H.B. No. 2063-80, S.D. 2, passed

Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 597), informing the Senate that the amendments proposed by the Senate to House Bill No. 2086-80, H.D. 1, were agreed to by the House; and H.B. No. 2086-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 598), informing the Senate that the amendments proposed by the Senate to House Bill No. 2093-80 were agreed to by the House; and H.B. No. 2093-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 599), informing the Senate that the amendments proposed by the Senate to House Bill No. 2151-80, H.D. 1, were agreed to by the House; and H.B. No. 2151-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 600), informing the Senate that the amendments proposed by the Senate to House Bill No. 2195-80 were agreed to by the House; and H.B. No. 2195-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 601), informing the Senate that the amendments proposed by the Senate to House Bill No. 2258-80, H.D. 1, were agreed to by the House; and H.B. No. 2258-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 602), informing the Senate that the amendments proposed by the Senate to House Bill No. 2263-80, H.D. 1, were agreed to by the House; and H.B. No. 2263-80, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 603), informing the Senate that the amendments proposed by the Senate to House Bill No. 2265-80, H.D. 1, were agreed to by the House; and H.B. No. 2265-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 604), informing the Senate that the amendments proposed by the Senate to House Bill No. 2292-80, H.D. 1, were agreed to by the House; and

A communication from the House (Hse. Com. No. 634), informing the Senate that the amendments proposed by the Senate to House Bill No. 2889-80, H.D. 2, were agreed to by the House; and H.B. No. 2889-80, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives

on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 635), informing the Senate that the amendments proposed by the Senate to House Bill No. 2892-80, H.D. 1, were agreed to by the House; and H.B. No. 2892-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 636), informing the Senate that the amendments proposed by the Senate to House Bill No. 2897-80, H.D. 3, were agreed to by the House; and H.B. No. 2897-80, H.D. 3, S.D. 2, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 637), informing the Senate that the amendments proposed by the Senate to House Bill No. 3045-80 were agreed to by the House; and H.B. No. 3045-80, S.D. 2, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

A communication from the House (Hse. Com. No. 638), informing the Senate that the amendments proposed by the Senate to House Bill No. 3046-80 were agreed to by the House; and H.B. No. 3046-80, S.D. 1, passed Final Reading in the House of Representatives on April 14, 1980, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 62), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING AND COMMENDING ED JONES ON HIS SELECTION AS AN INTERN IN THE CONGRESSIONAL SENIOR CITIZEN'S PROGRAM", was jointly offered by Senators Ajifu, Chong, Carroll, Yamasaki, Mizuguchi, Soares, Carpenter, Kawasaki, George, Anderson, Wong, Machida, Hara, Saiki, Ushijima, Campbell, Toyofuku, Yim, Cobb, Cayetano, Abercrombie and Young and was read by the Clerk.

On motion by Senator Ajifu, seconded by Senator Chong and carried, S.C.R. No. 62 was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 336 to 339) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 336), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING ED JONES ON HIS SELECTION AS AN INTERN IN THE CONGRESSIONAL SENIOR CITIZEN'S PROGRAM", was jointly offered by

Senators Ajifu, Chong, Carroll, Yamasaki, Mizuguchi, Soares, Carpenter, Kawasaki, George, Anderson, Wong, Machida, Hara, Saiki, Ushijima, Campbell, Toyofuku, Yim, Cobb, Cayetano, Abercrombie and Young.

On motion by Senator Ajifu, seconded by Senator Chong and carried, S.R. No. 336 was adopted.

A resolution (S.R. No. 337), entitled: "SENATE RESOLUTION CONGRATULATING THE EWA SOTO MISSION ON THE CELEBRATION OF ITS THIRTIETH ANNIVERSARY", was jointly offered by Senators Mizuguchi, Kuroda, Young, Cayetano, Ushijima, George, Cobb, Yim, Yamasaki, Machida, Soares, Hara, Carpenter, Campbell, Toyofuku, Chong, Wong, Yee, Carroll, O'Connor, Saiki and Ajifu.

On motion by Senator Mizuguchi, seconded by Senator Kuroda and carried, S.R. No. 337 was adopted.

A resolution (S.R. No. 338), entitled: "SENATE RESOLUTION COMMENDING THOSE INDIVIDUALS INVOLVED IN DEAF AWARENESS HAWAII", was jointly offered by Senators Campbell, Young, Yamasaki, Yee, Anderson, Mizuguchi, Soares, Yim, Cobb, Carpenter, Carroll, Wong, Machida, Kuroda, Hara, Saiki, Ushijima, George, Ajifu, Kawasaki, Chong, Toyofuku, O'Connor, Cayetano and Abercrombie.

On motion by Senator Campbell, seconded by Senator Young and carried, S.R. No. 338 was adopted.

A resolution (S.R. No. 339), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING BRIAN SATO, EAGLE SCOUT, TROOP 75", was jointly offered by Senators Young, Mizuguchi, Chong, Hara, Machida, Ajifu, Saiki, Ushijima, Yamasaki, Soares, Anderson, Wong, Carroll, Cobb, Cayetano, Kuroda, Carpenter, Kawasaki, Abercrombie, Toyofuku, Campbell, George and Yim.

On motion by Senator Young, seconded by Senator Mizuguchi and carried, S.R. No. 339 was adopted.

CONFERENCE COMMITTEE REPORTS

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 452, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 15-80), recommending that H.B. No. 452, H.D. 1, S.D. 1, 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 H.B. No. 452, 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".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1993-80, S.D. 1, presented a report (Conf. Com. Rep. No. 16-80), recommending that H.B. No. 1993-80, S.D. 1, 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 H.B. No. 1993-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY LAW".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1991-80, H.D. 1, S.D. 2, presented a report (Conf. Com. Rep. No. 17-80), recommending that H.B. No. 1991-80, H.D. 1, S.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 H.B. No. 1991-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2321-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 18-80), recommending that H.B. No. 2321-80, H.D. 1, S.D. 1, 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 H.B. No. 2321-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2368-80, H.D. 1, S.D. 2, presented a report (Conf. Com. Rep. No. 19-80), recommending that H.B. No. 2368-80, H.D. 1, S.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 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".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2443-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 20-80), recommending that H.B. No. 2443-80, H.D. 1, S.D. 1, 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 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".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives on the amendments proposed by the Senate in H.B. No. 2161-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 21-80), recommending that H.B. No. 2161-80, H.D. 1, S.D. 1, 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 H.B. No. 2161-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2162-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 22-80), recommending that H.B. No. 2162-80, H.D. 1, S.D. 1, 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 H.B. No. 2162-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2324-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 23-80), recommending that H.B. No. 2324-80, H.D. 1, S.D. 1, 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 H.B. No. 2324-80, H.D. 1, S.D. 1, C.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING ORDERS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2826-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 24-80), recommending that H.B. No. 2826-80, H.D. 1, S.D. 1, 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 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".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2929-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 25-80), recommending that House Bill No. 2929-80, H.D. 1, S.D. 1, 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 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".

Senator Ushijima, 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. 1003, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 26-80), recommending that S.B. No. 1003, S.D. 1, H.D. 1, 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. 1003, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ZONING".

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. 2977-80, S.D. 2, H.D. 2, presented a report (Conf. Com. Rep. No. 27-80), recommending that S.B. No. 2977-80, 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. 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".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2634-80, H.D. 2, S.D. 2, presented a report (Conf. Com. Rep. No. 28-80), recommending that H.B. No. 2634-80, H.D. 2, S.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 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".

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1074-80) informing the Senate that Senate Concurrent Resolution No. 61, Senate Resolution Nos. 333 to 335, Conference Committee Report Nos. 4-80 to 14-80 and Standing Committee Report Nos. 1058-80 to 1073-80 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 Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1075-80) recommending that the Senate advise and consent to the nominations of the following:

Calvin J.H. Chun to the Board of Taxation Review, First Taxation District - Oahu, in accordance with Gov. Msg. No. 235;

Cedric Yamamoto to the Board of Taxation Review, First Taxation District - Oahu, in accordance with Gov. Msg. No. 236;

Earl L. Helm and Kanji Wakamatsu to the Board of Taxation Review, Second Taxation District - Maui, in accordance with Gov. Msg. No. 237; and

Joseph A. Tokita and Rogelio A. Saraos to the Board of Taxation Review, Fourth Taxation District - Kauai, in accordance with Gov. Msg. No. 238.

By unanimous consent, action on Stand. Com. Rep. No. 1074-80 and Gov. Msg. Nos. 235, 236, 237 and 238 was deferred until Wednesday, April 16, 1980.

Senator Mizuguchi, for the Committee

on Transportation, presented a report (Stand. Com. Rep. No. 1076-80) recommending that House Bill No. 2853-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS".

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1077-80) recommending that Senate Resolution No. 259, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 259, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT STATE AGENCIES DEVELOP AND INSTITUTE A PROGRAM TO GIVE OPERATORS OF MOTOR VEHICLES USED FOR RIDESHARING PRIORITY WHEN ALLOCATING PARKING STALLS", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1078-80) recommending that Senate Resolution No. 83, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 83, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE STATE REGULATIONS FOR CONTROL OF RADIATION", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1079-80) recommending that Senate Resolution No. 107, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 107, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE CONVERSION OF UNDERUTILIZED HEALTH CARE FACILITIES", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1080-80) recommending that Senate Resolution No. 121, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 121, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE OF HAWAII TO PROVIDE SERVICES TO DEVELOP-

MENTALLY DISABLED ADULTS AGE 20 AND OVER", was adopted.

Senators Carpenter and Mizuguchi, for the Committees on Health and Transportation, presented a joint report (Stand. Com. Rep. No. 1081-80) recommending that Senate Resolution No. 270, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Carpenter, seconded by Senator Mizuguchi and carried, the joint report of the Committee was adopted and S.R. No. 270, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF TRANSPORTATION NEEDS OF THE HANDICAPPED", was referred to the Committee on Legislative Management.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1082-80) recommending that Senate Resolution No. 274 be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 274, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE APPROPRIATE PUBLIC EDUCATION ON MEASURES TO BE TAKEN DURING EMERGENCIES", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1083-80) recommending that Senate Resolution No. 276 be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 276, entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL FOOD AND DRUG ADMINISTRATION TO CONDUCT A STUDY ON THE EFFECTS OF MONOSODIUM GLUTAMATE (MSG) ON THE USERS", was adopted.

Senators Carpenter and Campbell, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 1084-80) recommending that Senate Resolution No. 285 be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and S.R. No. 285, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF EDUCATION AND HEALTH TO CLASSIFY AUTISM FOR SPECIAL EDUCATION AND HEALTH SERVICES", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1085-80) recommending that Senate Resolution No. 286, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded

by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 286, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF MAXIMIZING THE UTILIZATION OF PARAPROFESSIONALS AND PROVIDING PROPER TRAINING AND INCENTIVES FOR PARAPROFESSIONALS IN THE DELIVERY OF MENTAL HEALTH SERVICES", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1086-80) recommending that Senate Resolution No. 289 be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 289, entitled: "SENATE RESOLUTION ESTABLISHING AN INTERIM TASK FORCE TO INVESTIGATE RISING HEALTH CARE COSTS AND METHODS FOR CONTAINING THESE COSTS", was adopted.

Senators Toyofuku and Carpenter, for the Committees on Human Resources and Health, presented a joint report (Stand. Com. Rep. No. 1087-80) recommending that Senate Resolution No. 303 be adopted.

On motion by Senator Toyofuku, seconded by Senator Carpenter and carried, the joint report of the Committees was adopted and S.R. No. 303, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF SOCIAL SERVICES TO STUDY A SYSTEM OF CO-PAYMENTS FOR SERVICES RENDERED THROUGH THE MEDICAID PROGRAM AND ALLOWED BY FEDERAL LAW", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1088-80) recommending that Senate Resolution No. 14 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 14, entitled: "SENATE RESOLUTION ENCOURAGING THE USE OF ELECTRIC VEHICLES IN THE STATE OF HAWAII", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1089-80) recommending that Senate Resolution No. 24, as amended in S.D. 1, be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 24, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL

RESOURCES TO FORGIVE THE STATE ROYALTY PAYMENTS FOR THE FIRST TEN YEARS' PRODUCTION OF GEOTHERMAL WELLS", was adopted.

At 12:03 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.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 14, 1980

THIRD READING

Standing Committee Report No. 679-80
(S.B. No. 1829-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 679-80 and S.B. No. 1829-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT", was deferred until Thursday, April 17, 1980.

Standing Committee Report No. 695-80
(S.B. No. 1828-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 695-80 and S.B. No. 1828-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NON-PROFIT CORPORATION ACT", was deferred until Thursday, April 17, 1980.

Standing Committee Report No. 1056-80 (S.R. No. 163):

By unanimous consent, action on Stand. Com. Rep. No. 1056-80 and S.R. No. 163, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION MAKE THE MOANALUA-SALT LAKE AREA PUBLIC LIBRARY FIRST PRIORITY ON ITS LIBRARY CONSTRUCTION LIST", was deferred until Friday, April 18, 1980.

House Bill No. 2066-80:

By unanimous consent, action on H.B. No. 2066-80, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", was deferred until Wednesday, April 16, 1980.

MATTERS DEFERRED
FROM APRIL 14, 1980

Standing Committee Report No. 1058-80 (Gov. Msg. Nos. 147, 148, 149, 150, 151, 152, 153, 154 and 155):

Senator Hara moved that Stand. Com. Rep. No. 1058-80 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Hara then moved that the Senate advise and consent to the nominations of the following:

Michael J. Chun, Ph.D. and Richard S.C. Mau to the Environmental Quality Commission, terms to expire December 31, 1983, and Herbert Bob Stellmacher to the Environmental Quality Commission, term to expire December 31, 1981;

Ivan H. Morita and Donald K. Andrews to the Fish and Wildlife Advisory Committee, City and County of Honolulu, terms to expire December 31, 1981;

John Duarte to the Fish and Wildlife Advisory Committee, County of Kauai, term to expire December 31, 1981;

Philip M. Yamagata to the Fish and Wildlife Advisory Committee, County of Kauai, term to expire December 31, 1981;

Adolph H. Desha, Edward H. Tamura and Wallace H. Fujii to the Fish and Wildlife Advisory Committee, County of Maui, terms to expire December 31, 1981;

Dr. D. Mueller-Dombois to the Natural Area Reserves System Commission, term to expire December 31, 1983;

P. Quentin Tomich, Ph.D. to the Natural Area Reserves System Commission, term to expire December 31, 1983;

Richard K.T. Au and Tommy Kakesako to the Pacific War Memorial Commission, terms to expire December 31, 1983; and

Curt T. Tagawa and Samuel J. Weimer to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, terms to expire December 31, 1983 and December 31, 1980, respectively,

seconded by Senator Abercrombie.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

Standing Committee Report No. 1061-80 (Gov. Msg. No. 230):

Senator Mizuguchi moved that Stand. Com. Rep. No. 1061 be received and placed on file, seconded by Senator Yim and carried.

Senator Mizuguchi then moved that

the Senate advise and consent to the nomination to the Commission on Transportation as follows:

William Kennison, Keith I. Oda and William Y. Nakamatsu, terms to expire December 31, 1983; and

Kenneth I. Craw, term to expire December 31, 1982,

seconded by Senator Yim.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

Standing Committee Report No. 1062-80 (Gov. Msg. No. 231):

Senator Mizuguchi moved that Stand. Com. Rep. No. 1062-80 be received and placed on file, seconded by Senator Yim and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of Rick Eveleth to the State Highway Safety Council, term to expire December 31, 1982, seconded by Senator Yim.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

Standing Committee Report No. 1063-80 (Gov. Msg. No. 232):

Senator Mizuguchi moved that Stand. Com. Rep. No. 1063-80 be received and placed on file, seconded by Senator Yim and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of Robert Lee, Jr., M.D., to the Medical Advisory Board, term to expire December 31, 1983, seconded by Senator Yim.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

Standing Committee Report No. 1064-80 (Gov. Msg. No. 233):

Senator Mizuguchi moved that Stand. Com. Rep. No. 1064-80 be received and placed on file, seconded by Senator Yim and carried.

Senator Mizuguchi then moved that

the Senate advise and consent to the nomination of B. E. Realica, M.D., to the Medical Advisory Board, term to expire December 31, 1983, seconded by Senator Yim.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

Standing Committee Report No. 1069-80 (Gov. Msg. No. 156):

Senator Yim moved that Stand. Com. Rep. No. 1069-80 be received and placed on file, seconded by Senator Carpenter and carried.

Senator Yim then moved that the Senate advise and consent to the nomination of Takeo Yamamoto to the Board of Land and Natural Resources, term to expire December 31, 1981, seconded by Senator Carpenter.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

Standing Committee Report No. 1070-80 (Gov. Msg. No. 157):

Senator Yim moved that Stand. Com. Rep. No. 1070-80 be received and placed on file, seconded by Senator Carpenter and carried.

Senator Yim then moved that the Senate advise and consent to the nominations to the Board of Planning and Economic Development, as follows:

Edwin Y. Otsuji, Randolph G. Moore, William L. Palakiko and Manuel Moniz, Jr., terms to expire December 31, 1983; and

Raymond T. Sasaki, Jr., term to expire December 31, 1981,

seconded by Senator Carpenter.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

Standing Committee Report No. 1071-80 (Gov. Msg. No. 158):

Senator Yim moved that Stand. Com. Rep. No. 1071-80 be received and placed on file, seconded by Senator Carpenter and carried.

Senator Yim then moved that the Senate advise and consent to the nominations to the Commission on Population and the Hawaiian Future as follows: A. Edward Kato, Pam H. Kekumano and Thomas M.W. Lee, terms to expire December 31, 1983, seconded by Senator Carpenter.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

Standing Committee Report No. 1072-80 (Gov. Msg. No. 159):

Senator Yim moved that Stand. Com. Rep. No. 1072-80 be received and placed on file, seconded by Senator Carpenter and carried.

Senator Yim then moved that the Senate advise and consent to the nomination of Virginia Dee Costello to the Commission on the Year 2000, term to expire December 31, 1980, seconded by Senator Carpenter.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

Standing Committee Report No. 1073-80 (Gov. Msg. No. 250):

Senator Yim moved that Stand. Com. Rep. No. 1073-80 be received and placed on file, seconded by Senator Carpenter and carried.

Senator Yim then moved that the Senate advise and consent to the nominations of Shinsei Miyasato and Richard B.F. Choy to the Land Use Commission, terms to expire December 31, 1983, seconded by Senator Carpenter.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, O'Connor and Saiki).

MISCELLANEOUS COMMUNICATION

A communication from the Under Secretary, United States Department of the Interior, (Misc. Com. No. 15), acknowledging receipt of Senate Concurrent Resolution No. 24 (1980) regarding the Pacific

Basin Development Conference, was read by the Clerk and was placed on file.

At this time, Senator Kawasaki, Vice Chairman of the Committee on Ways and Means, requested a waiver of the 48-hour notice of a Public Hearing on the following:

Gov. Msg. No. 291, submitting for consideration and confirmation to the Tax Review Commission, the nomination of Ah Quon McElrath;

Gov. Msg. No. 292, submitting for consideration and confirmation to the Tax Review Commission, the nomination of Fred W. Bennion;

Gov. Msg. No. 293, submitting for consideration and confirmation to the Tax Review Commission, the nomination of Christopher G. Pablo;

Gov. Msg. No. 294, submitting for consideration and confirmation to the Tax Review Commission, the nomination of Albert S. Nishimura;

Gov. Msg. No. 295, submitting for consideration and confirmation to the Tax Review Commission, the nomination of Hideo Matsushita;

Gov. Msg. No. 296, submitting for consideration and confirmation to the Tax Review Commission, the nomination of John M. Hamano;

Gov. Msg. No. 297, submitting for consideration and confirmation to the Tax Review Commission, the nomination of Richard L. Pollack; and

Gov. Msg. No. 286, submitting for consideration and confirmation to the Stadium Authority, the nominations of Edwin K. Hayashi, Herman P. Clark and Edmund Toma,

and the President granted the waiver.

Senator Hara, Chairman of the Committee on Ecology, Environment and Recreation, requested a waiver of the 48-hour notice of a Public Hearing on Gov. Msg. No. 277, submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Hawaii, the nomination of Alvin M. Inoue, and the President granted the waiver.

Senator O'Connor, Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Public Hearing on Gov. Msg. No. 283, submitting for consideration and confirmation to the Defender Council, the nominations of Myrtle Mokiao,

H.K. Bruss Keppeler, Terence T. Yoshioka, Thomas R. Cole and Donald M. Fujimoto, and the President granted the waiver.

At 12:15 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.

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 209, S.D. 2, H.D. 2:

Senator Cobb moved that the Senate reconsider its action taken on April 3, 1980, in disagreeing to the amendments proposed by the House to S.B. No. 209, S.D. 2, seconded by Senator Chong.

Senator Cobb then stated: "Mr. President, the reason we disagreed to the amendments on April 3, 1980 was because of several questions raised by Mr. Andrew Chang, the Director of the Department of Social Services and Housing, relative to the effects of the House amendment to the bill. We disagreed at that time to allow him more time to research the matter. Those questions have now been resolved to his satisfaction, so it is appropriate that we reconsider our action."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 209, S.D. 2, and 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. 209, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE".

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senator Chong then rose on a point of personal privilege and stated as follows:

"Mr. President, I rise on a point of personal privilege regarding the lack of a message from the Governor on an appointment to a very major commission.

"I would just like to announce to this honorable body that as of this minute, the nominee for the vacant slot on the Public Utilities Commission has not come down to your Committee on Public Utilities. The term would be for six years.

"This honorable body will not be able

to scrutinize the person who will be sitting on this commission until the next year which means that issues of rising rates in electricity, telephone service and inter-island barge service will not be addressed. The qualifications of the person who will be making these kinds of decisions will not be aired publicly by this honorable body as determined by the Constitution.

"I'm very disappointed about this, Mr. President, and I just would like you to know that as of this very minute, the Governor has seen fit to deprive the people of this state of this opportunity."

At 12:25 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 7:00 o'clock p.m., tonight.

NIGHT SESSION

The Senate reconvened at 7:32 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 290 to 297) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 290), informing the Senate of the withdrawal of the nominations to the Tax Review Commission as follows: Ah Quon McElrath, Fred W. Bennion, Christopher G. Pablo, Elliott H. Brilliant, Albert S. Nishimura, Hideo Matsushita and John M. Hamano, terms to expire upon completion of duties, under Governor's Message No. 285, was placed on file.

In compliance with Gov. Msg. No. 290, the nominations listed under Gov. Msg. No. 285 were returned.

A message from the Governor (Gov. Msg. No. 291), submitting for consideration and confirmation to the Tax Review Commission, the nomination of Ah Quon McElrath, term to expire upon completion of duties, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 292), submitting for consideration and confirmation to the Tax Review Commission, the nomination of Fred W. Bennion, term to expire upon completion of duties, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 293), submitting for consideration and confirmation to the Tax Review Commission, the nomination of Christopher G. Pablo, term to expire upon completion

of duties, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 294), submitting for consideration and confirmation to the Tax Review Commission, the nomination of Albert S. Nishimura, term to expire upon completion of duties, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 295), submitting for consideration and confirmation to the Tax Review Commission, the nomination of Hideo Matsushita, term to expire upon completion of duties, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 296), submitting for consideration and confirmation to the Tax Review Commission, the nomination of John M. Hamano, term to expire upon completion of duties, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 297), submitting for consideration and confirmation to the Tax Review Commission, the nomination of Richard L. Pollack, term to expire upon completion of duties, was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 639 to 650) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 639), returning Senate Concurrent Resolution No. 15, S.D. 1, which was adopted by the House of Representatives on April 15, 1980, in an amended form, was placed on file.

By unanimous consent, action on 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 deferred until Wednesday, April 16, 1980.

A communication from the House (Hse. Com. No. 640), transmitting House Concurrent Resolution No. 14, H.D. 1, which was adopted by the House of Representatives on April 15, 1980, was placed on file.

By unanimous consent, H.C.R. No. 14, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL STATE AND COUNTY GOVERNMENT OFFICERS AND ALL PRIVATE BUSINESSES TO ESTABLISH A FLEXIBLE WORK-HOURS AND FLEXIBLE

WORKWEEK PROGRAM", was referred to the Committee on Government Operations and Efficiency.

A communication from the House (Hse. Com. No. 641), transmitting House Concurrent Resolution No. 28 which was adopted by the House of Representatives on April 15, 1980, was placed on file.

By unanimous consent, H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE TAX REVIEW COMMISSION", was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 642), transmitting House Concurrent Resolution No. 43, H.D. 1, which was adopted by the House of Representatives on April 15, 1980, was placed on file.

By unanimous consent, H.C.R. No. 43, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO LOW-LEVEL RADIOACTIVE WASTE DISPOSAL", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 643), transmitting House Concurrent Resolution No. 65 which was adopted by the House of Representatives on April 15, 1980, was placed on file.

By unanimous consent, H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 644), transmitting House Concurrent Resolution No. 73, H.D. 1, which was adopted by the House of Representatives on April 15, 1980, was placed on file.

By unanimous consent, H.C.R. No. 73, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE ENERGY FUNCTIONAL PLAN", was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 645), transmitting House Concurrent Resolution No. 90 which was adopted by the House of Representatives on April 15, 1980, was placed on file.

By unanimous consent, H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EDUCATION AND LABOR COMMITTEE OF THE UNITED STATES HOUSE OF REPRESENTATIVES TO CONDUCT HEARINGS AND SUPPORT THE PASSAGE OF THE NATIVE HAWAIIAN EDUCATION ACT", was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 646), transmitting House Concurrent Resolution No. 98, H.D. 1, which was adopted by the House of Representatives on April 15, 1980, was placed on file.

By unanimous consent, H.C.R. No. 98, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO PLAN FOR THE REDEVELOPMENT OF THE ALOHA TOWER COMPLEX", was referred jointly to the Committee on Economic Development and the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 647), transmitting House Concurrent Resolution No. 104, H.D. 1, which was adopted by the House of Representatives on April 15, 1980, was placed on file.

By unanimous consent, H.C.R. No. 104, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING FUNCTIONAL PLAN", was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 648), transmitting House Concurrent Resolution No. 124 which was adopted by the House of Representatives on April 15, 1980, was placed on file.

By unanimous consent, H.C.R. No. 124, 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 referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 649), informing the Senate that the amendments proposed by the Senate to House Bill No. 2733-80 were agreed to by the House; and H.B. No. 2733-80, S.D. 1, passed Final Reading in the House of Representatives on April 15, 1980, was placed on file.

A communication from the House (Hse. Com. No. 650), informing the Senate that on April 15, 1980, the Speaker had discharged the House Managers named on April 8, 1980 on Senate Bill No. 2202-80, S.D. 2, H.D. 1, and appointed Representatives Blair, Chairman, Aki, Larsen, Masutani, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

CONFERENCE COMMITTEE REPORTS

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the

amendments proposed by the Senate in H.B. No. 1911-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 29-80) recommending that H.B. No. 1911-80, H.D. 1, S.D. 1, 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 H.B. No. 1911-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, AND CORRECTING REFERENCES".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1915-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 30-80) recommending that H.B. No. 1915-80, H.D. 1, S.D. 1, 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 H.B. No. 1915-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2058-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 31-80) recommending that H.B. No. 2058-80, H.D. 1, S.D. 1, 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 H.B. No. 2058-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2723-80, H.D. 2, S.D. 2, presented a report (Conf. Com. Rep. No. 32-80) recommending that H.B. No. 2723-80, H.D. 2, S.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 H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2241-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 33-80) recommending that H.B. No. 2241-80, H.D. 1, S.D. 1, 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 H.B. No. 2241-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2944-80, H.D. 2, S.D. 2, presented a report (Conf. Com. Rep. No. 34-80) recommending that H.B. No. 2944-80, H.D. 2, S.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 H.B. No. 2944-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES".

Senator O'Connor, 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. 1831-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 35-80) recommending that S.B. No. 1831-80, S.D. 1, H.D. 1, 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. 1831-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES".

Senator O'Connor, 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. 2501-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 36-80) recommending that S.B. No. 2501-80, S.D. 1, H.D. 1, 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. 2501-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS: PENALTIES FOR VIOLATIONS".

Senator O'Connor, 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. 2581-80, H.D. 1, presented a report (Conf. Com. Rep. No. 37-80) recommending that S.B. No. 2581-80, H.D. 1, 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. 2581-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASED OR RENTED PERSONAL PROPERTY".

Senator O'Connor, 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. 2744-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 38-80) recommending that S.B. No. 2744-80, S.D. 1, H.D. 1, 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. 2744-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSANITY DEFENSE".

Senator O'Connor, 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. 2877-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 39-80) recommending that S.B. No. 2877-80, S.D. 1, H.D. 1, 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. 2877-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES".

Senator O'Connor, 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. 3146-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 40-80) recommending that S.B. No. 3146-80, S.D. 1, H.D. 1, 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. 3146-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO CAMPAIGN SPENDING".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1873-80, S.D. 1, presented a report (Conf. Com. Rep. No. 41-80) recommending that H.B. No. 1873-80, S.D. 1, 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 H.B. No. 1873-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1919-80, S.D. 1, presented a report (Conf. Com. Rep. No. 42-80) recommending that H.B. No. 1919-80, S.D. 1, 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 H.B. No. 1919-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUNG ADULT DEFENDANTS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1985-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 43-80) recommending that H.B. No. 1985-80, H.D. 1, S.D. 1, 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 H.B. No. 1985-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2091-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 44-80) recommending that H.B. No. 2091-80, H.D. 1, S.D. 1, 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 H.B. No. 2091-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT PROCEEDINGS".

Senator O'Connor, for the Committee

on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2175-80, S.D. 2, presented a report (Conf. Com. Rep. No. 45-80) recommending that H.B. No. 2175-80, S.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 H.B. No. 2175-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2359-80, S.D. 1, presented a report (Conf. Com. Rep. No. 46-80) recommending that H.B. No. 2359-80, S.D. 1, 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 H.B. No. 2359-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2669-80, H.D. 1, S.D. 1, C.D. 1, presented a report (Conf. Com. Rep. No. 47-80) recommending that H.B. No. 2669-80, H.D. 1, S.D. 1, 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 H.B. No. 2669-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2930-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 48-80) recommending that H.B. No. 2930-80, H.D. 1, S.D. 1, 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 H.B. No. 2930-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS".

Senator Campbell, for the Committee on Conference on the disagreeing

vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2532-80, S.D. 1, presented a report (Conf. Com. Rep. No. 49-80) recommending that H.B. No. 2532-80, S.D. 1, 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 H.B. No. 2532-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE PLACEMENT OF THE SCULPTURE 'THE SPIRIT OF LILIUOKALANI' AT THE STATE CAPITOL COMPLEX".

Senator Cobb, 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. 118, S.D. 2, H.D. 1, presented a report (Conf. Com. Rep. No. 50-80) recommending that S.B. No. 118, S.D. 2, H.D. 1, 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. 118, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND OCCUPATIONAL BOARDS AND COMMISSIONS".

Senator Cobb, 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. 1960-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 51-80) recommending that S.B. No. 1960-80, S.D. 1, H.D. 1, 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. 1960-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE".

Senator O'Connor, 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. 1832-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 52-80) recommending that S.B. No. 1832-80, S.D. 1, H.D. 1, 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. 1832-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREER CRIMINALS".

Senator Campbell, for the majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House

of Representatives in S.B. No. 2693-80, S.D. 2, H.D. 1, presented a report (Conf. Com. Rep. No. 53-80) recommending that S.B. No. 2693-80, S.D. 2, H.D. 1, 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. 2693-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL OBJECTS AND SITES; CULTURE AND ARTS; AND HISTORY AND THE HUMANITIES".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1758, H.D. 2, S.D. 3, presented a report (Conf. Com. Rep. No. 54-80) recommending that H.B. No. 1758, H.D. 2, S.D. 3, 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 H.B. No. 1758, H.D. 2, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT".

Senator O'Connor, 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. 3012-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 55-80) recommending that S.B. No. 3012-80, S.D. 1, H.D. 1, 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. 3012-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 501, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 56-80) recommending that H.B. No. 501, H.D. 1, S.D. 1, 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 H.B. No. 501, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2059-80, S.D. 2, presented a report (Conf. Com. Rep. No. 57-80) recommending that H.B. No. 2059-80, S.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 H.B. No. 2059-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2357-80, S.D. 2, presented a report (Conf. Com. Rep. No. 58-80) recommending that H.B. No. 2357-80, S.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 H.B. No. 2357-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1782-80, H.D. 2, S.D. 1, presented a report (Conf. Com. Rep. No. 59-80) recommending that H.B. No. 1782-80, H.D. 2, S.D. 1, 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 H.B. No. 1782-80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1871-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 60-80) recommending that H.B. No. 1871-80, H.D. 1, S.D. 1, 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 H.B. No. 1871-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1925-80, H.D. 1, S.D. 1, presented a report

(Conf. Com. Rep. No. 61-80) recommending that H.B. No. 1925-80, H.D. 1, S.D. 1, 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 H.B. No. 1925-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES".

Senator Mizuguchi, 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. 2006-80, H.D. 1, presented a report (Conf. Com. Rep. No. 62-80) recommending that S.B. No. 2006-80, H.D. 1, 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. 2006-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAYS".

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2286-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 63-80) recommending that H.B. No. 2286-80, H.D. 1, S.D. 1, 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 H.B. No. 2286-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES".

Senator Yim, for the Committee on Conference on the disagreeing vote of the House of Representatives on the amendments proposed by the Senate in H.B. No. 1775-80, H.D. 2, S.D. 1, presented a report (Conf. Com. Rep. No. 64-80) recommending that H.B. No. 1775-80, H.D. 2, S.D. 1, 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 H.B. No. 1775-80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING".

Senator Mizuguchi, 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. 870, S.D. 2, H.D. 1, presented a report (Conf. Com. Rep. No. 65-80) recommending that S.B. No. 870, S.D. 2, H.D. 1, 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. 870, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM".

Senator Machida, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2172-80, S.D. 1, presented a report (Conf. Com. Rep. No. 66-80) recommending that H.B. No. 2172-80, S.D. 1, 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 H.B. No. 2172-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2029-80, H.D. 2, S.D. 2, presented a report (Conf. Com. Rep. No. 67-80) recommending that H.B. No. 2029-80, H.D. 2, S.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 H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY".

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. 2665-80, S.D. 2, H.D. 2, presented a report (Conf. Com. Rep. No. 68-80) recommending that S.B. No. 2665-80, 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. 2665-80, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH".

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. 2302-80, S.D. 2, H.D. 2, presented a report (Conf. Com. Rep. No. 69-80) recommending that S.B. No. 2302-80, 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. 2302-80, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION".

At 7:40 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.

CONFERENCE COMMITTEE REPORTS

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2672-80, H.D. 1, S.D. 2, presented a report (Conf. Com. Rep. No. 70-80) recommending that H.B. No. 2672-80, H.D. 1, S.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 H.B. No. 2672-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 687, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 71-80) recommending that H.B. No. 687, H.D. 1, S.D. 1, 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 H.B. No. 687, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1684, H.D. 1, S.D. 2, presented a report (Conf. Com. Rep. No. 72-80) recommending that H.B. No. 1684, H.D. 1, S.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 H.B. No. 1684, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2072-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 73-80) recommending that H.B. No. 2071-80, H.D. 1, S.D. 1, 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 H.B. No. 2071-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2647-80, H.D. 2, S.D. 2, presented a report (Conf. Com. Rep. No. 74-80) recommending that H.B. No. 2647-80, H.D. 2, S.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 H.B. No. 2647-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1, presented a report (Conf. Com. Rep. No. 75-80) recommending that H.B. No. 1494, H.D. 1, S.D. 2, C.D. 1, as amended in C.D. 2, 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 H.B. No. 1494, H.D. 1, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT".

Senator O'Connor, 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. 3145-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 76-80) recommending that S.B. No. 3145-80, S.D. 1, H.D. 1, 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. 3145-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 25, H.D. 1, S.D. 3, presented a report (Conf. Com. Rep. No. 77-80) recommending that H.B. No. 25, H.D. 1, S.D. 3, 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 H.B. No. 25, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE".

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:00 o'clock a.m., Wednesday, April 16, 1980.

FIFTY-EIGHTH DAY

Wednesday, April 16, 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 Reverend William Smith of the Waialae Baptist 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-Seventh Day.

The following introductions were then made to the members of the Senate:

Senator Abercrombie introduced a group of parents and children from Easter Seals of Oahu who were sitting in the gallery, accompanied by their legislative representative Debbie Hamamoto. Senator Abercrombie also read the following set of regards from the group to the members of the Senate as follows:

"Through the media we have seen, heard and read of the difficulties you are facing at this time. Just as you have given us support in the past, we would like to take this opportunity to give you our support for all of you who are doing all this for the welfare of our state. Mahalo and Aloha."

Senator Kuroda then introduced Mr. John Kotrady, public relations chairman of the 23rd Hawaiian Science and Engineering Fair, held on April 10 - 12, 1980, and for which the Senate adopted Senate Resolution No. 152 earlier in the session.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 298), transmitting the 1979 Annual Report of the Hawaii Coastal Zone Management (CZM) Program, prepared by the Department of Planning and Economic Development, was read by the Clerk and was referred to the Committee on Ecology, Environment and Recreation.

DEPARTMENTAL COMMUNICATION

A communication from The Judiciary (Dept. Com. No. 30), transmitting the Annual Report of the Judiciary, July 1, 1978 to June 30, 1979, was read by the Clerk and was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos.

340 to 350) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 340), entitled: "SENATE RESOLUTION HONORING MRS. TOMIO (SHIZUKO KOHATSU) MUKAIDA, THE 1980 MOTHER OF THE YEAR", was jointly offered by Senators Yee, Chong, Abercrombie, Carroll, Anderson, Machida, Ushijima, Yamasaki, Toyofuku, Young, Soares, Ajifu, Wong, Hara, Carpenter, Saiki, Yim, Campbell, Cobb, George, Kuroda, Cayetano, Kawasaki and Mizuguchi.

Senator Yee moved that S.R. No. 340 be adopted, seconded by Senator Chong.

At this time, Senator Yee rose to quote two of the whereas clauses in the resolution stating that "it's significant when the American Mothers Committee decided as to who should be the Mother of the Year for 1980 and selected Mrs. Mukaida."

The motion was put by the Chair and carried, and S.R. No. 340 was adopted.

Senator Yee then introduced to the members of the Senate the honoree, Mrs. Tomio Mukaida, her husband, and sons, Wayne and Marvin. Mrs. Mukaida was presented with a lei and the resolution by Senator Yee.

At 11:26 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:30 o'clock a.m.

A resolution (S.R. No. 341), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO MATTHEW CERIZO UPON OBTAINING TEN FIRST-PLACE VICTORIES AT THE HAWAIIAN AAU SWIMMING CHAMPIONSHIP COMPETITION", was jointly offered by Senators Machida, Yamasaki, Hara, Kawasaki, Carpenter, Toyofuku, Chong, Ushijima, Young, Wong, Yim, Ajifu, Soares, Kuroda, Anderson, Campbell, George, Cayetano, Mizuguchi, O'Connor, Abercrombie, Yee and Carroll.

On motion by Senator Machida, seconded by Senator Yamasaki and carried, S.R. No. 341 was adopted.

A resolution (S.R. No. 342), entitled: "SENATE RESOLUTION CONGRATULATING YUKITO 'TREE' KAMEMOTO FOR OUTSTANDING COMMUNITY SERVICE AND RECOGNIZING HIS RECENT NOMINATION FOR THE NATIONAL THOMAS JEFFERSON AWARD", was jointly offered by Senators Machida, Yamasaki, Mizuguchi, Saiki, George, Kawasaki, Cobb, Carpenter, Toyofuku, Ushijima, Yim, Kuroda, Anderson,

Carroll, Chong, Campbell, Young, Wong, Ajifu, Soares, Hara, Yee, Cayetano and O'Connor.

On motion by Senator Machida, seconded by Senator Yamasaki and carried, S.R. No. 342 was adopted.

A resolution (S.R. No. 343), entitled: "SENATE RESOLUTION HONORING MYRTLE C. LEE", was jointly offered by Senators Machida, Yamasaki, Mizuguchi, Saiki, George, Kawasaki, Cobb, Carpenter, Soares, Anderson, Carroll, Hara, O'Connor, Chong, Campbell, Ushijima, Young, Wong, Yim, Ajifu, Kuroda, Yee and Cayetano.

Senator Machida moved that S.R. No. 343 be adopted, seconded by Senator Yamasaki.

At this time, Senator Machida rose to speak in support of the resolution as follows:

"Mr. President, Mrs. Myrtle Lee, president of the Amfac Hotels and Resorts Hawaii, Resorts Division, formerly identified as Island Holidays, Ltd., has headed Amfac's chain of resorts and travel companies since her appointment as president in 1973. She has been with the company since 1957; active in the travel industry and instrumental in its prosperous growth in Hawaii.

"She has been a board member of the Hawaii Visitors Bureau, Better Business Bureau, and Chamber of Commerce. Mrs. Lee has also participated as chairperson of the Hawaii Visitors Bureau Visitor Satisfaction Committee and was a former chairman of the Visitor Industry Education Council. Last year she was also elected vice president of the Hawaii Hotel Association.

"Mrs. Lee's active interest and involvement in the community has included lending her expertise as a board member of the Aloha United Way and the Aloha Council of the Boy Scouts of America. She was recognized as one of the 100 top corporate women in the U.S. by Business Week magazine in 1976.

"She is looking forward to her new appointment as president of the Hawaii Hotel Association for a challenging 1980 year with enthusiastic leadership combined with her keen business acumen.

"In closing, I would like to emphasize that the success that Myrtle has achieved from her humble beginnings, working in her grandmother's poi shop in Hilo to the position she holds today, has not changed her. She's as warm and affectionate as ever.

"With these short comments, Mr. President, I would like to ask support of the resolution."

The motion was put by the Chair and carried, and S.R. No. 343 was adopted.

Senator Machida then rose to introduce to the members of the Senate Mrs. Myrtle Lee. Senator Hara presented Mrs. Lee with a lei and Senator Machida presented a copy of the resolution.

At 11:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:38 o'clock p.m.

A resolution (S.R. No. 344), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO PROFESSOR DONALD E. WORSTER", was offered by Senator Abercrombie.

Senator Abercrombie then moved that S.R. No. 344 be adopted, seconded by Senator Mizuguchi.

At this time, Senator Abercrombie rose to state as follows:

"Mr. President, in commenting in favor of moving the resolution, I would like to point out, just as my good friend and colleague Senator Hara has done, that Professor Worster is from Needles, California. I realize that most people believe that only Snoopy's brother lives in Needles, California, but, nonetheless, Professor Worster is from there and now with us here at the University of Hawaii.

"This is a particular pleasure to me because I am an alumnus of the American Studies Department at the University of Hawaii where Professor Worster now teaches.

"I think it's important for us to recognize, whenever we can, the achievements at the University of Hawaii, its scholarly activity, and I would like the members to note that the Bancroft Award is in effect the Pulitzer Prize in history, in terms of academics, and it is not only a great pleasure but a great privilege to have the Professor with us.

"I would like to introduce, just prior to the vote, if I may, as well, my old friend and mentor from the American Studies Department, the chairman of the department in fact, the gentleman who took it from its infancy into the obvious maturity that it now possesses as a department--Professor Seymour Ruskie. Sitting next to Professor Ruskie in the gallery is Beverly Worster, Professor

Worster's wife.

"Mr. President, with that in mind that we do have this very great honor of having now a Bancroft prizewinner at the University and I hope the first of more to come, I ask that the resolution be passed."

The motion was put by the Chair and carried, and S.R. No. 344 was adopted.

Senator Abercrombie then introduced to the members of the Senate Professor Donald E. Worster, who was presented with a lei by Senator Saiki and copy of the resolution by Senator Abercrombie.

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

A resolution (S.R. No. 345), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING MARSHALL THURBER'S VISIT TO HAWAII AND HIS CONTRIBUTION TO FURTHERING OVERALL HUMAN SUCCESS", was jointly offered by Senators Chong, O'Connor, Ushijima, Carpenter, Hara, Campbell, Abercrombie, Young, Cobb, Yamasaki, Machida, Yim, Kawasaki, Soares, Ajifu, Toyofuku, George, Saiki, Mizuguchi, Kuroda, Yee and Carroll.

On motion by Senator Chong, seconded by Senator O'Connor and carried, S.R. No. 345 was adopted.

A resolution (S.R. No. 346), entitled: "SENATE RESOLUTION CONGRATULATING THE REVEREND AND MRS. DANIEL KAOPUIKI, SR., ON THE OBSERVANCE OF THEIR SIXTY-NINTH WEDDING ANNIVERSARY", was jointly offered by Senators Machida, Yamasaki, Toyofuku, Cobb, Kuroda, Young, Chong, George, Yim, Carroll, Mizuguchi, Soares, Carpenter, Campbell, Kawasaki, Ajifu, Yee, Ushijima, Wong, O'Connor, Hara and Abercrombie.

On motion by Senator Machida, seconded by Senator Yamasaki and carried, S.R. No. 346 was adopted.

A resolution (S.R. No. 347), entitled: "SENATE RESOLUTION HONORING THE VISIT OF MR. JEROME WALDIE, EXECUTIVE DIRECTOR OF THE 1981 WHITE HOUSE CONFERENCE ON AGING", was jointly offered by Senators Wong, Toyofuku, Machida, Carpenter, Young, Kuroda, Ajifu, Hara, Ushijima, Yim, Yamasaki, Kawasaki, Mizuguchi, George, Saiki, Soares, Cobb, O'Connor and Anderson.

On motion by Senator Toyofuku, seconded

by Senator Mizuguchi and carried, S.R. No. 347 was adopted.

At this time, Senator Toyofuku introduced to the members of the Senate Mr. Jerome Waldie, who was presented with a lei and a copy of the resolution by Senators Young and Toyofuku.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

A resolution (S.R. No. 348), entitled: "SENATE RESOLUTION ENDORSING THE GOVERNOR'S CONFERENCE ON AGING TO BE HELD IN NOVEMBER, 1980", was jointly offered by Senators Wong, Toyofuku, Machida, Young, Kuroda, Carpenter, Yamasaki, Mizuguchi, Anderson, Hara, Ushijima, Kawasaki, Yim, Cobb, George, Ajifu, Saiki, Soares and O'Connor.

On motion by Senator Toyofuku, seconded by Senator Mizuguchi and carried, S.R. No. 348 was adopted.

A resolution (S.R. No. 349), entitled: "SENATE RESOLUTION COMMENDING AND CONGRATULATING GUNJI IZUMOTO FOR RECEIVING THE FIRST 'DISTINGUISHED SERVICE AWARD' AS THE OUTSTANDING EMPLOYEE OF 1979 OF THE HAWAII JUDICIARY AND RECOGNIZING HIS EXEMPLARY PERFORMANCE AS A PUBLIC EMPLOYEE OF THE HIGHEST ORDER", was jointly offered by Senators O'Connor, Wong, Carpenter, Carroll, Yim, Cobb, Soares, George, Yamasaki, Yee, Hara, Campbell, Ajifu, Cayetano, Chong, Anderson, Machida, Abercrombie, Mizuguchi, Toyofuku, Kawasaki, Saiki, Ushijima, Young and Kuroda.

Senator O'Connor moved that S.R. No. 349 be adopted, seconded by Senator Mizuguchi.

At this time, Senator O'Connor rose to speak in favor of the resolution as follows:

"Mr. President, the Judiciary of the State of Hawaii has established a new award called the Distinguished Service Award. The first awardee is the gentleman I first met almost 20 years ago when I came back to Honolulu as young lawyer and to start practicing law. He was at that time clerk of one of the judges in the First Circuit Court and, but for his help and his guidance at a time when I didn't know a law book from a gavel, I would have had just an awful time in my first few trials. He helped tremendously, not just myself but many other young lawyers, to learn where the jury box was,

how to put a witness on the stand, and how to handle the paperwork necessary to make the legal system go, and I'm sure that he is held with as much affection by all of those people as I hold him.

"Truly, he is just an outstanding, wonderful person and I just couldn't stand here and say more nice things about anybody than I can about Gunji Izumoto.

"For those reasons, I am 'tickled pink' that the first Distinguished Service Award of the Judiciary is given to him.

"He has risen to be the Chief Clerk of the First Circuit Court; he's the boss down there and he makes a terribly good boss.

"I would ask all to join me in voting in favor of this resolution."

Senator Carroll also rose to speak in favor of the resolution as follows:

"Mr. President, I rise also to speak in favor of the resolution.

"Similar to the chairman of the Judiciary, I've known Gunji for quite a number of years, more than I really like to think about, and as with Senator O'Connor and I think with many other attorneys in town, Gunji was one of the people at the clerk's office that we could go to and rely on not only for information but really for some sincere help that got many of us out of cracks that we probably would have had to spend hours and hours and hours to figure out, had we had to go through the tortured statutes of this state in order to get particular briefs and different matters taken care of.

"It's really a pleasure to be able to vote for this resolution and my only regret is that we didn't offer it on this side of the aisle a number of years sooner. I urge that we all vote aye."

Senator Kuroda then rose to request of Senator O'Connor as follows:

"Mr. President, I'd like to make a request of the movant, if he would please accommodate me.

"Mr. President, I call your attention to page 2, and the second 'whereas' -- I think it is very important that the taxpayers' watchdog, the vice president of the State Senate, Senator Kawasaki, take special note of this. It says that Mr. Izumoto, during his 37 years service with the State of Hawaii, has not taken a single day of sick leave, possibly an unparalleled feat among state government

employees. I think that the movant should ask Senator Kawasaki to not just shake the hand of Mr. Izumoto but pump his hand in appreciation for it."

Senator Kawasaki then rose to reply as follows:

"Mr. President, since that subject was brought up, I want the good Senator from the 4th District to understand that years ago there was a law that said that good conscientious public employees could not accumulate more than 54 days of sick leave. When I was very active as a director of the HGEA, notwithstanding the opinion of the remaining members of the board of the HGEA that this could not be done, I lobbied hard singularly to get that lifted so that a conscientious public employee who does not take sick leave would not be losing any credit beyond 54 days. As a consequence, the law was changed so that there's no limit to the sick leave our state employees can accumulate."

Senator Cayetano also rose to speak in favor of the resolution as follows:

"Mr. President, I'd like to echo the words and the comments of Senators O'Connor and Carroll with respect to how Mr. Izumoto has helped many of the attorneys in town.

"I think the service that he's provided the state has gone beyond the duties set forth in his job description. I have had great contact with him. He has called me many times to remind me about deadlines, something that happens to many attorneys.

"He's certainly a very warm person and I'm very happy that he is receiving this award today.

"I think the members of this Senate would do well to visit the Judiciary sometimes to see that it is a beehive of activity. Contrary to widespread, I think, misgivings about how state employees work, the employees of the Judiciary are very, very hardworking people. They open at 7:30 or 7:45 in the morning and they work into the late evening. I'm very, very impressed with the way Mr. Izumoto runs the Judiciary department.

"Again, Mr. Izumoto, congratulations, and I urge everyone to vote for this resolution."

Senator Anderson then rose to state as follows:

"Mr. President, speaking for the non-lawyers of this body, Mr. Izumoto you are to be congratulated. The task of

teaching the lawyers in this body the difference between a gavel and the law book must have been a tremendous task. There are times we still think they don't know the difference, but you are to be given 'A' for your efforts."

Senator Abercrombie added his comments as follows:

"Mr. President, following Senator Anderson's remarks and agreeing again fully with him, I wonder if we might be able to have the services of this gentleman over here because we have such difficulty with our lawyers here right now."

The Chair then remarked as follows:

"I want to tell you aspiring lawyers who just came back from law school, one of my first jobs in 1966 was a file clerk with the First Circuit Court and I was the guy that went to get all the files for you."

Senator Kawasaki responded to the Chair's comments as follows:

"Mr. President, this is indeed a great state when a file clerk from the Judiciary can aspire to that rostrum that you hold. This gives inspiration and hope for a lot of file clerks in the system."

The motion was put by the Chair and carried, and S.R. No. 349 was adopted.

At this time, Senator O'Connor introduced to the members the honoree, Mr. Gunji Izumoto, and his sons, Bryan and John. Mr. Izumoto was presented with a lei and a copy of the resolution by Senators Young and O'Connor.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

A resolution (S.R. No. 350), entitled: "SENATE RESOLUTION PROCLAIMING MAY 1980, AS MENTAL HEALTH MONTH IN HAWAII", was jointly offered by Senators Carpenter, Hara, Yamasaki, Kuroda, Machida, Abercrombie, Carroll, Soares, Chong, Kawasaki, Yim, O'Connor, Yee, George, Young, Cayetano, Campbell, Toyofuku, Saiki, Wong, Anderson, Ajifu, Mizuguchi, Ushijima and Cobb.

On motion by Senator Carpenter, seconded by Senator Hara and carried, S.R. No. 350 was adopted.

CONFERENCE COMMITTEE REPORTS

Senator O'Connor, for the Committee

on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2329-80, S.D. 2, presented a report (Conf. Com. Rep. No. 78-80) recommending that Senate Bill No. 2329-80, S.D. 2, H.D. 1, 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. 2329-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2927-80, S.D. 2, presented a report (Conf. Com. Rep. No. 79-80) recommending that Senate Bill No. 2927-80, S.D. 2, H.D. 1, 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. 2927-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1827-80, S.D. 1, presented a report (Conf. Com. Rep. No. 80-80) recommending that S.B. No. 1827-80, S.D. 1, H.D. 1, 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. 1827-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1161, S.D. 1, presented a report (Conf. Com. Rep. No. 81-80) recommending that S.B. No. 1161, S.D. 1, H.D. 1, 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. 1161, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS AND EXPENSES OF LITIGATION."

Senator O'Connor, for the Committee on Conference on the disagreeing vote

of the Senate to the amendments proposed by the House to Senate Bill No. 2784-80, S.D. 2, presented a report (Conf. Com. Rep. No. 82-80) recommending that S.B. No. 2784-80, S.D. 2, H.D. 1, 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. 2784-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2741-80, S.D. 1, presented a report (Conf. Com. Rep. No. 83-80) recommending that S.B. No. 2741-80, S.D. 1, H.D. 1, 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. 2741-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FITNESS TO PROCEED."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1851-80, S.D. 2, presented a report (Conf. Com. Rep. No. 84-80) recommending that S.B. No. 1851-80, S.D. 2, H.D. 1, 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. 1851-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE SYSTEM."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2558-80, H.D. 1, presented a report (Conf. Com. Rep. No. 85-80) recommending that H.B. No. 2558-80, H.D. 1, S.D. 1, 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 H.B. No. 2558-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL."

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed

by the Senate to House Bill No. 1784-80, H.D. 1, presented a report (Conf. Com. Rep. No. 86-80) recommending that H.B. No. 1784-80, H.D. 1, S.D. 1, 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 H.B. No. 1784-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2720-80, presented a report (Conf. Com. Rep. No. 87-80) recommending that H.B. No. 2720-80, S.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 H.B. No. 2720-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC."

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1838-80, S.D. 3, presented a report (Conf. Com. Rep. No. 88-80) recommending that S.B. No. 1838-80, S.D. 3, H.D. 1, 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. 1838-80, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION."

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1090-80) informing the Senate that Senate Concurrent Resolution No. 62, Senate Resolution Nos. 336 to 339, Conference Committee Report Nos. 15-80 to 77-80, and Standing Committee Report Nos. 1075-80 to 1089-80 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.

Senators Carpenter and Campbell, for the Committee on Health and Education,

presented a joint report (Stand. Com. Rep. No. 1091-80) recommending that Senate Resolution No. 292 be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and S.R. No. 292, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE A DETAILED EDUCATIONAL AND HEALTH RELATED SERVICE PLAN FOR THE HANDICAPPED CHILDREN OF THE STATE OF HAWAII", was adopted.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1092-80) recommending that the Senate advise and consent to the following nominations:

Richard I.C. Caldito to the Board of Agriculture, in accordance with Gov. Msg. No. 110;

George S. Fujii to the Advisory Committee on Agricultural Products, in accordance with Gov. Msg. No. 111;

Michael Goldstein, to the Advisory Committee on Flowers and Foliage, in accordance with Gov. Msg. No. 112;

Asher K. Ota, Ph.D., Normal E. Blomberg, Melvin Miranda, Edward S. Kurokawa, Patrick Y. Nakagawa, and Libert Landgraf to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 113; and

Shoichi Nagamine to the Board of Agriculture, in accordance with Gov. Msg. No. 247.

By unanimous consent, action on Stand. Com. Rep. No. 1092-80 and Gov. Msg. Nos. 110, 111, 112, 113, and 247 was deferred until Thursday, April 17, 1980.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1093-80) recommending that Senate Resolution No. 97 be adopted.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 97, entitled: "SENATE RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE STATE DEPARTMENT OF DEFENSE TO EXPEDITE THE PLACEMENT AND OPERATION OF THE PLANNED OUTDOOR WARNING SIREN SYSTEM FOR WAIPIO VALLEY ON THE BIG ISLAND", was adopted.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1094-

80) recommending that the Senate advise and consent to the nominations of David K. Kaupu and Victor K. Punua to the Civil Defense Advisory Council, in accordance with Gov. Msg. No. 255.

By unanimous consent, action on Stand. Com. Rep. No. 1094-80 and Gov. Msg. No. 255 was deferred until Thursday, April 17, 1980.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1095-80) recommending that House Bill No. 1162, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH."

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1096-80) in which the Committee rescinded its previous action taken on House Bill No. 3006-80, H.D. 1, S.D. 1, and restored the measure to the form in which it was received and recommends that H.B. No. 3006-80, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 3006-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CHILDREN AND YOUTH."

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1097-80) recommending that Senate Concurrent Resolution No. 57, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF PREVOCATIONAL PROGRAMS FOR THE HANDICAPPED", was referred to the Committee on Legislative Management.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1098-80) recommending that Senate Concurrent Resolution No. 58, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE REVIEW AND STUDY OF THE FORMATION OF A STATE

INTERAGENCY COORDINATION COMMITTEE ON CHILD ABUSE AND NEGLECT", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1099-80) recommending that Senate Resolution No. 245, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.R. No. 245, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO PREPARE A REPORT ON THE BASIS, EFFECTIVENESS AND IMPACT OF THE CURRENT PROVISIONS OF THE WORKERS' COMPENSATION, TEMPORARY DISABILITY AND EMPLOYMENT SECURITY LAWS WHICH REQUIRE CONVERGENCE FOR DOMESTIC WORKERS RECEIVING COMPENSATION IN EXCESS OF \$225 PER QUARTER FROM AN EMPLOYER", was referred to the Committee on Legislative Management.

Senator Ushijima, for the majority of the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1100-80) recommending that Senate Resolution No. 266 be adopted.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, Stand. Com. Rep. No. 1100-80 was adopted and, Roll Call vote having been requested, S.R. No. 266, entitled: "SENATE RESOLUTION SUPPORTING ACTIONS BY NEVADA AND OTHER WESTERN STATES TO GAIN EQUALITY WITH OTHER STATES IN LAND MANAGEMENT, CONTROL, AND OWNERSHIP", was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 o'clock p.m.

ORDER OF THE DAY

MATTER DEFERRED
FROM APRIL 14, 1980

FINAL READING

Conference Committee Report No. 4-80
(S.B. No. 2134-80, H.D. 1, C.D. 1):

Senator Carpenter moved that Conf. Com. Rep. No. 4-80 be adopted and S.B. No. 2134-80, H.D. 1, C.D. 1, pass Final Reading, seconded by Senator Cobb.

At this time, Senator Carpenter rose to speak in favor of the measure as follows:

"Mr. President and fellow colleagues, it is for me a great pleasure to rise in support of the final passage of S.B. 2134, H.D. 1, C.D. 1.

"I am proud to say that the bill before you today is a consumer bill written expressly for the people of this state. Unlike the bill of last year, S.B. 2134 gives the consumer the option to consent to or refuse substitution of generic equivalent drug products. Your conference committee finds that the responsibility of choice should always rest with the consumers since they are the ones directly affected by the cost-savings available through substitution.

"Furthermore, the drug product selection board, which is responsible for developing a safe drug formulary of equivalent drug products, has been placed within the Department of Health, for administrative purposes. The Department of Health was chosen because of its available expertise in medicine and drugs and they will be responsible for the distribution and revisions of the formulary; providing public education; enforcing the provisions of this bill; and monitoring the effects of this bill. Indeed, the success of cost-savings to the consumer rests with this department's carrying-out its responsibilities.

"However, public education is not only the responsibility of the Department of Health, but equally important is the role of the pharmacists and especially the physicians of this state. Because of the primary role of the physicians to their patients, they have the first opportunity to inform their patients on the availability of cost-savings through safe substitution of a lower cost equivalent drug product. Your Committee finds that the physician has indeed the responsibility to their patient to help them in lowering their medical costs at all times. With their support, as well as the pharmacists, the state, the private sector, and the health insurance providers, the consumer will be afforded the maximum cost-savings for which this bill provides.

"This bill has been carefully written with consultation with the Attorney General, and your committee finds that the interests of the consumers have been met.

"On behalf of the consumers of this state, I strongly recommend passage of this bill. Thank you."

Senator Campbell also rose in support of the measure and stated as follows:

"Mr. President, I would like to add a few comments to the remarks of the previous speaker. First of all, I'd like to commend the chairman of the Conference Committee and the members of the Senate and House Conference Committee for a job well done.

"I certainly share the feelings expressed by the previous speaker that this is a historic day in the lives of many of the people of our state, particularly senior citizens and others on fixed income, middle, and low income people.

"This bill will place the State of Hawaii solidly in support of those who have difficulty meeting the high cost of medical drugs.

"On June 23-24, 1978, representing the State Legislature, I attended the First National Conference on Generic Drugs in Washington, D.C. and it was an electrifying conference related to medical cost containment and I returned to Hawaii determined to join my other legislative colleagues in calling to the attention of the people of Hawaii the fact that millions of dollars of taxpayers' money could be saved if we repealed our anti-substitution law and set up a state formulary. It was at that conference that the Food and Drug Administration and the Federal Trade Commission, for the first time in our history, took a very strong stand in favor of generic drug substitution as a means of reducing medical costs for our citizens.

"Prior to this Washington conference, many states in the Union, including Hawaii, had taken the position that generic drugs were unsafe, so in returning to Hawaii in concert with the chairmen of the Health and Consumer Protection and Commerce Committees, we introduced a bill to repeal Hawaii's anti-substitution law. I sent a letter to the Governor asking that the state expand its purchase of drugs, and this of course would mean a tremendous saving to our taxpayers.

"So, Mr. President, today we are at the brink of legislation which will be a turning point in medical drug cost containment. I urge all of our colleagues to strongly support this measure. Thank you."

Senator Kawasaki then added his remarks in support of the measure as follows:

"Mr. President, I am delighted to support passage of this bill. I think with the passage of this bill we see here a good object lesson that whenever a good idea is introduced in bill form, sometimes it literally takes years and years before acceptance is on hand. I

recall the time when the Honolulu Advertiser article appeared about the possibility of enacting legislation to permit the dispensation of generic drugs -- there was an uproar. The drug industry was, literally, up in arms; the pharmacists group was just up in arms also.

"It takes many, many years sometimes for ideas like this to be accepted and today, I think, we're all delighted it now has taken place. The point here is that the senators should not despair at first when their good ideas do not get accepted. Sometimes it takes a long, long time."

Senator Chong made a very brief remark in support of the measure stating, "I would just like to comment and commend the chairman of the Health Committee for guiding through this much needed legislation."

The motion was put by the Chair and carried, and Conference Committee Report No. 4-80 was adopted, and S.B. No. 2134-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Saiki).

MATTERS DEFERRED FROM APRIL 15, 1980

THIRD READING

House Bill No. 2066-80:

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, H.B. No. 2066-80, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Saiki).

House Bill No. 2815-80:

On motion by Senator Hara, seconded by Senator Mizuguchi and carried, H.B. No. 2815-80, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Saiki).

Standing Committee Report No. 1065-80 (H.B. No. 2185-80):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 1065-80 was adopted and H.B. No. 2185-80, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE OFFICE OF THE ASSISTANT REGISTRAR OF THE LAND COURT IN THE STATE BUREAU OF CONVEYANCES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson).
Excused, 1 (Saiki).

Standing Committee Report No. 1066-80 (H.B. No. 2540-80):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 1066-80 was adopted and H.B. No. 2540-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Saiki).

House Bill No. 2752-80, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2752-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENT OF CIVIL SERVICE EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Saiki).

House Bill No. 2137-80:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 2137-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Saiki).

Standing Committee Report No. 1075-80 (Gov. Msg. Nos. 235, 236, 237 and 238):

Senator Cayetano moved that Stand. Com. Rep. No. 1075-80 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that the Senate advise and consent to the nominations of Calvin J.H. Chun, Cedric Yamamoto, Earl L. Helm, Kanji Wakamatsu, Joseph A. Tokita, and Regelio A. Saraos

to the Board of Taxation Review, First Taxation Division, Oahu, seconded by Senator Kawasaki.

At this time, Senator Cayetano rose to briefly speak on the Governor's messages as follows:

"Mr. President, I'm asking this body to vote for these people (appointments to the Board of Taxation Review) on faith.

"When we held a hearing, no one showed up. We have no information on them. The Governor came down with the messages very late, so, if some of these nominees don't work out, please take that into consideration."

Senator Abercrombie added his remarks as follows:

"Mr. President, I have signed most of the committee reports on the appointments that have come forward with reservations, not to reflect on some of the individuals, although I have objection to one individual here and I will ask that that person be voted down, but I do think we have a problem here that needs to be addressed in legislation. I needn't comment on it further.

"On appointees, I think it's well-known when appointment times are up, and I think that we're finding ourselves in some difficulty because of nominations coming down so late that they can't be dealt with adequately.

"In any event, I have an objection to Governor's Message No. 236, Cedric Yamamoto, gubernatorial nominee for appointment to the Board of Taxation Review, First Taxation District. I think that the financial circumstances that Mr. Yamamoto has been involved in terms of his company with respect to actions with the State, especially where activity has been found to be against the public interest, is such that it would not further the public interest to have Mr. Yamamoto appointed to the Board of Taxation Review.

"Now, I find myself in difficulty then of asking the same thing that the chairman just asked in respect of what constitutes faith. I think this illustrates part of the difficulties that we have in trying to determine whether or not this body will be able to take seriously its duty to advise and consent without finding one's self in a position of simply being designated as engaging in personalities as opposed to substance.

"With that in mind, I ask that a 'no' vote be cast for Governor's Message No. 236 for myself."

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:18 o'clock p.m.

Senator Kawasaki then rose to speak on the appointments as follows:

"Mr. President, while I will vote for these appointments, I believe we really have to rely on our faith in the good judgment and the commitments of the people appointed to the Board of Taxation Review.

"I was a little concerned that the nominees did not see fit to come to the Ways and Means Committee hearing where we could question them relative to their basic philosophy about assessment, valuation, and so forth.

"The tendency in the past has been that, generally, these people tended to rubber-stamp the Tax Office's determination of what a property assessment should be, and they had not taken into consideration several factors that go into valuation of a person's real property. Too often in the past, more weight was given to the fact of sales in the comparable area. What had happened was that if a person lived in a particular locality and he had no intention of selling his property--he just wants to raise his family, that is his residence--and there happened to be a sale in the neighborhood of something that's quite comparable and because of the appreciation that has taken place in values, real property values, and the sale has just reflected a tremendous increase in the value of a property in the vicinity, then the person who has no intention of selling, his property was assessed almost equal to the market value or at least 60-70% of the market value of the property that was sold. This has worked tremendous hardship on people who could not afford to be burdened with this great increase in the value of their property because it means nothing that appreciation has taken place until that person sells his property.

"I've gotten after the Tax Office time and again, and I've made this comment to the Tax Review Board to not tax people practically into hardships, particularly, if they are not going to sell their property.

"Now, I would hope that this new Tax Review Board would take into consideration these things so that we would not be forced to, as we have in the past, raise the home exemption for property owners as an offset to the constantly increasing valuation, assessment valuation, which

of course reflects a higher property tax to them. I would hope that this Tax Review Board would be open-minded and not just rubber-stamp the Tax Office's valuation judgments because this does work a hardship and it kills the incentive for people here to own their own homes, with the prices of land and cost of building being what they are today. I hope that this Tax Review Board takes this into consideration."

Senator Chong rose to comment as follows:

"Mr. President, although I don't have any comments directly related to Stand. Com. 1075, I would like to speak to the issue of the delay of the Governor in getting names down to this committee.

"I'd like to continue specifically on the discussion we had at the end of yesterday's session with Senator Abercrombie also. He said the Governor's delay in submitting to the Senate the name of the nominee for the vacant position of the Public Utilities Commission is creating a definite threat to the nominee's reputation and a possible danger to every home in Hawaii.

"The Governor is depriving the Senate the opportunity to examine critically the qualifications of his nominee to the Public Utilities Commission. Even more, he is denying the people of Hawaii the opportunity to learn about or express an opinion about a person who will have a direct influence on their private lives for the next six years. The nominee will become one of three Public Utilities Commissioners; he or she will share the responsibility for decisions involving millions of dollars. These decisions will affect every private individual..."

At this time, Senator Anderson rose on a point of order as follows:

"Mr. President, rising on a point of order, I think the record will show, that we are in the middle of a vote, a motion, and even a recess is questionable in the middle of a vote. Now we're on an entirely different subject and it's not out of order at a different time, Mr. President, but we are ready to vote."

Senator Chong remarked as follows:

"Mr. President, I'm speaking on the question of the Governor's delay in not only these particular nominees, but the nominees of many other important positions right now. I have only a few more statements to make."

The Chair then suggested as follows:

"Senator Chong, the Chair would like to make a suggestion. Comments referred to yesterday and today are quite obvious and we have spoken to the Governor's office relative to this dilemma that we're faced with this morning. I would like for you to make your comments very brief and then we'll continue with the vote."

Senator Chong then concluded his remarks as follows:

"Mr. President, I conclude by pointing out that my committee and the entire Senate must vote on a person whose qualifications we have not had time to examine to our satisfaction. This is what we are doing now, or in the case of the Public Utilities Commission that will continue to function with one member whose term was legally finished last December. The Governor is aware of this; he has been aware of this for some time and I think the delay exhibited by our vote today on Stand. Com. 1075 is really inexcusable."

Senator Cayetano then rose to ask as follows:

"Mr. President, first to clear where we are. I understand that we are in the discussion period prior to the vote. Is that right?"

The Chair replied in the affirmative.

Senator Cayetano continued as follows:

"Mr. President, I share the concerns echoed by the previous speaker, but let me say that I am recommending or moving that these nominees be confirmed primarily because, in fairness to the Governor, I believe that the practice that he has followed has been one that has been followed throughout the years. I think it is incumbent upon us to advise the Governor that that practice must come to a stop.

"I suggest, perhaps for the next session, that the leadership get together and maybe set a deadline, perhaps the 40th day, for such nominations to be made. This will give the Senate and the appropriate committees time to do some legwork, if you will, on the nominees and be able to make recommendations to the rest of the Senate accordingly."

Senator Anderson then rose to concur as follows:

"Mr. President, I'd like to concur with the Ways and Means chairman, however unpleased I was the other day with the lateness. The Ways and Means Committee did have a hearing; they

were late; it has interrupted some of the budgetary hearings, but unlike some other chairmen who have had no hearings in self-decisions, the Ways and Means did have a hearing. If nobody showed up that's not the fault of the Legislature or the Senate and these people should be confirmed."

Roll Call vote having been ordered, the motion to advise and consent to the nomination of Calvin J.H. Chun to the Board of Taxation Review, First Taxation District, Oahu, term to expire December 31, 1982, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Chong). Excused, 2 (Carroll and Saiki).

Roll Call vote having been ordered, the motion to advise and consent to the nomination of Cedric Yamamoto to the Board of Taxation Review, First Taxation District, Oahu, term to expire December 31, 1983, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Chong). Excused, 2 (Carroll and Saiki).

Roll Call vote having been ordered, the motion to advise and consent to the nomination of Earl L. Helm and Kanji Wakamatsu to the Board of Taxation Review, Second Taxation District, Maui, term to expire December 31, 1983, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Chong). Excused, 2 (Carroll and Saiki).

Roll Call vote having been ordered, the motion to advise and consent to the nomination of Joseph A. Tokita to the Board of Taxation Review, Fourth Taxation District, Kauai, term to expire December 31, 1983, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Chong). Excused, 2 (Carroll and Saiki).

Roll Call vote having been ordered, the motion to advise and consent to the nomination of Rogelio A. Saraos to the Board of Taxation Review, Fourth Taxation District, Kauai, term to expire December 31, 1980, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Chong). Excused, 2 (Carroll and Saiki).

MATTER DEFERRED
FROM APRIL 15, 1980

Senate Concurrent Resolution No. 15,
S.D. 1, H.D. 2:

By unanimous consent, action on 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 deferred until Thursday, April 17, 1980.

At this time, Senator Yim, Chairman of the Committee on Economic Development,

requested a waiver of the 48-hour notice of Public Hearing on the following resolution:

H.C.R. No. 124, 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",

and the President granted the waiver.

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Thursday, April 17, 1980.

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.

SIXTIETH DAY

Friday, April 18, 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 Reverend Arsene Daenens, SS.CC., of St. Patrick's 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-Ninth Day.

The following introductions were then made to the members of the Senate:

Senator Chong introduced Audrey Fox Anderson, one of the early community organizers of Waikiki.

Senator Cayetano then introduced The Honorable Raul Manglapus as follows:

"Mr. President, this morning it gives me great pleasure to introduce to this honorable body a very distinguished person. I had the pleasure of meeting him five years ago at the University of Hawaii when I went to hear him speak. At that time, he made such an impression on me in terms of his oratory and what he had to say that I never forgot this gentleman.

"He has a very distinguished background which I'd like to give before I introduce him personally. He is a lawyer, a graduate of Ateneo University in the Philippines which is the equivalent of our Harvard University. He has studied at Georgetown University in Washington, D.C.

"He has a distinguished war record. At the age of 22 he served as radio broadcast commentator for General Douglas MacArthur. He was imprisoned in the Philippines during the war for two years, escaped, became a captain and joined the Hunters Guerrillas which was attached to the U.S. 11th Airborne Division. After the liberation, he served as chief of the radio division to the president of the Philippines, and was the youngest war correspondent attached to General MacArthur's headquarters, and he covered the surrender on the U.S.S. Missouri in Tokyo Bay.

"He is a former Under Secretary of Foreign Affairs under President Ramon Magsaysay, and upon the death of President Magsaysay, he became the youngest foreign minister in Philippine history at the age of 37.

"He served as secretary-general at the first conference of the Southeast Asia Treaty Organization (SEATO). He was awarded the 'Most Outstanding Young Man in the Government' by the leading Philippine daily, the Manila Times.

"He is a tremendous vote getter. He was elected senator to the Philippine Congress with the highest number of votes nationwide. He also served as an elected delegate to the constitutional convention, again acquiring the highest number of votes.

"He is a president of the Christian Social Movement which is affiliated with the World Union of Christian Democratic parties based in Rome.

"And here is a very interesting story because he is an elected official in exile. On September 22, 1972, Mr. President, martial law was declared in the Philippines and soldiers were sent to his home at 1:30 in the morning to arrest him. Fortunately on that day, he was visiting his son who was in training in Japan and therefore he escaped.

"His family was not allowed by the government to leave the country to join him in the United States in spite of humanitarian appeals by Senators Humphrey, Kennedy and Percy. Finally, in 1973 the family managed to escape and are now living in the United States with him.

"He was granted U.S. political asylum and became a visiting professor at Cornell University. Later, he served as a senior associate at the Carnegie Endowment for International Peace in New York City, and is now serving as a Distinguished Adjunct Professor of International Relations at the American University in Washington, D.C. He is a well-known international lecturer and writer and has written six books, two of them published in exile while living in New York.

"He is now president of the Movement for a Free Philippines with headquarters in Washington, D.C., and chapters in the United States, Canada, Australia, Japan and Western Europe.

"Finally, he is an amateur jazz pianist and has had the privilege of having jam sessions with the King of Thailand, Prince Sihanouk of Cambodia, our own Duke Ellington and Lionel Hampton.

"Mr. President, it gives me very great pleasure to introduce to this body The Honorable Raul Manglapus."

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 689 to 749) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 689), informing the Senate that the report of Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1703, S.D. 1, was adopted by the House; and S.B. No. 1703, S.D. 1, H.D. 1, C.D. 3, passed Final Reading in the House of Representatives on April 17, 1980, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

A communication from the House (Hse. Com. No. 690), returning Senate Concurrent Resolution No. 62, which was adopted by the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 691), transmitting House Concurrent Resolution No. 116, H.D. 1, which was adopted by the House of Representatives on April 17, 1980, was placed on file.

By unanimous action on H.C.R. No. 116, H.D. 1, was deferred until later in the calendar.

A communication from the House (Hse. Com. No. 692), returning Senate Bill No. 2439-80 which passed Third Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 693), transmitting House Concurrent Resolution No. 150 which was adopted by the House of Representatives on April 17, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE EFFORTS OF THE COMMITTEE WHICH GUIDED THE RESTORATION OF ALI'IOLANI HALE", was adopted.

A communication from the House (Hse. Com. No. 694), transmitting House Concurrent Resolution No. 151 which was adopted by the House of Representatives on April 17, 1980, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator Anderson and carried, H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING AND COMMENDING THE DISABLED AMERICAN VETERANS, A CONGRESSIONALLY CHARTERED ORGANIZATION, FOR ITS COMMUNITY INVOLVEMENT AND ACCOMPLISHMENTS IN AIDING DISABLED VETERANS AND WELCOMING IT ON ITS 59TH ANNUAL CONVENTION IN HONOLULU, HAWAII, FROM JULY 25-28, 1980", was adopted.

A communication from the House (Hse. Com. No. 695), returning Senate Concurrent Resolution No. 4 which was adopted by the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 696), 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. 25, H.D. 1, was adopted by the House; and H.B. No. 25, H.D. 1, S.D. 3, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 697), 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. 501, H.D. 1, was adopted by the House; and H.B. No. 501, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 698), 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. 687, H.D. 1, was adopted by the House; and H.B. No. 687, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 699), 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. 1494, H.D. 1, was adopted by the House; and H.B. No. 1494, H.D. 1, S.D. 2, C.D. 2, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 700), informing the Senate that the report of the Committee on Conference on the disagreeing

A communication from the House

(Hse. Com. No. 725), 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. 2672-80, H.D. 1, was adopted by the House; and H.B. No. 2672-80, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 726), 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. 2723-80, H.D. 2, was adopted by the House; and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 727), 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. 2944-80, H.D. 2, was adopted by the House; and H.B. No. 2944-80, H.D. 2, S.D. 2, C.D. 1, passed Final Reading by the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 728), 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. 118, S.D. 2, was adopted by the House; and S.B. No. 118, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 729), 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. 870, S.D. 2, was adopted by the House; and S.B. No. 870, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 730), 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. 1003, S.D. 1, was adopted by the House; and S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 731), 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. 1516, S.D. 1, was adopted by the House; and S.B. No. 1516, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 732), 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. 1831-80, S.D. 1, was adopted by the House; and S.B. No. 1831-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 733), 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. 1832-80, S.D. 1, was adopted by the House; and S.B. No. 1832-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 734), 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. 1960-80, S.D. 1, was adopted by the House; and S.B. No. 1960-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 735), 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. 2006-80, was adopted by the House; and S.B. No. 2006-80, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 736), 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. 2202-80, S.D. 2, was adopted by the House; and S.B. No. 2202-80, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives

on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 737), 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. 2253-80, S.D. 1, was adopted by the House; and S.B. No. 2253-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 738), 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. 2302-80, S.D. 2, was adopted by the House; and S.B. No. 2302-80, S.D. 2, H.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 739), 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. 2501-80, S.D. 1, was adopted by the House; and S.B. No. 2501-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 740), 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. 2581-80, was adopted by the House; and S.B. No. 2581-80, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 741), 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. 2665-80, S.D. 2, was adopted by the House; and S.B. No. 2665-80, S.D. 2, H.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 742), 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. 2693-80, S.D. 1, was adopted by the House; and S.B. No. 2693-80, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representa-

tives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 743), 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. 2744-80, S.D. 1, was adopted by the House; and S.B. No. 2744-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Reading on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 744), 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. 2977-80, S.D. 2, was adopted by the House; and S.B. No. 2977-80, S.D. 2, H.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 745), 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. 2877-90, S.D. 1, was adopted by the House; and S.B. No. 2877-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 746), 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. 2914-80, S.D. 2, was adopted by the House; and S.B. No. 2914-80, S.D. 2, H.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 747), 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. 3012-80, S.D. 1, was adopted by the House; and S.B. No. 3012-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 748), 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. 3145-80, S.D. 1, was adopted

by the House; and S.B. No. 3145-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

A communication from the House (Hse. Com. No. 749), 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. 3146-80, S.D. 1, was adopted by the House; and S.B. No. 3146-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 17, 1980, was placed on file.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 359 to 366) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 359), entitled: "SENATE RESOLUTION HONORING AND RECOGNIZING THE SIGNIFICANT CONTRIBUTIONS TO THE PEOPLE OF HAWAII BY THE LATE VICTORIA KUULEIALOHA HOLT, HAWAII'S FIRST WOMAN TERRITORIAL HIGH SHERIFF", was jointly offered by Senators Ushijima, Yamasaki, Kuroda, O'Connor, Machida, Saiki, Ajifu, Cobb, Yim, Soares, Yee, Mizuguchi, Wong, Anderson, Hara, Campbell, Kawasaki, Carpenter, Abercrombie, Cayetano, Toyofuku, Chong, Young, George and Carroll.

On motion by Senator Ushijima, seconded by Senator Yamasaki and carried, S.R. No. 359 was adopted.

A resolution (S.R. No. 360), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE BOARD OF DIRECTORS OF THE HAWAII ASSOCIATION OF CERTIFIED ACUPUNCTURISTS ON THE OCCASION OF THEIR FIFTH ANNIVERSARY", was jointly offered by Senators Chong, Kuroda, Young, Cobb, Ushijima, Ajifu, Yim, Carpenter, Abercrombie, Toyofuku, George, Carroll, Hara, Yamasaki, Campbell, Mizuguchi, Yee, Machida, Kawasaki, Soares, Saiki, O'Connor, Cayetano and Wong.

On motion by Senator Chong, seconded by Senator Kuroda and carried, S.R. No. 360 was adopted.

A resolution (S.R. No. 361), entitled: "SENATE RESOLUTION CONGRATULATING JEAN H. MIYAHIRA ON HER SELECTION AS THE HAWAII BUSINESS EDUCATION ASSOCIATION SECONDARY TEACHER

OF THE YEAR FOR 1979", was jointly offered by Senators Young, Kuroda, Mizuguchi, Cayetano, Carpenter, Machida, Ushijima, Yamasaki, Saiki, Soares, Hara, Abercrombie, Cobb, Carroll, George, Chong, Ajifu, Wong, Toyofuku, Yim, Kawasaki, Campbell, O'Connor, Yee and Anderson.

At this time, Senator Young rose to comment on the resolution as follows:

"Mr. President, before moving on this resolution I would like to introduce the recipient of this resolution.

"Mr. President, Jean Miyahira is a teacher at Waipahu High School who is on leave from the Department of Education volunteering her time here at the Legislature as an observer. This resolution, I'm quite sure, is a surprise to Jean because she's covering this morning's session and sitting in the back row.

"Mr. President, I would like to introduce to you and this body Jean Miyahira."

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 361 was adopted.

A resolution (S.R. No. 362), entitled: "SENATE RESOLUTION RECOGNIZING IRENE KAICHI, AMERICAN BUSINESS WOMEN'S ASSOCIATION 1980 WOMAN OF THE YEAR", was jointly offered by Senators Young, Kuroda, Mizuguchi, Cayetano, Saiki, Machida, Ushijima, Soares, Hara, George, Toyofuku, Abercrombie, Yamasaki, Carroll, Cobb, Kawasaki, Chong, Ajifu, Wong and Anderson.

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 362 was adopted.

A resolution (S.R. No. 363), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING HAWAII'S CHAPTER OF THE LUNG KONG ASSOCIATION ON THE OCCASION OF ITS 58TH ANNIVERSARY", was jointly offered by Senators Chong, Wong, Young, Soares, Yamasaki, Carroll, Cobb, Ajifu and Hara.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, S.R. No. 363 was adopted.

A resolution (S.R. No. 364), entitled: "SENATE RESOLUTION CONGRATULATING ABNER NUNES FOR HIS INVENTION OF THE PLASTIC TRANSPARENT CYLINDER BURIAL CASKET", was jointly offered by Senators Carpenter, Abercrombie, Cayetano and Yamasaki.

Senator Carpenter moved that S.R. No. 364 be adopted, seconded by Senator Abercrombie.

At this time, Senator Abercrombie rose to speak about the honoree as follows:

"Mr. President, I suppose I have a real conflict on interest in this because Mr. Nunes is an old and valued friend. He is a gentleman who has been in these halls for many years and I'm sure well-known to many of us in the Legislature. His sincerity and his efforts, his hardworking efforts throughout all his life, I think, is something that we could all emulate in terms of dedication. I'm very appreciative of his friendship and very, very appreciative of his efforts over all these years. Thank you."

Senator Carpenter then rose to speak on the resolution as follows:

"Mr. President, I'm rising to speak for this resolution. I'm sure that all the members of the Senate here recognize that the health area encompasses quite a broad area, including activities from the cradle to the grave. Not meaning to be facetious, but the gentleman spoken to here has displayed innovative and creative activities recognizing the other end of the spectrum which most other people would not dwell."

The motion was put by the Chair and carried, and S.R. No. 364 was adopted.

A resolution (S.R. No. 365), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF THE LATE CHRISTINE MUKAI, ATTORNEY RESEARCHER OF THE OFFICE OF THE LEGISLATIVE REFERENCE BUREAU", was jointly offered by Senators Toyofuku, Abercrombie, Yamasaki, Soares, Carroll, Anderson, Ushijima, Wong, Young, Carpenter, Kawasaki, Yee, Cayetano, Hara, O'Connor, Saiki, Ajifu, Kuroda, Chong, Cobb, Machida, Yim and George.

On motion by Senator Toyofuku, seconded by Senator Abercrombie and carried, S.R. No. 365 was adopted.

A resolution (S.R. No. 366), entitled: "SENATE RESOLUTION RECOGNIZING AND EXTENDING CONGRATULATIONS TO THE HAWAII INTERNATIONAL YEAR OF THE CHILD (IYC) STEERING COMMITTEE FOR MAKING HAWAII'S 1979 INTERNATIONAL YEAR OF THE CHILD AN OUTSTANDING SUCCESS", was jointly offered by Senators Toyofuku, Abercrombie, Yamasaki, Soares, Wong, Anderson, Ushijima, George, Young, Carpenter, Cayetano, Hara, O'Connor, Saiki, Ajifu, Yee, Kuroda, Chong, Cobb, Kawasaki, Machida, Yim and Carroll.

On motion by Senator Toyofuku, seconded by Senator Abercrombie and carried, S.R. No. 366 was adopted:

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1133-80) informing the Senate that Senate Concurrent Resolution Nos. 63 and 64, Senate Resolution Nos. 351 to 358, Conference Committee Report No. 89-80 and Standing Committee Report Nos. 1102-80 to 1132-80 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 Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1134-80) recommending that Senate Concurrent Resolution No. 59 be adopted.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted, and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE TAX REVIEW COMMISSION TO REVIEW AND REPORT ON CERTAIN SPECIFIC TAX ISSUES", was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1135-80) recommending that Senate Resolution No. 311 be adopted.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted, and S.R. No. 311, entitled: "SENATE RESOLUTION REQUESTING THE TAX REVIEW COMMISSION TO REVIEW AND REPORT ON CERTAIN SPECIFIC TAX ISSUES", was adopted.

At this time, Senator Cayetano rose to speak on S.C.R. No. 59 and S.R. No. 311 as follows:

"Mr. President, these resolutions were introduced to show the complexities of the tax issues facing the Tax Review Commission.

"However, I'd like to point out for the record the fourth 'whereas' clause and read it into the record, if I may.

"WHEREAS, from the foregoing intent, it is evident that the establishment of a Tax Review Commission does not relieve the Legislature of the responsibility of proceeding to develop tax policy in areas where it believes the issues and solutions are clear."

"Thank you."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1136-80) recommending that Senate Resolution No. 313 be referred to the Committee on Legislative Management.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted, and S.R. No. 313, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON TAX RELIEF FOR NATURAL DISASTERS", was referred to the Committee on Legislative Management.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1137-80) recommending that Senate Resolution No. 113, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 113, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A FILE RELATING TO THE STATE AND COUNTY HOSPITALS OPERATING AND MANAGEMENT SYSTEM", was adopted.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1138-80) submitting for consideration and consent to the Fish and Wildlife Advisory Committee, County of Hawaii, the nomination of Alvin M. Inoue, in accordance with Governor's Message No. 277.

By unanimous consent, action on Stand. Com. Rep. No. 1138-80 and Gov. Msg. No. 277 was deferred until later in the calendar.

Senators Carpenter and Hara, for the Committee on Health and the Committee on Ecology, Environment and Recreation, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1139-80) recommending that Senate Resolution No. 281, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1139-80 and S.R. No. 281 was deferred to the end of the calendar.

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 1140-80) recommending that Senate Resolution No. 234, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.R. No. 234, S.D. 1, entitled:

"SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW AND RECOMMEND CHANGES TO CHAPTER 269, HAWAII REVISED STATUTES, PUBLIC UTILITIES COMMISSION", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1141-80) recommending that Senate Resolution No. 109, as amended in S.D. 1, be adopted.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 109, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FUTURE PRISON CAPACITY NEEDS OF THE STATE OF HAWAII", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1142-80) recommending that Senate Resolution No. 197 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 197, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FEASIBILITY STUDY AND PREPARE A PLAN FOR A UNIFORM STATE MEDICAL EXAMINER SYSTEM", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1143-80) recommending that Senate Resolution No. 295, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 295, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON THE BUSINESS CORPORATION LAWS OF THIS STATE", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1144-80) recommending that Senate Resolution No. 293, as amended in S.D. 1, be adopted.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 293, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO ESTABLISH A HAWAII JUVENILE CRIME PREVENTION PROGRAM COORDINATING OFFICE", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1145-80) recommending that Senate Resolution No. 296, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 296, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON THE NONPROFIT CORPORATION LAWS OF THIS STATE", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1146-80) recommending that Senate Resolution No. 298, as amended in S.D. 1, be adopted.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 298, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF PLANS AND DESIGNS FOR JUVENILE INTAKE CENTERS", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1147-80) recommending that Senate Resolution No. 300 be adopted.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 300, entitled: "SENATE RESOLUTION CONCERNING THE DEVELOPMENT AND DESIGN OF A PERMANENT PLAN FOR THE KOOLAU YOUTH CORRECTIONAL FACILITY", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1148-80) recommending that Senate Resolution No. 301, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 301, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF LAWS RELATING TO GUARDIANSHIP, CIVIL COMMITMENT, AND PROTECTIVE SERVICES", was referred to the Committee on Legislative Management.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1149-80) recommending that House Concurrent Resolution No. 65 be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted

and H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF", was adopted.

At this time, Senator Abercrombie introduced to the members of the Senate Mr. Abner Nunes for whom a congratulatory resolution (S.R. No. 364) was adopted earlier on the calendar.

ORDER OF THE DAY

MATTER DEFERRED FROM APRIL 15, 1980

Standing Committee Report No. 1056-80 (S.R. No. 163):

By unanimous consent, Stand. Com. Rep. No. 1056-80 and S.R. No. 163 were recommitted to the Committee on Education.

MATTER DEFERRED FROM APRIL 17, 1980

Senate Resolution No. 354:

Senator Abercrombie moved that S.R. No. 354 be adopted, seconded by Senator Mizuguchi.

At this time, Senator Abercrombie rose to speak in support of the resolution as follows:

"Mr. President, it's a pleasure to move for the adoption of this resolution. Thank you very much.

"When I said it was a pleasure to do this I not only meant it quite sincerely, but it is an honor as well and indeed a privilege as Professor Stauffer enters a fourth decade of his service to this state and to literally thousands of students throughout the State of Hawaii who have had the opportunity to be in his classes and to have the opportunity in the course of their academic careers to exchange views and to grow not only intellectually and emotionally, but as human beings, as citizens of the territory and this state by being with Professor Stauffer.

"Mr. President, in the past we have honored ladies and gentlemen on this floor who have contributed to the extension of knowledge both in the national and international sense, but I don't think we've ever had anyone here, at least in the time that I have been privileged to serve in the Legislature, who has the affection of the students over the years and the impact on these students over the years that this man has had by virtue of his teaching.

"Often, the people who get most recognized are those who have made, what is deemed by the media, some spectacular advance in the hard sciences or has engaged in some particular aspect of the social sciences or the liberal arts which catches the imagination in some way and a rather notorious or celebrity kind of status that attaches to that individual. In this particular instance you have, I think, a gentleman who is the essence of the teaching academic. The person who year in and year out affects in a very profound and fundamental way the value system -- the characterological process that we all hope that we achieve in a way that a lot of us think of ourselves as complete human beings. The whole idea of the liberal arts education, after all, is to become familiar in a generalized way with the wisdom of the world in a way that further enables us to conduct ourselves as men and women in our adult lives that bring out the best in us as human beings.

"Bob Stauffer is the kind of person who is the catalytic agent in that process. So I would like very much at this time for us to recognize Professor Robert Stauffer, Professor of Political Science of the University of Hawaii."

The motion was put by the Chair and carried and 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 adopted.

Professor Stauffer was then presented with a lei by Senator Saiki and a copy of the resolution by Senator Abercrombie.

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

Standing Committee Report No. 1126-80 (H.C.R. No. 124, S.D. 1):

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 1126-80 was adopted 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 adopted.

FINAL READING

Senate Bill No. 209, S.D. 2, H.D. 2:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 209, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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, was deferred to the end of the calendar.

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, was deferred to the end of the calendar.

Standing Committee Report No. 1095-80 (H.B. No. 1162, H.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 1095-80 was adopted and H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1096-80 (H.B. No. 3006-80, H.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 1096-80 was adopted and H.B. No. 3006-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CHILDREN AND YOUTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:35 o'clock p.m.

CONFERENCE COMMITTEE REPORTS

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, was deferred to the end of the calendar.

Conference Committee Report No. 8-80 (S.B. No. 1516, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 8-80 be adopted and S.B. No. 1516, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Carpenter.

At this time, Senator Kawasaki rose to speak against the measure as follows:

"Mr. President, I speak against passage of this bill primarily because I think there was a 'cop out' that was decided upon, and I have heard this term used in this body a week ago.

"Time-sharing simply is a device to allow the developer of a condominium unit or a complex to receive maximum profits. What happens is that rather than an ordinary sale of a condominium unit where you sell to a single person or maybe to a person and his wife, a few people, time-sharing is a device that allows the selling of a single unit to as many as 50 people. Fifty different owners ostensibly so that each of these owners could have a 1/50th right in the use of the unit, perhaps, one week out of the year.

"Condominium sales and condominium profits in the State of Hawaii have enjoyed a unique status in which profits sometimes are unbelievable. There have been great profits made out of people developing condominium units. Profits that are made even by the first or second initial buyers on a resale, so I don't think that we have to be concerned about the possibility of some reasonable profit to the owner or buyer of a unit. We should not allow this kind of maximizing of profits for the initial developer.

"I used the word 'cop out' because there was a great concern on the part of many people living in the Waikiki area, for example, and we would be permitting the proliferation of a lot of time-sharing buildings in that entire area.

"The Senate and House Conference Committee did not take the responsibility of prohibiting this kind of use because of objections of the majority of the people there. They say, 'well, let's leave the counties to administer the county zoning laws.' Right now we don't have a specific zoning law that forbids time-sharing units to be built in these areas.

"They say, 'well, let the counties handle that.' This is a 'cop out' of sorts.

"I realize that there are many time-sharing units today in existence and we could do nothing about these units so why not grandfather these in, but specifically prohibit in the future the use of time-sharing concepts in the sale of condominium units. I think that this is in order because this State of Hawaii, unlike other areas in the country, does almost assure without exception, reasonable, if not big profits to people developing these condominium units.

"I think the outlawing of time-sharing completely in the future is in order. For this reason I speak against this bill."

Senator Carroll then rose on a point of clarification as follows:

"Mr. President, I rise on a point of clarification.

"I'm going to read into the record a statement of my understanding of this bill and I'd like to ask for either an affirmative or negative comment from the chairman of the Consumer Protection and Commerce Committee. I'm asking for clarification on several points.

"The following is a statement of my understanding of the legislative intent with respect to S.B. 1516, C.D. 1, with respect to Section 5, Geographic limitations, which states:

'Except as provided in this section, time share units, time share plans and transient vacation rentals are prohibited.'

"Subsection (2) thereunder states:

'(2) Time share units, time share plans and transient vacation rentals are allowed:

'(A) in hotels, or

'(B) where designated for hotel use, resort use or transient vacation rentals, pursuant to county authority under Section 46-4, Hawaii Revised Statutes, or where the county, by its legislative process, designates hotel, transient vacation rental or resort use.

"According to the research which I have done, there is no designation in any county, nor is there any designation in state law which creates a transient vacation rental use or designation. With the passage of this measure, it is my understanding that the state will recognize

that there may be a use known as 'transient rental.' There may be, pursuant to the passage of this measure, designation by the county of this use.

"It is well-known that this use as generally described in the definition section of this measure exists at the present time in areas such as the North Shore, Hauula, Kaneohe Bay, Lanikai Beach, Hawaii Kai condominiums, Kahala Beach, as well as in the apartment precinct of the Waikiki Special Design District.

"It is my understanding that this measure as noted in the Conference Committee Report 8-80, page 2, in the last paragraph is that there are, and I quote:

'... areas of non-enforcement of their own zoning ordinances by some of the counties. In this regard, it is not the present character of the neighborhood, but its intended use by the county that is also important. The legislature intends by this Act that the counties will be guided by the notion that time sharing and transient vacation rentals should not be permitted where the life styles of the permanent residents will be disrupted in an unreasonable manner. Any zoning code is only as good as its enforcement by a county.'

"The counties have the power to re-designate certain areas for other types of use in accordance with HRS 46-4, and in accordance with Section 4 of this measure. However, it is my understanding that this provision for transient vacation rentals shall not be interpreted by any court at any level in the State of Hawaii--District, Circuit, or Supreme--to mean that the designation of transient vacation rentals or time-sharing in any area just because there is a de facto use which fits the description of this proposed statute.

"Further, it is noted that in Section 5, sub-paragraph 1, sub-paragraph (b), the word 'designate' precedes a reference to Section 46-4, HRS. The use of the word 'designated,' according to Black's Law Dictionary, is 'to indicate or set apart for a special purpose.'

"The Waikiki Special Design District was created by Ordinance No. 4573, and was passed into law on April 1, 1976. Under the provisions of this ordinance, four precincts were created: Apartment, Resort Hotel, Resort Commercial, and Public. Studies have been done on Waikiki since 1906, and the ordinance was the ultimate result. They clearly indicate that the apartment precinct--as opposed to resort hotel and resort commercial--is the residential area that should be

preserved and protected under that ordinance.

"The provisions of the ordinance reduce density by decreasing the maximum floor area ratio for new apartments and for new hotels. The principal purpose of the ordinance was to control density, improve the urban environment, optimize community benefits, and coordinate developments with traffic and utility capabilities. This purpose cannot be achieved if time-sharing is allowed within the apartment precincts.

"Therefore, it is my understanding that we are voting for this measure in order to protect residents in apartment precincts such as Waikiki and in areas such as Kahala, Lanikai, and all areas where time-sharing may be attempted and I glean that from the language of the Standing Committee Report.

"With respect to Section 6, sub-paragraph (a), of the measure it is my understanding that this provision provides that any additional unit in existing units may not be used for time-share unless they are approved in the same manner as is required with respect to projects without time-sharing. The 100% approval requirement will be diminished to whatever the bylaw requirements dictate, that is, in reading paragraph (b), rather than having the project instruments amended by the percentage required in the bylaws for that particular building, 75%, 82% as the case may be.

"If any member of this honorable body has any objections to my understanding, may they say so at this time, or accept this statement as an indication of this Legislature's intent.

"Mr. President, I'm submitting this on behalf of myself and the chairman of the Senate Higher Education Committee. This reflects both of our understanding after conferences with several lawyers on this subject matter.

"That is my question."

The Chair then stated, "Senator Cobb, you have equal time to answer that question."

Senator Cobb then answered as follows:

"Mr. President, thank you. I'm not sure if I'll need equal time, but it may be necessary.

"First of all, I think the thrust of the question misses the thrust of the bill which is to place the zoning responsibility clearly upon the counties, giving them certain guidelines to observe. This statement seems to be moving further

in the direction of de facto zoning, beyond what the framers of the bill and the committee report indicated.

"I'd like to call the attention of the members to page 3, paragraph 2, of the committee report where it is stated very clearly:

'Your conferees elected not to pre-judge where in an appropriate area time sharing and transient vacation rentals should be allowed or prohibited, but to leave that decision to each county as a logical part of its zoning or designation functions. Your Committee expects that the counties will act expeditiously to clarify the propriety of these uses under the zoning ordinances.'

"There are several other responses that I'd like to go into with reference to some of the other geographic areas mentioned because the definition of transient vacation rental in this case, with the insistence of the House conferees, was limited to multi-unit buildings. Furthermore, Mr. President, in discussions of the entire subject of time-sharing, it's become very apparent if a ban were enacted on time-sharing only then it would be a very easy process, given the right to use the configuration of many of these so-called vacation clubs, for those in the industry to simply transfer that configuration to a vacation rental club and be totally exempt from the provisions of any bill or law pertaining to time-sharing.

"It's been my feeling for quite some time that since the counties recognize time-sharing to be an identical use with transient vacation rental that both subjects should be addressed. Further, all of the research that we've done with the counties over the last year has pointed out very clearly that the counties make decisions on land without regard to ownership, but only with regard to the use of that land, and that since time-sharing and transient vacation rentals have an identical use for county purposes of land use decisions that both subjects should be addressed.

"There are couple of errors in the statements that I would like to address further, and that is on page 2 of the statement. We had deleted the term de facto use in our conference committee draft of the bill after several days of discussion because we felt that would be prejudging an issue one way or another, relative to what the counties had permitted and what they are going to subsequently have to zone on. By the same token, we avoided prejudging an area where the county should or should not zone within a designated area, although it's

very clearly established within Section 4 of the bill that the counties may further limit or designate areas where time-sharing and transient vacation rental uses may or may not be permitted. In effect, it would force the counties to address this issue in each area and decide whether they want a resort use including time-sharing and transient vacation rentals in an area or whether they do not.

"Further, with respect to Section 6, subparagraphs (a) and (b), the bylaws of an association will govern existing time-sharing units in present buildings and a 100% approval will be required for any time-sharing in new buildings.

"Further, Mr. President, the existing bylaws may be amended to prohibit further expansion and such an amendment to any building's bylaws shall have the full force and effect of state law."

Senator Carroll further questioned as follows:

"One last question, Mr. President. Is it the chairman's understanding then that in the buildings which time-sharing does not exist, unanimous consent is required before time-sharing would be allowed according to subparagraph (b)?"

Senator Cobb replied as follows:

"Mr. President, that goes even further than the bill last year where we went on...and this year's hearings...to define an owner as anyone with a five-year or greater proprietary lease interest in the building; that it shall require, where there is no time-sharing in the building today, the unanimous, 100%, approval of the building owners in that building for it to be permitted."

Senator Carroll again asked as follows:

"Mr. President, that is the first half. The second half is with respect to those buildings in which the time-share units do exist, is it the understanding of the chairman that the project bylaw requirement will require consent for further use or will it require a prohibition in order to prohibit further time-share use?"

Senator Cobb answered: "Yes, Mr. President, it is the latter case since there are existing property rights on both sides, and it is a clear provision in that sub-section that the bylaws may be amended in a prohibitory manner."

Senator Carroll continued to inquire as follows:

"Mr. President, then are we to understand that if there are, say, 10 units now in time-share use and 60% of the people in the building do not want time-share use but they do not have enough to get 75% in order to disapprove future time-share use that they will be continued, that is, time-share use will be allowed from that point on without any further approval being gotten from the 60%?"

Senator Cobb answered as follows:

"Mr. President, in a case where there are such conflicting property rights, the fact situation as outlined would obtain with additional proviso that additional maintenance fees may be imposed up to an additional 50% and that would obtain for both time-sharing and transient vacation rental units within that building since there is an identical use."

Senator Carroll then rose to speak in favor of the measure and stated as follows:

"Mr. President, well, then I rise to speak in favor of this bill with grievous reservations."

"Mr. President, I know it's going to be a long day and I've already been urged not to speak very long, but this subject matter is one that is of intense interest in the Sixth Senatorial District, not just because of Waikiki but also because of Makiki, lower Manoa, and elsewhere in McCully."

"The impact of time-sharing has already been discussed considerably here. We have a situation where there are residents within buildings who are impacted upon because of the vacation rental aspect of what amounts to a hotel use aspect in the various buildings--the increased rates, the decreased security, and so forth. All of these matters have been discussed at length."

"We are faced with an alternative today of either accepting a bill which in its present form and in the absence of the complete concurrence of the Consumer Protection Committee chairman leaves me doubt because, I think, in ways, this is going to open up time-sharing more than it's going to kill it off or limit it."

"Unfortunately, the alternative is to let it run wild, to let it run unchecked as it has for the past five years, to leave the agencies, the real estate commission to shrug their shoulders and twist their hands in chagrin that there is no state law even so much as defining time-sharing."

"It really is with a heavy heart that

I ask now that we do vote for this bill and I ask that we do so with the idea of getting a handle on the time-share industry, bring it under control, seeing what the counties will do, and perhaps some of us are more optimistic about the counties' future activities on this subject than I am, but I feel that not to vote for this bill now will be to do a disservice to the people who potentially may be impacted upon."

"I'm sorry that we do not have a clear-cut bill which we can stand up and be 100% behind. At this point, it's the best we've got, as they say, and on that basis I'm going to ask that we vote 'aye.'"

Senator Soares then rose and stated as follows:

"Mr. President, my question will not be as long as Senator Carroll's. I shouldn't say my question, I think most of the concerns that I have have been expressed by the previous speaker because two of the areas mentioned concern me very much and those of us in the Seventh Senatorial District -- Kahala and Queen's Beach which are shown on the county plans as resort."

"I feel the same as my colleague here does that you are between a rock and a hard plate and that if you don't vote for this measure you don't have any direct control of what's happening. But, I'm also very concerned that maybe it is the county's discretion to decide whether or not to proceed with time-sharing in all resort areas on the county plan bother me greatly."

"I do hope that we, in voting for this measure, begin to step forward and maintain this control because I certainly have my constituency at stake. We don't want any time-sharing nor resorts in either Kahala or in Queen's Beach. So I have a heavy heart along with my colleague in voting for this measure."

Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, my heart is light today as I ask the members to vote against this bill."

"If this is the best that we can have then it's the worst that we can do. And I'll say that again; if this is the best that we can have then it's the worst that we can do. Because, if our premise is going to be we don't want to prejudice something then what are we passing the bill for, because the bill is, in fact, a judgment upon public policy, and if the Legislature is unprepared to make a judgment on public policy then what

is it voting, why are members urging that a vote be given to the bill?

"If we are unable to tell the public that, in fact, time-sharing will be regulated as follows, a, b, c, in the following areas, a, b, c, d, then why are we being urged to pass the bill? On the contrary, what's being told to us and the answer to the very important document that was read into the record by Senator Carroll on behalf of both of us, the answer was that we don't want to prejudge anything or leave it up to the county. If we are going to leave it up to the county then why are we passing this legislation? Let's go to the county and get the legislation from the county. And I ask you also, my friends, to think about the fact that we just passed legislation yesterday taking authority away from the county.

"If the Governor signs the bill that passed yesterday, we're going to be able to build harbors anywhere in this state regardless of what any county thinks about it and regardless of any kind of zoning. Yesterday, the zoning powers of the county were not only sacrosanct, they were tossed aside literally to the sea. Today, suddenly the county's zoning powers have become next to saintliness. We now have a new St. Peter's Basilica in every county council chambers throughout the state, most especially here on the island of Oahu.

"The plain fact of the matter is that not a single senator will be able to stand, if this bill passes, and be able to tell the people of the North Shore, in Hauula, in Kaneohe Bay, Lanikai Beach and Hawaii Kai and Kahala Beach, as well as anywhere in the Waikiki Special Design District that they will not be threatened by time-sharing, regardless of what the confusing, ambiguous language says in this bill. Not a single one of us will be able to do it.

"I have been told by at least three different lawyers that it can be interpreted the exact opposite; that, in fact, it invites time-sharing. And I pose this for your contemplation as we think about voting on this. I pose it with utmost seriousness.

"Do you think for a moment, with the kind of quick money, the up-front money that can be made from time-sharing that the time-sharing people would not get together the legal facilities and personnel to try and do exactly what I just described? You think it matters to them one wit that they invade the North Shore or Hauula or Kahala or Hawaii Kai or Waikiki, thus leaving it to the neighbors or the community association involved where the time-sharing takes place to try and take them on?

"Are we really saying, if we pass this bill, my friends, start saving your money or ban together collectively because we know it's well worth the interest of any time-sharing outfit to put together a hundred thousand, a quarter of a million, a half-million or a million dollars in lawyers' fees in order to try and shove time-sharing into your area, into your neighborhood, next door to you? Because, let me tell you, with the kind of profits that can be made on a time-sharing unit and the kind of money that can come up-front on this, that kind of money is peanuts; it's chicken-feed; it's an investment by them and yet we would find ourselves and urging our neighbors, after having passed a bill that ostensibly regulates time-sharing, to have to go to court to try and take it on to see what in fact the real situation is. No, maybe, just maybe, the time-sharers will lose, but it's worth their interest to take us on to find out. That's the thing that frightens me.

"Then we get an answer such as we just received that we don't want to just prejudge anything and yet I look at the committee report because the language of the bill is so ambiguous, so vague, that I have to look at the committee report to try and find out what it means. I look on page 2 and I look at the bottom and it says, 'Your committee further notes several areas of non-enforcement of their own zoning ordinance by some of the counties.'

"Now, if the counties are not doing their jobs and we think that this is so bad that we have to pass legislation now, then why are we not doing the de facto zoning for them? If it is an issue of statewide concern, if it is an issue that needs legislation at the state level because the counties have not done their job, then why are we not doing exactly that; and I don't care what the phrase is that you attach to it--de facto zoning, violating home rule, whatever kind of bromide or cliché you want to attach to it. Otherwise, there is no sense in passing any legislation at the state level.

"It goes on, 'In this regard, it is not the present character of the neighborhood, but it is intended use by the county that is all so important.' That's terrific; tell that to everybody in all the neighborhoods that I just mentioned when time-sharing moves in. You can tell them how bad the council is. You know what the council is going to say? 'We didn't pass that law, the state did.' Any councilperson who's got half a political brain is going to say, 'Our hands are tied by the legislature.' And what are we going to do? Go in to our neighborhoods, go in to our meetings

when it's election time or otherwise, and say to them, 'No, we didn't do that; let me tell you what we did,' and try and read all this stuff to them. They'll throw rocks at you, and they should because you can't give anybody a simple answer, yes or no, to whether time-sharing is coming into your neighborhood or not. Are we going to say, 'well, maybe, maybe not; it all depends on what those guys in the county do.' And the guys are gonna say, 'Now, wait a minute, hold it. What do we have to do with that? The state passed this law.'

"Now even if it isn't true, even if the case can be made that this is not in fact the realities of it, any councilman or any councilwoman who wants to avoid getting caught in that crash is going to say so. And then what are you going to do? Have a debate on ETV? What good is that going to do to the persons having to deal with the time-sharing?

"Then it goes on to say, 'The legislature intends...' and this is one, I think, one of the great phrases I have read in the entire time that I have been in the Legislature; this is beautiful... 'The legislature intends by this Act that the counties shall be guided by the notion that time-sharing and transient vacation rentals should not be permitted where the lifestyles of the permanent residents will be disrupted in an unreasonable manner.' I submit that's one of the most absurd sentences that has ever been put into any state legislation since the Texas state legislature passed a resolution congratulating the Boston Strangler for his efforts on behalf of population control. That resolution was submitted in the State of Texas to prove to the people of the State of Texas that the legislature wasn't paying attention to what it was doing when it passed various items and it succeeded all too well.

"How can we possibly go in front of our constituents and say that we should be guided by notion? We have here a specific ordinance, 4573, for the Waikiki Special Design District, which I might say to those who didn't go through the agony of trying to get this thing out, was a tortuous a process as I've ever seen in government of trying to come to grips with all the various problems that exist because of Waikiki being a tourist destination area and the place where so many of our people live, and the economic hub of our tourist industry.

"We have spent many hours in committee discussing, disputing with one another, as to what the best thing might be on behalf of tourism because all of us are interested in seeing it work the right way. We may have disagreements as

to how that should come about but nonetheless there is, from my understanding, a unanimous agreement that what is done in tourism is vital to all of our interest. That's why we have the kinds of discussion and sometimes intense differences on tourism, because we're all so concerned about it. And yet we're here almost blithely inviting an invasion of this tourist circumstance by the time-sharing.

"Any zoning code is only as good as enforcement by a county. Don't you think we should say here that any legislation is only as good as what is written in the act that's passed by the Legislature?

"Let's not go and look at the counties to do our job for us. If we want the counties to do the job then pass a resolution not a bill. Pass a resolution just like we're passing this morning. We're asking the DSSH to do something; we're asking the DOE to do something; we're asking the United States government to do something. Ask the counties to go and do their job on time-sharing. Don't pass a bill like this. This is an invitation to time-sharing; it doesn't regulate anything. The only thing it regulates is letting the freebooters in here to go and carry on what I consider nothing but economic piracy and, please, let's not think for a moment that we're going to stop these hustlers on the beach and all the rest of it with this business. We pass this kind of thing, we'll be in court tomorrow and they'll have it all thrown out on the grounds of interstate commerce, on the grounds of their right to do business, all kinds of activities such as that.

"If you can't stop the selling of junk on the streets next to the Waikiki Theater, if you can't stop the hustling that goes on right now on Kuhio Avenue, on Kalakaua Avenue, to get people into what Senator Kawasaki calls 'clip joints,' and all the rest of it, how do you seriously propose to the people of the state that we're going to stop this kind of hustling. And it's going to be bad for tourism. I'll be willing to vote money for the HVB right now if they'll put out a warning to the visitors coming here, 'please do not be deceived by these quick-buck artists that are trying to take advantage of you here to sell you a time-sharing unit; we want you to enjoy your vacation here, not to be suckered in by somebody who's trying to take advantage of your enthrallment, if you will, with Hawaii now that you've been here a few days.'

"The fact of the matter is that there is no strict governmental regulations indicated at top of page 2... 'Your committee concludes that it is necessary and timely for time-sharing to be placed in strict governmental regulation...' Now let's be honest with

ourselves. There's no regulation in this bill; it's about as strict as cotton candy. It's in the interest of the state, the time-sharing industry, the purchasers of time-sharing units and last but not least the people of Hawaii. I don't think it's a coincidence that the people of Hawaii appear last in that sentence, and it says, 'to be served.' I think they're being served up.

"Accordingly, it's the intention of your committee that careful regulatory oversight of time-sharing in the State of Hawaii be provided.' Careful regulatory oversight of time-sharing, and what are we saying... 'go take it to the county after we've passed this bill.' That's not careful oversight.

"We've dealt with time-sharing for at least the six years that I've been here and, probably, there are members here who have had to deal with it longer than I've been familiar with it in the legislative sense, and if there was anything as universally regarded as a bad thing to do, even in those hellish days when we used to meet in caucus with some forty-odd Democrats under the present Speaker in the other chamber, time-sharing was one of those instances where even when the votes were there it didn't come out because the people who might have had the votes didn't want to do it because of the fear they had of the economic consequences.

"I can't think of another issue, regardless of the emotional impact that may be involved with some of the things that we're going to be dealing with today, that can have as long-range an effect, Mr. President, on the economy, on the stability of the economy of this state. I don't believe this is just an argument over procedure or anything else. I think we're making the decision here today on this time-sharing bill that's going to have profound and immediate consequences of a long-range nature on the kind of economy that we have, not only with respect to our own housing needs, but with respect to the tourism industry that we have and the kind of atmosphere that can be created especially for replete business where tourism is concerned.

"I don't believe I have any instances where there has been a positive circumstance where people have rejected the idea of buying a time-share unit. The circumstances under which it takes place is high-pressured. It's gold dust time. It's land rush time. The people who sell it, the people who sell it aside from those who are trying to take advantage of it now, who live here now, the principal forces for pushing this kind of thing and the people that they bring in to do it are the same kind of people that

try to sell you land that's under water in Florida. They try to sell you desert in Arizona. They try to tell you the volcano lands are going to bloom over on the Big Island. They want you to come up to Montana to the good life. They are going to be selling time-sharing units and when they've wrung every single nickle they can out of that they'll go into the next hustle in some other state. These people are the real carpetbaggers, and, are these the kind of people that we want to represent us to the tourist who come into our state who will be taking that kind of message back home? 'How did you have a good time in Hawaii...ye, all except for the morning when they stole my credit card and wouldn't give it back to me so they could high-pressure me into selling me some condominium some place.' The anguish that this causes to people individually, economic chaos, believe me, is what we're dealing with here today.

"So I ask this, if in fact it is a cloudy proposition and we have struggled as best we can, okay, let's put it on that basis. Let's not put anything down about motivations and all the rest of it. I'm just dealing with what's here in front of us. If this is the best we can do and the best we can do doesn't do anything at all except further confuse the situation, then let's vote it down and let's, in fact, go to the counties then. Let's individually or collectively as it is, vote this thing down, go to the City Council or the County Council in any given county and say, 'okay, this is on your shoulders and here is what we'd like to see done.' I'd let them argue it out and let them vote it out there. Let's do it at the county level.

"If they want to have time-sharing on the Big Island let them do it. If they want to have time-sharing on Maui let them do it. If they want to have it on Kauai, let 'em do it. If they want to do it here on Oahu, then let the county do it. Let's not try to pretend we're passing state legislation and in fact have nothing at all other than an invitation to the county to do something, maybe, because if we do pass this today I think it will be an open invitation to the time-sharers to go full speed ahead in all the areas that I mentioned and take their chances in court and to hell with the consequences. They have nothing to lose and it gives an opportunity for the councils in every single county to keep referring to a state law which nobody would be able to understand as their reason for their inaction.

"On that basis, I ask that we vote 'no' on this bill and take up the matter with the county."

Senator Chong added his opposition to the measure as follows:

"Mr. President, in the interest of time, I'd like the comments of the previous speaker as well as those of Senator Duke Kawasaki's entered into the record as my own."

Senator Cobb then rose to comment as follows:

"Mr. President, I'm going to have to disagree with a number of the previous comments."

"The bill is replete with a number of very strict regulatory features, not only in terms of the definition, not only in terms of taxation which has been addressed, not only in terms of the county authority and the time-sharing projects, but also the maintenance charges, the mutual right to cancel--five days--a very detailed disclosure statement including the filing with the Real Estate Commission, the filing required by the developer, the sales agent, the acquisition agent and the plan manager. Continuing a long list of prohibitive practices and bonding required, \$10,000 individually, \$20,000 collectively, to prevent any of the abuses that have taken place in the past, the penalties on the contract, the authority of the director, even to the pre-existing time-share units and plans."

"Mr. President, we agreed in conference committee that time-sharing should not be permitted in residential areas. The areas where the conferees allowed it is where designated for hotel or resort use by the counties and we're asking the counties to address this question because of the newer form of transient vacation rentals that have emerged. Furthermore, the definition of transient vacation rentals has been limited to multi-unit buildings because it recognized that this is the type of configuration that it goes into, and it's the identical use, the land use of transient vacation rentals and time-sharing that requires addressing by the county."

"There was issued last year an opinion within the City and County of Honolulu, a legal opinion, that said the county would constrain from acting on the subject of time-sharing until it had clear legislative authority to do so. Mr. President, this bill provides that and I ask for the members' support."

Senator Cayetano then asked the chairman of the Conference Committee to yield to a question and Senator Cobb replied in the affirmative.

Senator Cayetano asked: "Mr. Chairman

could you tell me why the bill does not provide for any limitation on the size of the units?"

Senator Cobb asked for clarification of the question: "Size in terms of what--number or square footage?"

Senator Cayetano replied: "Size in terms of time."

Senator Cobb answered: "That issue was never discussed in the conference committee."

Senator Cayetano further inquired: "Was that issue ever brought up to you by your fellow senators?"

Senator Cobb replied: "No, not that I can recall."

Senator Cayetano then asked: "Then you may have forgotten what I told you?"

Senator Cobb replied: "As to the time limit?"

Senator Cayetano then stated and asked: "Let me clarify this. Under this bill, what is the shortest in terms of time period a time-sharing unit can be sold for?"

Senator Cobb answered: "If it were defined as a transient vacation rental unit, it would be a one-year period. If it was a time-share unit, there's no minimum, no maximum. It was not an area of discussion in the conference committee."

Senator Cayetano further asked: "Does that mean that possibly you can sell a unit at one day or 365 units in a building?"

Senator Cobb replied: "I think that if you look in the definition, theoretically, that would be possible although I think it's much more likely in the case of transient vacation rental units where there is a daily use. Normally, a time-share will be on a division of one or two weeks."

Senator Cayetano again asked: "Are you telling me that limitation on the size of the unit was never under consideration in the conference, either this session or last session?"

Senator Cobb answered: "In terms of the temporal of division, that was not an area that was discussed in conference, Mr. President."

Senator Cayetano further inquired: "Okay, the second question I have is with respect to the provision relating to unanimous consent. How would this apply in the case of a developer who

owns the whole building?"

Senator Cobb replied: "First that developer would have to have county approval, then would have to disclose that explicitly and prominently in the project instruments and it would have to be sold as either a transient vacation rental or time-share club, if the developer in question owns the whole building so both of those requirements would obtain."

Senator Cayetano then inquired: "So, in other words that provision does not really serve its purpose with respect to units which are owned entirely by one person or one organization?"

Senator Cobb answered: "Primary thrust of the 100% requirement, Mr. President, is to protect the existing buildings."

At this time, Senator Cayetano rose to speak against the measure as follows:

"Thank you, Mr. President.

"I'd like to speak against this bill.

"Mr. President, I share the concerns of the previous speakers. I do not believe, however, that everyone who is involved in time-sharing is someone who is out for a hustle. I think that there are many decent people, respected people involved in time-sharing, and frankly, I was willing to agree with some kind of compromise if the concerns that I addressed in my questions to the chairman were answered. Unfortunately, they were not.

"It's incredible to me that after two years of conference on this bill this is the best we can come up with. I think the definition of describing this bill as a 'cop-out' is accurate. I simply do not understand why there was no discussion on limiting the size of the time-share unit because common sense leads one to believe that that's one way to control it. If the size of units were limited to two weeks or a month, that would be one manner of controlling time-sharing, and it would have been a manner that was acceptable to me. Under this bill, and according to the answer of the chairman to my question, there really is no control in that respect.

"Furthermore, the chairman mentioned that a ban on time-sharing would have been ineffective because then the market would transfer to transient vacation rental. That argument to me is absurd. If that is the case, then maybe we should deal also with transient vacation rentals because we are not solving the problem.

"Those who have had a chance to travel within Europe or throughout the United States, I think, have had the opportunity to see how time-sharing impacts on the tourist industry.

"Some years ago a bill was passed and our Governor vetoed the bill for the very reasons stated earlier by some of the previous speakers.

"Time-sharing will hurt our tourist industry. It will detract or reduce the employment opportunities available to our people and I expect that what we will be seeing in the future, if this passes, would be a shifting of the market in the visitor industry from hotels to time-sharing units. It's simply just profitable to do so, and profits guide the market. It's just as simple as that.

"At this stage, to 'cop-out' and say that this matter should be left with the counties, I wonder what all the hours in conference were spent for? I regret that I was not a member of this committee, and I think I just want to express my concern.

"I hope that Senator Carroll will reconsider his vote for the reasons stated by Senators Abercrombie and Kawasaki. To have this bill is to have no bill at all. I urge the members to vote against it."

Senator Cobb briefly responded as follows:

"Mr. President, just one brief response. Page 2, item 10, does define a time-share plan for less than a sixty-day period."

Senator O'Connor then asked the chairman to yield to a question and Senator Cobb replied in the affirmative.

Senator O'Connor asked as follows:

"Mr. President, historically, in Hawaii vacation homes have been purchased by two or three families, four families, on other islands, beaches or mountains, and used by those families on a time basis over a year period. Do I understand this bill in its present form to terminate that practice so that this practice, unless it were in one of the areas that has been designated, would no longer be able to go forward?"

Senator Cobb replied: "No, Mr. President, it does not. The definition of a transient vacation rental is for a 30-day period in a multi-unit building. It does not address that question, although I think my colleagues's question raises a valid point in that that kind of use is in effect identical to time-sharing although for

a longer period of time and has been going on for quite some time, but it does not address that type of unit."

Senator O'Connor further inquired: "Another question, Mr. President. Do I understand then that what I have described as a transient vacation rental, the ownership of a home by four or five families, is the division up of time in their home over a year period?"

Senator Cobb replied: "Not unless it is, one, in a multi-unit building; two, with a duration of occupancy of less than 30 days for the transient occupant."

Senator O'Connor then asked: "Then, it's not a transient vacation rental. As I understand it, it will fall directly under the provisions of time-sharing as in this bill, is that correct?"

Senator Cobb replied: "No, because time-sharing is defined as a 60-day provision and that was a difference the conferees, particularly the House conferees, insisted upon. But, it does not include the individual's private residence when it's co-owned by two, three or four individuals."

Senator Cayetano then rose to ask the chairman to yield to a question and the Senator Cobb replied in the affirmative.

Senator Cayetano asked: "Senator Cobb, would you show me where in the bill it says what you just said?"

Senator Cobb replied: "Yes, Mr. President, on page 2, item (10), line 19, and then again on page 4, starting with line 3, contained are the definitions."

At 1:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:38 o'clock p.m.

At this time, Senator Abercrombie rose to ask the chairman to respond to some questions as follows:

"Mr. President, I find that as a result of the discussion, I must rise and again request the chairman to respond to a question or two."

Senator Cobb replied as follows:

"Mr. President, I've had a number of members indicate to me that we should vote on the issue, up or down. I'm inclined to do that."

The Chair then stated that "the chairman will not yield to a question."

Senator Abercrombie rose in rebuttal

as follows:

"Mr. President, I must rise in rebuttal then and I shall make a case and I shall take it that the members here assembled will recall then that at the end of the case that I'm making that the chairman did not wish to answer questions on the situation and I hope that they will accept the proposition I'm putting forward."

"Mr. President, as a result of the discussion, I took a further look at the bill, especially in respect to transient occupancy on page 4, 'Transient Vacation Rentals,' these rentals in a multi-unit building."

"I was going to ask the chairman what a multi-unit building is. I have the Comprehensive Zoning Code before me; I have the supplement of the Comprehensive Zoning Code, and I think the point I am about to raise directly affects the questions raised by Senator O'Connor and others."

"You are going into a situation where the ambiguity is such that you do not know what a multi-unit building means, and inasmuch as this bill allows time-sharing in areas for transient vacation rentals, I can assure you that the Comprehensive Zoning Code, when it speaks of dwelling units, indicates only a building, and I'm looking at their definition. Now, dwelling, two families, for example, or multiple family... 'a multiple family dwelling as a building or a group of attached buildings other than a hotel; other than a hotel containing three or more dwellings or lodging units.' The lodging or dwelling units is merely defined by the number of people who are there by family. You don't have to have more than one toilet; you don't have to have refrigerators; you don't have to have stoves; you don't have to have any of the amenities ordinarily associated with it; you just have to designate it by virtue of how many people are there."

"That means that if you have a four-bedroom home somewhere in Lanikai or in the North Shore and you want to time-share it, be my guest. That's what this bill is going to do, and to say in the end that the counties are the ones that are going to do it, I'll tell you what's going to happen right now. The county councils are going to say the state has mandated us to do the following, and there'll be a few lonely voices raised saying, 'Oh, no, that's not what we did; we really didn't mean that,' and that's exactly what's going to happen, or that's exactly what can happen. If the councils want to move in that direction and enough pressure is put on them and the old lobby routine comes down and the average person can't figure out how to get in

the door of the council and the rest of it, that's exactly what's going to happen.

"We don't know any more on page 4 what a multi-unit building means in terms of visitors, and that's the next question. What in fact is a visitor? Is that someone from outside the state, or is that someone from inside the state, possibly from another island, or is it somebody who lives on the same island but goes to two different sections on the same island? Do you visit the North Shore and live somewhere else, are you a visitor? None of this is defined. Transient occupancy is in there.

"Does that mean that if in fact you do go to a place for the weekend or several families in the state get it that you are allowed to time-share that then? Does it or doesn't it? We can't give a solid answer.

"I think I know what the answer is. I think it means that it can be time-shared and I know that if I was in the time-share business I'd bet money on it, and I'd put money behind it with the attorneys in the legal game that I could get into to see whether I could succeed or not; well worth the investment.

"I think enough questions have been raised here, the thrust of the bill is such, the report is such, and the answers of the chairman have been such that we are much better off taking our chances at the county level with no bill.

"I do not, in conclusion, think, Mr. President, that it's better to have a bill than no bill at all. I am convinced that no bill at all offers us the best chance to go to the counties and try to get something that really will deal with the question of time-sharing."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 8-80 was adopted and S.B. No. 1516, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Campbell, Cayetano, Chong and Kawasaki).

Conference Committee Report No. 24-80 (H.B. No. 2826-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 24-80 was adopted 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",

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chong).

Conference Committee Report No. 29-80 (H.B. No. 1911-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 29-80 was adopted and H.B. No. 1911-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE AND CORRECTING REFERENCES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 30-80 (H.B. No. 1915-80, 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. 30-80 was adopted and H.B. No. 1915-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 31-80 (H.B. No. 2058-80, 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. 31-80 was adopted and H.B. No. 2058-80, H.D. 1, S.D. 1, 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, 25. Noes, none.

Conference Committee Report No. 32-80 (H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 32-80 was adopted and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Final Reading on the following

showing of Ayes and Noes;

Ayes, 25. Noes, none.

Conference Committee Report No. 33-80 (H.B. No. 2241-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Campbell and carried, Conf. Com. Rep. No. 33-80 was adopted and H.B. No. 2241-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 34-80 (H.B. No. 2944-80, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 34-80 was adopted and H.B. No. 2944-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Anderson, Carpenter, Carroll, George, Hara, Saiki, Soares and Ushijima).

Conference Committee Report No. 35-80 (S.B. No. 1831-80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. com. Rep. No. 35-80 was adopted and S.B. No. 1831-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Conference Committee Report No. 36-80 (S.B. No. 2501-80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Machida and carried, Conf. Com. Rep. No. 36-80 was adopted and S.B. No. 2501-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS: PENALTIES FOR VIOLATIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chong).

Conference Committee Report No. 37-80 (S.B. No. 2581-80, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 37-80 was adopted and S.B. No. 2581-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASED OR RENTED PERSONAL PROPERTY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 38-80 (S.B. No. 2744-80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 38-80 was adopted and S.B. No. 2744-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSANITY DEFENSE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 39-80 (S.B. No. 2877-80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 39-80 was adopted and S.B. No. 2877-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 1:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:51 o'clock p.m.

Conference Committee Report No. 40-80 (S.B. No. 3146-80, S.D. 1, H.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 40-80 be adopted and S.B. No. 3146-80, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Machida.

At this time, Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, I shall again speak

against this bill. It is an unfortunate circumstance when you find yourself speaking against a bill because of one section in it.

"This is a great difficulty for the Judiciary chairman probably more than virtually anyone else who has to put legislation before the body by the nature of the comprehensiveness often that accompanies bills which he of necessity puts forward. Nonetheless, there are occasions when something contained in the bill which is so abhorrent to my sense of what the Constitution provides for us, or to the sense of fair play, usually both, that it necessitates one's inherent standing to oppose the bill, and I have discussed this with the chairman of Judiciary before and I think he understands my motivation here.

"The reason for this is page 13, para (d), 'Any candidate who knowingly receives in the aggregate more than \$2,000 in any primary, special primary, special or general election from a person, shall be required to return any excess over \$2,000 to such a person.'

"I've said it before and I will say it again, if this bill passes and becomes law and if I am ever fortunate enough...I have had once in my life in politics a contribution over \$2,000 in the aggregate...I look forward to that again sometime; I don't know whether that will ever happen...the person may have come to his senses, but in any event, it's quite possible that there are people even with a sense of humor who would like to be involved in it. I can assure you, I hate to say this ahead of time, but I consider that an act of civil disobedience that would be involved. If that ever happens I will accept the contribution. I will not return the contribution and I expect that whatever penalties attached to this, by way of being arrested or whatever would take place, and I will do so on the ground that I would like to go before a body of twelve fellow citizens to be able to present to them that I intend...I think that the Constitution intends that all of us are to be equal in opportunity with the millionaires.

"I think it is ridiculous that contributions can be made to campaigns from private sources and family sources and so on, and yet if someone who is willing to put their name and address and expose to public scrutiny wants to give you a campaign donation in excess of \$2,000, under those circumstances, I think it's ridiculous that someone is disabled from being able to receive such a contribution. If there was a campaign spending limit, fine, I agree with that because we're all equal under that, whether millionaires or paupers, we're all equal

under that. If there was a circumstance in which such a limitation could be, and I wouldn't care exactly how you raise that money; you could write to yourself if you're fortunate in life and could do that for yourself, very well, all well and good. If you have to struggle and get the money otherwise that come up to the limit, that's all well and good too. That doesn't bother me because what we're talking about here is the quality of opportunity.

"Nobody is demanding, at least not I, and I don't conceive the Constitution is saying that I have to receive or be able to get what someone with access to more adequate means financially is able to give. I'm not entitled to that, and I'm not trying to take anything away from anybody.

"When somebody tells me that the millionaire and myself are now equal because no one can contribute more than \$2,000 to a millionaire and no one can contribute more than \$2,000 to me and call that equality of opportunity, it's rank nonsense. And not only is it nonsense, it's anathema to a system of government which has as its base citizen participation and standing for election as a citizen.

"What this kind of thing does is take a step toward insuring that only those with very more than adequate financial means will be able to have the edge on other people. This doesn't mean, obviously, Mr. President, that if someone has a great number of friends and you're able to organize yourself in what we all know on this floor as almost debilitating manner that is required to try and accrue funds for a campaign. It's probably the most devastating thing in terms of time and effort and requirement that even your closest friends and most ardent supporters find burdensome after a time. When we're in a situation like that, what is happening then in this country is that people of established means are more and more likely to want to enter the political arena and it's more and more discouraging to people who are not able to get this.

"Don't forget, Mr. President, that this section of the bill says, '...receives in the aggregate more than \$2,000 in any primary,...' I have contributors, and I presume some of the members here may, and those who are not on this floor but may wish to run against us may be in the same situation...people who have given money over a period of time, not all at once, don't write a check for \$2,000 or \$200 or something like that, but have contributed to my campaign over a period of time for which I am very grateful, and they, once they

go over the hundred dollars become part of the public scrutiny that takes place. Anyone can go up to the campaign spending office and see who it is and if they want subsequently to make anything out of it they're perfectly entitled to do so, whether it's true or not. That's part of the political process.

"So, under these circumstances we have arrived after years and years of attempt to campaign reform, I think this is one of the reasons why a lot of the reforms go so badly and why I'm opposed to it in so many instances is that the cure is worse than the disease. After all these years of trying to come to some kind of conclusion about making campaigning more fair on a fiscal basis, what we arrived at is that I'm not going to have one penny's worth of opportunity over any other millionaire who wants to run for office."

Senator O'Connor then rose to state as follows:

"Mr. President, as I earlier indicated to the senator from Manoa, he has misread this section.

"The \$2,000 contribution limit has been in effect for many years and is contained in Section A of the provision that we're looking at.

"The new Section B simply gives to the candidate and to the contributor an out if there is an inadvertent contribution over \$2,000. It allows the candidate to turn the money back over to the person after the campaign, or sometimes he finds he's got more than \$2,000 from the person and it also allows the excess to be turned over to the Hawaii Election Campaign Fund, if you can't find the person, and this relieves prosecution.

"Under the existing law, the pre-existing law, if there was a contribution of aggregate over \$2,000 both the candidate and the contributor might be held up for prosecution and be found guilty under the penalty section of this overall campaign spending law. This section provides an out and allows, by the repayment or the payment of the fund, both the candidate and the individual who made the inadvertent payment, to be placed in a situation where there'll be no prosecution."

Senator Abercrombie rose to reply as follows:

"Mr. President, not so much by way of rebuttal, but clarification. I did read this section and the reason I cited the section is that I can't imagine anybody giving me \$2,000 inadvertently."

The motion was put by the Chair and Conf. Com. Rep. No. 40-80 was adopted and S.B. No. 3146-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Conference Committee Report No. 41-80 (H.B. No. 1873-80, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 41-80 was adopted and H.B. No. 1873-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Kuroda).

Conference Committee Report No. 42-80 (H.B. No. 1919-80, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 42-80 was adopted and H.B. No. 1919-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUNG ADULT DEFENDANTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kuroda).

Conference Committee Report No. 43-80 (H.B. No. 1985-80, 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. 43-80 was adopted and H.B. No. 1985-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 44-80 (H.B. No. 2091-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Machida and carried, Conf. Com. Rep. No. 44-80 was adopted and H.B. No. 2091-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO FAMILY COURT PROCEEDINGS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 45-80 (H.B. No. 2175-80, S.D. 2, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 45-80 was adopted and H.B. No. 2175-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Conference Committee Report No. 46-80 (H.B. No. 2359-80, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 46-80 was adopted and H.B. No. 2359-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 47-80 (H.B. No. 2669-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Campbell and carried, Conf. Com. Rep. No. 47-80 was adopted and H.B. No. 2669-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 48-80 (H.B. No. 2930-80, 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. 48-80 was adopted and H.B. No. 2930-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 49-80 (H.B. No. 2532-80, S.D. 1, C.D.

1):

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 49-80 was adopted and H.B. No. 2532-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE PLACEMENT OF THE SCULPTURE 'THE SPIRIT OF LILIUOKALANI' AT THE STATE CAPITOL COMPLEX", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cobb).

Conference Committee Report No. 50-80 (S.B. No. 118, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yim and carried, Conf. Com. Rep. No. 50-80 was adopted and S.B. No. 118, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND OCCUPATIONAL BOARDS AND COMMISSIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 51-80 (S.B. No. 1960-80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Conf. Com. Rep. No. 51-80 was adopted and S.B. No. 1960-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 52-80 (S.B. No. 1832-80, S.D. 1, H.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 52-80 be adopted and S.B. No. 1832-80, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ushijima.

At this time, Senator Abercrombie rose to ask the chairman of the Conference Committee to yield to a question and the chairman replied in the affirmative.

Senator Abercrombie then asked: "Mr. Chairman, on page 2, under item B-2, is the customer liable, as liable as the prostitute?"

Senator O'Connor replied: "No. This

bill is not a bill having to do with prostitution. This bill has to do with whether or not a criminal should be treated as a career criminal by the prosecutors of the various counties."

Senator Abercrombie remarked:
"I wondered whether that had to do with solicitation."

The Chair then stated: "Senator Abercrombie, I think the chairman answered in the negative."

Senator O'Connor added: "Only where the prosecutor is soliciting the criminal, they treat them as a career criminal."

The motion was put by the Chair and carried and Conf. Com. Rep. No. 52-80 was adopted, and S.B. No. 1832-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREER CRIMINALS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 53-80 (S.B. No. 2693-80, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Campbell, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 53-80 was adopted and S.B. No. 2693-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL OBJECTS AND SITES; CULTURE AND ARTS; AND HISTORY AND THE HUMANITIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hara and Kuroda).

Conference Committee Report No. 54-80 (H.B. No. 1758, H.D. 2, S.D. 3, C.D. 1):

Senator Cayetano moved that Conf. Com. Rep. No. 54-80 be adopted and H.B. No. 1758, H.D. 2, S.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawasaki.

At this time, Senator Chong rose to speak on the measure as follows:

"Mr. President, I'm voting for this bill; I would just like to indicate my concern that the transfer of the Commission on the Status of Women to the DSSH, in my opinion, is not warranted; however, because it includes close to 17 or 18 transfers, I think this bill should go through."

The motion was put by the Chair and

carried and Conf. Com. Rep. No. 54-80 was adopted and H.B. No. 1758, H.D. 2, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Carroll and Yamasaki). Excused, 1 (Mizuguchi).

Conference Committee Report No. 55-80 (S.B. No. 3012-80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Machida and carried, Conf. Com. Rep. No. 55-80 was adopted and S.B. No. 3012-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hara). Excused, 1 (Mizuguchi).

Conference Committee Report No. 56-80 (H.B. No. 501, 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. 56-80 was adopted and H.B. No. 501, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Mizuguchi).

Conference Committee Report No. 57-80 (H.B. No. 2059-80, S.D. 2, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 57-80 was adopted and H.B. No. 2059-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Mizuguchi).

Conference Committee Report No. 58-80 (H.B. No. 2357-80, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator O'Connor and carried, Conf. Com. Rep. No. 58-80 was adopted and H.B. No. 2357-80, S.D. 2, C.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Mizuguchi).

Conference Committee Report No. 59-80 (H.B. No. 1782-80, H.D. 2, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 59-80 be adopted and H.B. No. 1782-80, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading.

At this time, Senator Kawasaki requested that the chairman of the Consumer Protection and Commerce Committee yield to a question and the chairman replied in the affirmative.

Senator Kawasaki asked as follows:

"Mr. President, this question that I am going to pose to the chairman has relevancy to the next two bills that we're going to act upon.

"I recall last week, Senator Cobb, that you said in a question that I posed regarding the lifting of the interest payable by the various financial institutions to depositors on their deposit that Congress that day lifted the ceiling on the interest payable on deposits. I find out, subsequently, that is not the case. What is the status today?"

Senator Cobb answered as follows:

"Mr. President, as I understand it, it was not by Congress but by federal regulation and they are addressing it in Federal Regulation 'Q' that the question of the interest on deposits payable to depositors is being adjusted."

Senator Kawasaki further inquired: "Being lifted completely for savings and loans, for industrial loan companies, all financial institutions receiving deposits?"

Senator Cobb replied: "Mr. President, at the present time, it's involved in the money market certificates. I'm not aware if they've completed action with respect to regulations on the other deposits as yet, but I know it's coming under the auspices of the diminishment of Regulation 'Q'."

Senator Kawasaki then further inquired: "Fine, so I take it then that there really is no lifting of the ceiling on interest payable on deposits to these financial institutions, specifically the banks, the savings and loans, and the industrial

loan companies. Is that correct?"

Senator Cobb answered: "I don't think we can say there is no lifting, Mr. President. The money market certificates and other types of financial instruments have been lifted."

Senator Kawasaki then asked: "What about the deposits, specifically, deposits... passbook deposits, for example?"

Senator Cobb answered: "The deposits, Mr. President, as I understand it, are under review by federal regulation and we're expecting some additional federal regulations to come out; perhaps Senator Yee who's associated with a financial institution could further address that."

Senator Yee then remarked: "Mr. President, in answer to Senator Kawasaki's question, if I remember correctly, about the first of the month President Carter permitted, over a period of six years a gradual increase for each year and then no limit after the sixth year."

Senator Kawasaki then asked: "Six years and the maximum allowable in lifting is 2½%, is that correct?"

Senator Yee replied: "Something similar to that amount; I don't know the exact amount."

Senator Kawasaki stated: "This is quite different from saying that there is no ceiling on the interest payable by institutions to depositors. This is quite another thing and this, I think, materially affects how we view the proposed legislation on hand."

Senator Cobb added: "Mr. President, there is no interest on the money market certificates that are deposited; there's no ceiling on that whatsoever."

At this time, Senator Kawasaki rose to speak against the measure as follows:

"Mr. President, I speak against passage of this bill primarily because, first of all, to indicate the turn in the trend of constantly increasing interest rates today, only this morning, the prime rate has been reduced by half a percent by the leading banks in New York to 19½%, which I think indicates that there is some credence to the opinion held by many people in the financial world that we've reached the peak in interest rates. This being the case, I do anticipate that possibly interest rates affecting all kinds of loans and all kinds of institutions will start to turn down as the peak has already been reached.

"As I said last week, we find that

in states, certain areas of the Mainland, where interest rates on mortgages have exceeded 13-3/4% or 14%, there is a natural resistance by possible borrowers of mortgage loan funds...that they do resist. For that reason, interest rates on mortgages that exceed 13-3/4% and 14% are not being used.

"That being the case, I see no reason for us to have to lift the interest ceiling of mortgage loans here because the natural trend and resistance on the part of the market will take care of this and there will be a measure of control and, for this reason, I feel that we should not vote for this bill."

Senator Cobb then rose to state as follows:

"Mr. President, a point of fact--the realities of the situation is that we have had no ceiling on mortgage interest rates in the State of Hawaii since December 28, 1979 when Congress passed Public Law 96-161, which constituted a federal preemption of the entire usury rate of every single state in the nation for a three-month period.

"Subsequent to that event, Mr. President, Congress reenacted a three-year lifting of the rates and provided further that if the states took no action to specifically and affirmatively override that provision then that law will be in permanent effect.

"The provisions of House Bill No. 1782-80 do provide that override, Mr. President; however, there are five specific differences between the Hawaii override of the federal law and the existing federal law that is in fact being overridden.

"First, the state bill that we have before us provides for agreements of sale; the federal law does not.

"Secondly, this state bill allows for vendors and developers; the federal bill does not.

"Third, the state bill has a disaster clause for a person whose home is destroyed by fire, tidal wave, or other natural events; the federal bill has no such clause.

"Fourth, the state helps lessees, who have a prior agreement with a lessor, in terms of keeping their interest rates at a point where they had signed it by prior agreement; the federal bill does not address that question at all.

"Fifth, this bill limits credit cards to 18% and the federal statute does not.

"There are significant differences,

Mr. President, and I further point out that if we fail the override, we are then leaving ourselves entirely at the mercy of the legislation as it exists in Washington, without taking into account the very peculiar local needs in Hawaii, particularly, with respect to lessees and agreements of sale. By making a state statute out of this matter gives us the ability to further legislate on the subject at any time in the future, and that the second two parts of House Bill No. 1782-80 do contain a five-year drop-dead clause which will insure timely legislative action.

"It is further my intent, as chairman, to review this matter periodically and I've received support on that from a number of members of my committee. Thank you."

Senator Kawasaki then rose to inquire as follows:

"Mr. President, I have a question again to propose to the chairman.

"Whatever happened to your contention that you will not relinquish the three-year drop-dead limitation that you mentioned earlier?"

Senator Cobb replied as follows: "Mr. President, my feeling was that we should have a three-year drop-dead clause. When the House came back, they proposed no drop-dead on the subject at all, but the compromise was settled at five years, and the House proposed no drop-dead provision on any of the parts of this bill."

Senator Abercrombie, in opposition of the bill, rose to state as follows:

"Mr. President, if it wasn't so sad, it would be amusing. Now, we have the federal government as the villain while we set about to do our tasks here. We got the county earlier, now we have the federal government.

"Here we are crushed between the two victims of forces outside ourselves and I would simply pose this to the members. If the federal government, in fact, has preempted the situation, why are we kidding ourselves that we're doing something with five-year drop-dead clauses and all the rest of it. Because, if the federal government, the Congress in its wisdom, taking the national picture into account, wants to continue it whether we have a five-year drop-dead clause or not isn't going to make the slightest damn bit of difference. We would then find ourselves coming back with another little sermon from the teeny little mount that we have here about the protections and additions

that we've put in, all of which amounts to nothing as far as the consumers are concerned here.

"The plain fact of the matter is that we're going to allow, and not only allow, but, we're going to extend our congratulations to those forces who want to promote inflation in this country and ask everybody to get right in to that ever-widening pool; and, as Senator Cayetano has told me many times, many times this year already, when he has seen me walk into the chambers with my little bag here, he's said, 'I see you've brought your inflation wallet with you again today.' If this keeps up, Mr. President, I can see us getting into a minor league version of the Weimar Republic.

"So, as far as I am concerned, all of the high-flown rhetoric that surrounds this and all the rest of it, where this interest business is concerned, is nothing but our small but, nonetheless, vital contribution to the very forces which are wrecking our economy today."

Senator O'Connor then asked as follows:

"Just a technical comment, Mr. President, which I better frame it as a question to the chairman.

"Page 3 of the committee report says that Section 8 is a very important part of the bill. There is no Section 8 in the bill. There are two Section 7's; I anticipate the second Section 7 is Section 8?"

Senator Cobb replied as follows:

"That is correct. Mr. President, I would like to make a journal entry correction on that.

"On page 8, line 1, Section 7 should read: 'Section 8.' The House Majority typists are not as fast as those in the Senate."

The Chair granted the foregoing correction.

Senator Abercrombie then commented as follows:

"Mr. President, one final comment. I'm now glad to find out that the last possible branch to blame for anything has now been included."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 59-80 was adopted and H.B. No. 1782-80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Abercrombie, Campbell, Carroll, Kawasaki and Young). Excused, 2 (Ushijima and Yee).

Conference Committee Report No. 60-80 (H.B. No. 1871-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 60-80 was adopted and H.B. No. 1871-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Kawasaki and Young).

Conference Committee Report No. 61-80 (H.B. No. 1925-80, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 6180 be adopted and H.B. No. 1925-80, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kuroda.

At this time, Senator Kawasaki asked the chairman of the Committee on Consumer Protection and Commerce to yield to a question and the chairman replied in the affirmative.

Senator Kawasaki then asked: "What does 14% block interest amount to in simple interest?"

Senator Cobb replied: "The equivalent would be 28%; it's roughly a doubling."

Senator Kawasaki further inquired: "28%?"

Senator Cobb replied that that is correct.

Senator Kawasaki then rose to briefly speak against the measure as follows:

"Mr. President, I just want to say, this is a bad bill. It's going to hurt the people least able to be hurt in this fashion, and for that reason I speak against it with one comment: 'Ignorance must be bliss.'"

The motion was put by the Chair and carried and Conf. Com. Rep. No. 61-80 was adopted, and H.B. No. 1925-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Kawasaki and Young).

Conference Committee Report No. 62-80 (S.B. No. 2006-80, H.D. 1, C.D. 1):

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, Conf. Com. Rep. No. 62-80 was adopted and S.B. No. 2006-80, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAYS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 63-80 (H.B. No. 2286-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Carpenter, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 63-80 was adopted and H.B. No. 2286-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 64-80 (H.B. No. 1775-80, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yim, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 64-80 and H.B. No. 1775-80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING", were recommitted to the Committee on Conference.

Conference Committee Report No. 65-80 (S.B. No. 870, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Mizuguchi, seconded by Senator Chong and carried, Conf. Com. Rep. No. 65-80 was adopted and S.B. No. 870, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 66-80 (H.B. No. 2172-80, S.D. 1, C.D. 1):

On motion by Senator Machida, seconded by Senator Hara and carried, Conf. Com. Rep. No. 66-80 was adopted and

H.B. No. 2172-80, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 67-80 (H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 67-80 was adopted and H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

Conference Committee Report No. 68-80 (S.B. No. 2665-80, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 68-80 was adopted and S.B. No. 2665-80, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 69-80 (S.B. No. 2302-80, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Toyofuku and carried, Conf. Com. Rep. No. 69-80 was adopted and S.B. No. 2302-80, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 70-80 (H.B. No. 2672-80, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Campbell and carried, Conf. Com. Rep. No. 70-80 was adopted and H.B. No. 2672-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM", having been read throughout, passed Final Reading on the following

showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 71-80 (H.B. No. 687, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 71-80 was adopted and H.B. No. 687, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 72-80 (H.B. No. 1684-80, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Toyofuku and carried, Conf. Com. Rep. No. 72-80 was adopted and H.B. No. 1684-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 73-80 (H.B. No. 2071-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 73-80 was adopted and H.B. No. 2071-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 74-80 (H.B. No. 2647-80, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 74-80 was adopted and H.B. No. 2647-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 75-80

(H.B. No. 1494, H.D. 1, S.D. 2, C.D. 2):

On motion by Senator O'Connor, seconded by Senator Toyofuku and carried, Conf. Com. Rep. No. 75-80 was adopted and H.B. No. 1494, H.D. 1, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 76-80 (S.B. No. 3145-80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 76-80 was adopted and S.B. No. 3145-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 2:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:55 o'clock p.m.

Conference Committee Report No. 77-80 (H.B. No. 25, H.D. 1, S.D. 3, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 77-80 was adopted and H.B. No. 25, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Conference Committee Report No. 78-80 (S.B. No. 2329-80, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Chong and carried, Conf. Com. Rep. No. 78-80 was adopted and S.B. No. 2329-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Carpenter). Excused, 1 (Yim).

Conference Committee Report No. 79-80

(S.B. No. 2927-80, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 79-80 was adopted and S.B. No. 2927-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson and George). Excused, 1 (Yim).

Conference Committee Report No. 80-80 (S.B. No. 1827-80, S.D. 1, H.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 80-80 be adopted and S.B. No. 1827-80, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading.

At this time, Senator O'Connor rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this measure.

"As is obvious from its appearance, this is one of the major bills of this session. This measure codifies Rules of Evidence for use in the trial courts of this jurisdiction. Its primary purpose is to clarify those rules and we hope, in that clarification, to shorten trials, make trials easier to handle, and, hopefully, keep litigation of certain varieties out of the courts so that matters can be handled and settled away from the litigation aspect.

"In considering this measure, I would like to publicly thank several key and instrumental people who have worked on this project over the last two years. First is former Circuit Court Judge Masato Doi who headed a committee impaneled by the Judicial Council to first work through the bill to submit it to the Legislature. Secondly, I'd like to thank Professor Addison Bowman of the University of Hawaii Law School who was the reporter for that committee, then acted as reporter for an interim committee of the House and Senate Judiciary Committees that met all through last summer and fall working through this measure.

"I would like to also thank the Senators who were participants in that effort and I would like to thank members of my staff who worked so hard on this measure this year. It was truly a long and arduous effort which, hopefully, will make Hawaii a better place.

"I would urge all to vote in favor of the measure."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 80-80 was adopted and S.B. No. 1827-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Conference Committee Report No. 81-80 (S.B. No. 1161, S.D. 1, H.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 81-80 be adopted and S.B. No. 1161, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Campbell.

At this time, Senator Abercrombie rose to speak against the measure and stated as follows:

"Mr. President, I urge we vote against this measure on the grounds that this is frivolous, completely frivolous."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 81-80 was adopted and S.B. No. 1161, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS AND EXPENSES OF LITIGATION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yim).

Conference Committee Report No. 82-80 (S.B. No. 2784-80, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 82-80 was adopted and S.B. No. 2784-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Conference Committee Report No. 83-80 (S.B. No. 2741-80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 83-80 was adopted and S.B. No. 2741-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO FITNESS TO PROCEED", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Conference Committee Report No. 84-80 (S.B. No. 1851-80, S.D. 2, H.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 84-80 be adopted and S.B. No. 1851-80, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cobb.

At this time, Senator O'Connor rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this measure.

"This could well be one of the most significant pieces of legislation that comes from this session of the Legislature. This bill constitutes a Master Plan for the Juvenile Justice System in Hawaii. For the first time it pulls together the different agencies that have responsibility for juvenile crime and criminals and for juvenile delinquents and for status offenders. It pulls together into one agency, which will sit as a guiding group for the different components of the Juvenile Justice System, representatives of the Family Court, the DSSH, the Youth Correctional Facility, the Prosecuting Attorneys Offices, and the Police Departments.

"It creates a new agency called an Intake Agency for Juveniles where criminals, juveniles who have committed crime and juveniles who are simply status offenders, will be separated and, through this agency, placed in different organizations or diverted to shelter homes.

"It recognizes the shelter home concept for diversion and the shelter home concept for treatment of juveniles, something which we have not done in Hawaii before.

"It also redrafts and completely changes the provision of the law having to do with the youth correctional facility, aiming the youth correctional facility not simply toward a place where juveniles are kept in an incarcerated situation but also toward a facility which will have programs to engage them while they are there and to turn them out as better citizens for our community.

"In all, it establishes the responsibilities for the various sections of the Juvenile Justice System, sets out their duties and their authority and should make

of that entire system a better one for this state.

"I would urge all to vote in favor of this measure."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 84-80 was adopted and S.B. No. 1851-80, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE SYSTEM", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Conference Committee Report No. 85-80 (H.B. No. 2558-80, H.D. 1, S.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 85-80 be adopted and H.B. No. 2558-80, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading.

At this time, Senator Carroll rose to speak in favor of the measure as follows:

"Mr. President, I'd like to ask that my remarks, with respect to House Bill 2558-80, H.D. 1, S.D. 1, be incorporated by reference and made a part of today's record with respect to this measure. I would also like to note that for five years I have been trying to get this measure through and it's a joy to see it, even without my name on it. Thank you."

Senator Abercrombie then rose to speak against the measure as follows:

"Mr. President, speaking against the bill gives me no joy to see this bill passed. I think it does offense to the whole concept of bail and I think it does offense to the system of justice that we espouse in this country.

"I've made my remarks at considerable length and in detail previously. I did not prevail; I do not expect to prevail today. It doesn't alter in any sense whatsoever from my point of view, that the circumstances under which bail is being defined in this bill does violence to the conceptualization of bail where it has been developed over many centuries of struggle and effort in the cause of communities and societies becoming free."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 85-80 was adopted and H.B. No. 2558-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO BAIL", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yim).

Conference Committee Report No. 86-80 (H.B. No. 1784-80, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 86-80 and H.B. No. 1784-80, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 87-80 (H.B. No. 2720-80, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 87-80 and H.B. No. 2720-80, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 88-80 (S.B. No. 1838-80, S.D. 3, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 88-80 and S.B. No. 1838-80, S.D. 3, H.D. 1, C.D. 1, was deferred to the end of the calendar.

At this time, Senator Chong introduced to the members of the Senate Representative Ike Sutton who was sitting in the Senate gallery.

MATTERS DEFERRED FROM APRIL 17, 1980

Standing Committee Report No. 1102-80 (Gov. Msg. Nos. 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 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):

Senator Carpenter moved that Stand. Com. Rep. No. 1102-80 be received and placed on file, seconded by Senator Campbell and carried.

Senator Carpenter then moved that the Senate advise and consent to the nominations to the Board of Health as follows:

Donald F.B. Char, M.D., term to expire December 31, 1980;

Erika Eberly, term to expire December 31, 1983;

Hester V. Cox, term to expire December 31, 1983; and

Rose Ann Poyzer, term to expire December 31, 1983,

seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Carpenter then moved that the Senate advise and consent to the nomination of Marion A. Metz to the Statewide Health Coordinating Council, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Carpenter then moved that the Senate advise and consent to the nominations of John M. Ohtani, M.D., Leonard P. Paresa, Sr., Robert T. Kunichika, Marvin B. Hall, Manuel Buenconsejo, Susan Y. Fujihara and Kimie Lane to the Statewide Health Coordinating Council, terms to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Mark B. Perlmutter to the Statewide Health Coordinating Council, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Mark M. Hamasaki to the Statewide Health Coordinating Council, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Shirley T. Akita to the State Planning Council on Developmental Disabilities, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of R. Warwick Armstrong, Ph.D., to the State Planning Council on Developmental Disabilities, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Kathleen Campbell to the State Planning Council on Developmental Disabilities, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Andrew I.T. Chang to the State Planning Council on Developmental Disabilities, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Angie Connor, M.D., to the State Planning Council on Developmental Disabilities, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Eileen Dempster to the State Planning Council on Developmental Disabilities, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Miles S. Kawatachi to the State Planning Council on Developmental Disabilities, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Dianne M. Miyamoto to the State Planning Council on Developmental Disabilities, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Dixon Mugiishi to the State Planning Council on Developmental Disabilities, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that

the Senate advise and consent to the nomination of Allan C. Oglesby, M.D., to the State Planning Council on Developmental Disabilities, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of John K. Porter to the State Planning Council on Developmental Disabilities, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Leonard F. Takamura to the State Planning Council on Developmental Disabilities, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Lambert K. Wai to the State Planning Council on Developmental Disabilities, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Garret H. Yanagi, Ph.D., to the State Planning Council on Developmental Disabilities, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of G. Terry Young to the State Planning Council on Developmental Disabilities, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations to the Advisory Commission on Drug Abuse and Controlled Substances as follows:

Matthew S.K. Pyun, Jr., term to expire December 31, 1982;

Carol M. Strait, term to expire December 31, 1983;

W. Thomas Finley, term to expire December 31, 1983;

John R. Penebacker, term to expire December 31, 1983;

Robert C. Marvit, M.D., term to expire December 31, 1980; and

Harry H. Kanada, term to expire December 31, 1983,

seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of William Blanchard to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Merle D. Crow to the State

Emergency Medical Services Advisory Committee, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Jeffrey C. Goodman, M.D., to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Glenn R. Hamberg to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Alwyn G. Hansen to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of John H. Ide to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Barbara K. Ideta to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Djon Indra Lim, M.D., to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Campbell then moved that the Senate advise and consent to the nomination of Natalie L. Pfeifer to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Shirley K. Takahashi to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Sakae Uehara, M.D., to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Livingston M.F. Wong, M.D., to the State Emergency Medical Services Advisory Committee, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of Sumiko K. Tanouye and Roy A. Forbes to the Hawaii County Hospital Management Advisory Committee, terms to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations to the County Hospital Management Advisory Committee, City and County of Honolulu, as follows:

Allen B. Oblow, term to expire December 31, 1981;

Norman E.P. Aweau, term to expire December 31, 1983; and

Benedict L. Ho, term to expire December 31, 1983,

seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Goro Hokama to the Maui County Hospital Management Advisory Committee, term to expire December

31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Patsy S. Kinoshita to the Maui County Hospital Management Advisory Committee, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of Kenneth Asato, Gerald M.H. Lau, John A. Imoto, Ralph T. Miyashiro, Jr., Stephen Howard Tenby, M.D., and Fern V. Clark to the East Honolulu Subarea Health Planning Council, terms to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Vernon Y.N. Chock to the East Honolulu Subarea Health Planning Council, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of Ronald F.M. Lee, Richard T. Kato, Hazel Akim-Naone, Harry H. Imy, Herita Agmata and Faaagi Taufete'e to the West Honolulu Subarea Health Planning Council, terms to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Richard C. Courson, D.D.S., term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of Sergio N. Domondon, Ruby L. Hargrave, Russell Sowers, Haulani Leal and Melvin Y. Nishimoto to the Central Oahu Subarea Health Planning Council, terms to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of Sandra Baers, Constance M. Stalker, Earle H. Nakagawa, O.D., Kayo R. Chung and Edward Tsukasa to the Windward Oahu Subarea Health Planning Council, terms to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of June I. Takenaka to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Virginia M. Burchett to the Windward Oahu Subarea Health Planning Council, term to expire December 31,

1980, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of John J. Volanti, Katie Moa, Yvonne H. DeCanto, Vicki-Ann Barros, Reverend Charles A. Wothke and Anita A. Moore to the Waianae Coast Subarea Health Planning Council, terms to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of James E. Roscher to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of Gennie Ana Lenuani Kinney, Paul N. Tallett, Mildred Guerrero, Nellie A. Metcalf and Ruth A. Kunimura to the Hawaii County Subarea Health Planning Council, terms to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Mark B. Perlmutter to the Hawaii County Subarea Health Planning Council, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie).

Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Hannah K. Springer to the Hawaii County Subarea Health Planning Council, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of Betty June Bell, W. Ulu Breen, Mabel Fujiuchi, Josephine C. Duvauchelle and Chiyoze Joe Shiramizu to the Kauai County Subarea Health Planning Council, terms to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of George Kanna, D.D.S., and William R. Flanders to the Kauai County Subarea Health Planning Council, terms to expire December 31, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations of Glenn S. Izawa, Kimie Lane, Jo-Ann T. Ridao, James L. Stoll and Kathleen R. Johnson to the Maui County Subarea Health Planning Council, term to expire December 31, 1983, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Audrey Rocha Reed to the Maui County Subarea Health Planning

Council, term to expire December 31, 1981, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Carpenter then moved that the Senate advise and consent to the nominations to the Kauai County Hospital Management Advisory Committee as follows:

Angela M. Morehead, term to expire December 31, 1983;

Manuel Maxie Moreno, term to expire December 31, 1983; and

Tamotsu Hiraoka, term to expire December 31, 1982,

seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1103-80 (Gov. Msg. No. 213):

Senator Toyofuku moved that Stand. Com. Rep. No. 1103-80 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Richard S. Dumanas to the Civil Service Commission, term to expire December 31, 1982, seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Robert B. Ranases to the Civil Service Commission, term to expire December 31, 1983, seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (George). Excused,

1 (Yim).

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Edward S. Kushi, Jr., to the Civil Service Commission, term to expire December 31, 1983, seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1104-80 (Gov. Msg. No. 215):

Senator Toyofuku moved that Stand. Com. Rep. No. 1104-80 be received and be placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Renton L.K. Nip to the Hawaii Employment Relations Board, term to expire December 31, 1983, seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1105-80 (Gov. Msg. No. 216):

Senator Toyofuku moved that Stand. Com. Rep. No. 1105-80 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved 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, terms to expire December 31, 1983, seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1106-80 (Gov. Msg. No. 217):

Senator Toyofuku moved that Stand. Com. Rep. No. 1106-80 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nominations to the Advisory Commission on Manpower and Full Employment as follows:

Sandra L. Hammond, term to expire December 31, 1983;

Violet Z. Kam, term to expire December 31, 1983;

Toru Suzuki, term to expire December 31, 1983;

Virgie Chattergy, Ed.D, term to expire December 31, 1983;

Gerri Watanabe, term to expire December 31, 1983;

Henry V. Rosario, term to expire December 31, 1982;

Michael C.K. Wong, term to expire December 31, 1980; and

Masashi Arinaga, term to expire December 31, 1982,

seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1107-80 (Gov. Msg. No. 218):

Senator Toyofuku moved that Stand. Com. Rep. No. 1107-80 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Paul Pladera to the Board of Vocational Rehabilitation, term to expire December 31, 1983, seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1108-80 (Gov. Msg. No. 253):

Senator Toyofuku moved that Stand. Com. Rep. No. 1108-80 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nominations to the State Advisory Council for Children and Youth as follows:

Bernadine M. Mokiao, term to expire December 31, 1983;

Shirley K. Kamakele, term to expire December 31, 1981;

Rena Alao, term to expire December 31, 1980;

Velma M. Santos, term to expire December 31, 1982;

Edward K. Fujimoto, Ph.D., term to expire December 31, 1983; and

Josephine E. Day, term to expire December 31, 1983,

seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1109-80 (Gov. Msg. No. 254):

Senator Toyofuku moved that Stand. Com. Rep. No. 1109-80 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved 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, terms to expire December 31, 1983, seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1110-80 (Gov. Msg. No. 284):

Senator Toyofuku moved that Stand. Com. Rep. No. 1110-80 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nominations to the Board of Social Services as follows:

Lois H. Matsuda, term to expire December 31, 1983;

Carolina S. Boland, term to expire December 31, 1983;

Sandra T. Ohara, term to expire December 31, 1983;

Barbara Adams, term to expire December 31, 1983; and

William K. Pacatang, term to expire December 31, 1982,

seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1111-80 (Gov. Msg. No. 214):

Senator Toyofuku moved that Stand. Com. Rep. No. 1111-80 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nominations to the Policy Advisory Board for Elderly Affairs as follows:

Barbara H. Luppold, term to expire December 31, 1980;

Yaso Abe, term to expire December 31, 1983;

Edwin Y. Chun, term to expire December 31, 1983;

Carol Kikkawa, term to expire December 31, 1983;

Reverend Franco Manuel, term to expire December 31, 1983;

Ethel T. Mori, term to expire December 31, 1983;

Sung Dai Seu, term to expire December 31, 1983;

Satoru Izutsu, Ph.D, term to expire December 31, 1983; and

J. Ward Russell, term to expire December 31, 1982,

seconded by Senator Yamasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of

Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1112-80 (Gov. Msg. Nos. 219 and 220):

Senator Young moved that Stand. Com. Rep. No. 1112-80 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Young then moved that the Senate advise and consent to the nominations of Jeffrey S. Tai and Eleanor K. Ahuna to the Hawaiian Homes Commission, terms to expire December 31, 1983, seconded by Senator Cayetano.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Young then moved that the Senate advise and consent to the nominations of Steven M. Nagata, Tamotsu Kitagawa, John W. Anderson, Jr., and Daniel S. Miyasato to the Advisory Council for Housing and Construction Industry, terms to expire December 31, 1983, seconded by Senator Cayetano.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1113-80 (Gov. Msg. Nos. 281 and 282):

Senator Young moved that Stand. Com. Rep. No. 1113-80 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Young then moved that the Senate advise and consent to the nominations to the Hawaii Community Development Authority as follows:

Mitsuo Shimizu, term to expire December 31, 1983;

Michael J. Coy, term to expire December 31, 1983; and

Thomas M. Itagaki, term to expire December 31, 1982,

seconded by Senator Cayetano.

Roll Call having been ordered, the motion was put by the Chair and carried

on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Senator Young then moved that the Senate advise and consent to the nomination of Paul A. Tom to the Hawaii Housing Authority, term to expire December 31, 1983, seconded by Senator Cayetano.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 1114-80 (Gov. Msg. No. 234):

Senator Cayetano moved that Stand. Com. Rep. No. 1114-80 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved 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, term to expire January 1, 1985, seconded by Senator Kawasaki.

At this time, Senator Abercrombie rose to speak against the nomination as follows:

"Mr. President, I feel I must vote against Mr. Lee's nomination, not because of anything which has to do with his capacity. On the contrary, my understanding of his background is such that I think he has a very good, not only very good background, very adequate background for this, but could be more than capable in the position.

"My objection is one of intent with respect to the law. I consider that he is from the public sector and I believe that the object of the law was to have three in the private sector, three in the public sector, and I consider it would now be four to two, rather than three and three.

"I want to emphasize again, that has nothing to do with his personal qualities or anything of that nature, it's a question of whether the intent of the law in respect of the Board of Trustees of the State Employees' Retirement System is being adequately met."

Senator Cayetano then rose to speak in favor of the nomination as follows:

"Mr. President, as the members of

this body can see from the committee report, there are others who share, perhaps, the same reservation expressed by Senator Abercrombie. However, after the public hearing, those reservations, I believe, were resolved in favor of the nominee.

"I disagree with Senator Abercrombie in that the law has been violated. I think that one could say that the law is unclear on this point. However, I don't think that this nomination is improper."

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yim).

Standing Committee Report No. 1115-80 (Gov. Msg. No. 160 and 251):

Senator Campbell moved that Stand. Com. Rep. No. 1115-80 be received and placed on file, seconded by Senator Young and carried.

Senator Campbell then moved that the Senate advise and consent to the nominations of Margaret H. Cameron, Wayne W.K. Chang and Lucille B. Cooper to the State Foundation on Culture and the Arts, terms to expire December 31, 1983, seconded by Senator Young.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Campbell then moved that the Senate advise and consent to the nominations of G. Joette Kelley, Lawrence Kawasaki, Edward Espiritu, Jr., and Mary S. Monden to the Library Advisory Commission, County of Maui, terms to expire December 31, 1983, seconded by Senator Young.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1116-80 (Gov. Msg. Nos. 278, 279 and 280):

Senator Campbell moved that Stand. Com. Rep. No. 1116-80 be received and placed on file, seconded by Senator Young and carried.

Senator Campbell then moved that the Senate advise and consent to the

nominations to the King Kamehameha Celebration Commission as follows:

Daisy L. Aguiar, term to expire December 31, 1983;

Roy L. Benham, term to expire December 31, 1983;

Lillian Cameron, term to expire December 31, 1983; and

Thelma Black, term to expire December 31, 1982,

seconded by Senator Young.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Campbell then moved that the Senate advise and consent to the nominations of Lynne T. Shimazu and Chitose Kanuha to the Library Advisory Commission, County of Hawaii, terms to expire December 31, 1983, seconded by Senator Young.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Campbell then moved that the Senate advise and consent to the nominations to the Library Advisory Commission, City and County of Honolulu, as follows:

Edith L. Clements, term to expire December 31, 1983;

Clinton K. Akana, term to expire December 31, 1983;

Li'Amanaia Afuvai, Jr., term to expire December 31, 1983; and

Roy K. Sasaki, term to expire December 31, 1981,

seconded by Senator Young.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1125-80 (Gov. Msg. Nos. 248, 249, 271, 272, 273, 274, 275 and 276):

Senator Cobb moved that Stand.

Com. Rep. No. 1125-80 be received and placed on file, seconded by Senator Chong and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Richard E. Peterson and Arthur Fink to the Elevator Mechanics Licensing Board, terms to expire December 31, 1983, seconded by Senator Chong.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of George Goto, M.D., to the Board of Medical Examiners, term to expire December 31, 1981, seconded by Senator Chong.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Acupuncture as follows:

Cheuk Tong Tse, term to expire December 31, 1983;

Mabel S.C. Chang, term to expire December 31, 1982;

Yosei Shinsato, term to expire December 31, 1983; and

John K. Char, D.D.S., term to expire December 31, 1981,

seconded by Senator Chong.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Dr. Roy H. Tanaka, D.C., to the Board of Chiropractic Examiners, term to expire December 31, 1983, seconded by Senator Chong.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the

Senate advise and consent to the nomination of Aloysius M. Teixeira to the Cemetery and Mortuary Board, term to expire December 31, 1982, seconded by Senator Chong.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Melvin M. Kaetsu, Leonard F. Scanlan, George M. Waialeale, 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, terms to serve at the pleasure of the Governor, seconded by Senator Chong.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Registration of Professional Engineers, Architects, and Surveyors as follows:

Donald D. Chapman, term to expire December 31, 1983;

Tadaka Nakahata, term to expire December 31, 1983;

Cesar Portugal, term to expire December 31, 1983;

Juli M. Kimura-Walters, term to expire December 31, 1983; and

Masaji Yamashita, term to expire December 31, 1982,

seconded by Senator Chong.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of John K. Uyetake and Gregory T. Laureta to the Motor Vehicle Industry Licensing Board, terms to expire December 31, 1983, seconded by Senator Chong.

Roll Call having been ordered, the motion was put by the Chair and

carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1127-80 (Gov. Msg. No. 259):

Senator O'Connor moved that Stand. Com. Rep. No. 1127-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of Donald K. Tsukiyama as Eleventh Judge, Circuit Court of the First Circuit, for a ten-year term, in accordance with Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

At this time, Senator O'Connor rose to speak briefly on this nomination and the following two nominations as follows:

"Mr. President, very briefly, the three nominees are all excellent attorneys.

"Donald Tsukiyama has been our Public Defender for many years and is presently our District Court Judge.

"Richard Y.C. Au is a long-time District Court Judge and is presently acting as a Circuit Court Judge.

"Bertram T. Kanbara was formerly the Attorney General of Hawaii and has served in many other capacities.

"Each of the nominees has the judicial temperament which will make him an excellent judge of the First Circuit Court. I ask all to vote in favor of these nominations."

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1128-80 (Gov. Msg. No. 266):

Senator O'Connor moved that Stand. Com. Rep. No. 1128-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of Richard Y.C. Au as Second Judge, Circuit Court of the First Circuit, for a ten-year term, in accordance with Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

Roll Call having been ordered, the

motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1129-80 (Gov. Msg. No. 270):

Senator O'Connor moved that Stand. Com. Rep. No. 1129-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate consent to the nomination of Bertram T. Kanbara as Tenth Judge, Circuit Court of the First Circuit, for a ten-year term, in accordance with Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cobb.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1130-80 (Gov. Msg. No. 283):

Senator O'Connor moved that Stand. Com. Rep. No. 1130-80 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved 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, to serve at the pleasure of the Governor, seconded by Senator Cobb.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1131-80 (Gov. Msg. No. 286):

Senator Cayetano moved that Stand. Com. Rep. No. 1131-80 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that the Senate advise and consent to the nominations of Herman P. Clark, Edmund Toma and Edwin K. Hayashi to the Stadium Authority, terms to expire December 31, 1983, seconded by Senator Cobb.

Roll Call having been ordered,

the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1132-80 (Gov. Msg. Nos. 291, 292, 293, 294, 295, 296 and 297):

Senator Cayetano moved that Stand. Com. Rep. No. 1132-80 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Ah Quon McElrath to the Tax Review Commission, term to expire upon completion of the Commission's duties, seconded by Senator Kawasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Fred W. Bennion to the Tax Review Commission, term to expire upon completion of the Commission's duties, seconded by Senator Kawasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Christopher G. Pablo to the Tax Review Commission, term to expire upon completion of the Commission's duties, seconded by Senator Kawasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Albert S. Nishimura to the Tax Review Commission, term to expire upon completion of the Commission's duties, seconded by Senator Kawasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Hideo Matsushita to the Tax Review Commission, term to expire upon completion of the Commission's duties, seconded by Senator Kawasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cayetano then moved that the Senate advise and consent to the nomination of John M. Hamano to the Tax Review Commission, term to expire upon completion of the Commission's duties, seconded by Senator Kawasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Richard L. Pollack to the Tax Review Commission, term to expire upon completion of the Commission's duties, seconded by Senator Kawasaki.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, the Chair announced that the plan for the evening is that the Senate will convene at 9:00 o'clock p.m. and the members will be advised as to what the procedure will be for the remainder of the evening session.

Senator Anderson then rose on a point of information and inquired of the chair: "Mr. President, as I understand it, none of the conferees on any of the committees has yet been discharged?"

The Chair replied: "That is correct."

Senator Anderson then continued: "And I think we are anticipating some sort of extension, if that should come about, which would have to go to at least Wednesday?"

The Chair again replied: "That is correct."

Senator Anderson further continued: "Mr. President, as a member of the Conference Committee on the bill relative

to the Office of Hawaiian Affairs (OHA), I would like to know the status of it. I haven't been notified of any meetings; I wasn't sure who the chairman was... Senator O'Connor or... and where do we stand with OHA? Can we continue that, Mr. President?"

The Chair replied that Senator Cayetano is chairman of the conferees on the part of the Senate.

Senator Cayetano then rose to state as follows:

"Mr. President, the House and Senate have reached an impasse on the OHA. That's where it is right now."

Senator Anderson then rose to state as follows:

"Mr. President, I'm not sure how to define the word impasse, like I'm not sure how to define many things around here lately, but being that we still have three days might not an effort be made, being that it is part of the budget and being that it is a separate bill with separate conferees.

"I'm not sure how you reinitiate this effort or how you start it up again but being that we've got three days, there's a constitutional provision question which is still somewhat in a gray area. As a conferee, I would appreciate any effort to overcome this so-called impasse."

The Chair then rose to state as follows:

"To clear the record and I'll keep my remarks very short, the Chair has not discharged any conferees from any of the conference committees. As far as the Chair is concerned, all efforts should be made to resolve whatever differences exist with the remaining bills in conferences."

At 3:15 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 9:00 o'clock p.m., tonight.

NIGHT SESSION

The Senate reconvened at 9:00 o'clock p.m. with all Senators present.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 300), transmitting a copy of the Policies, Plans and Ordinances as of February 1, 1979 of the Kaka'ako Community Development Plan Project, Reference Document 2, prepared by the State of Hawaii Community Development Authority, was read by the Clerk and

was referred to the Committee on Housing and Hawaiian Homes.

At 9:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:08 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 750 to 761) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 750), transmitting House Concurrent Resolution No. 152 which was adopted in the House of Representatives on April 18, 1980 was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING 'THE HOMESTEAD HIGHLANDER BAND' AND 'THE HIGHLANDIRE JAZZ ENSEMBLE' FROM THE GREAT STATE OF WISCONSIN AND INVITING THEM TO RETURN NEXT YEAR TO OUR ALOHA STATE", was adopted.

A communication from the House (Hse. Com. No. 751), returning Senate Bill No. 1370, S.D. 2, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 752), returning Senate Bill No. 1836-80, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 753), returning Senate Bill No. 1899-80, S.D. 2, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 754), returning Senate Bill No. 2883-80, S.D. 1, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 755), returning Senate Bill No. 1988-80, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 756), returning Senate Bill No. 2000-80, S.D. 1, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse.

Com. No. 757), returning Senate Bill No. 2002-80, S.D. 1, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 758), returning Senate Bill No. 2157-80, S.D. 1, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 759), returning Senate Bill No. 2286-80, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 760), returning Senate Bill No. 2457-80, S.D. 2, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 761), returning Senate Bill No. 2536-80, S.D. 2, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 365 to 372) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 365), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF THE LATE CHRISTINE MUKAI, ATTORNEY RESEARCHER OF THE OFFICE OF THE LEGISLATIVE REFERENCE BUREAU", was jointly offered by Senators Toyofuku, Abercrombie, Yamasaki, Soares, Carroll, Anderson, Ushijima, Wong, Young, Carpenter, Kawasaki, Yee, Cayetano, Hara, O'Connor, Saiki, Ajifu, Kuroda, Chong, Cobb, Machida, Yim and George.

On motion by Senator Toyofuku, seconded by Senator Abercrombie and carried, S.R. No. 365 was adopted.

A resolution (S.R. No. 366), entitled: "SENATE RESOLUTION RECOGNIZING AND EXTENDING CONGRATULATIONS TO THE HAWAII INTERNATIONAL YEAR OF THE CHILD (IYC) STEERING COMMITTEE FOR MAKING HAWAII'S 1979 INTERNATIONAL YEAR OF THE CHILD AN OUTSTANDING SUCCESS", was jointly offered by Senators Toyofuku, Abercrombie, Yamasaki, Soares, Wong, Anderson, Ushijima, George, Young, Carpenter, Cayetano, Hara, O'Connor, Saiki, Ajifu, Yee, Kuroda, Chong, Kawasaki, Cobb, Machida, Yim and Carroll.

On motion by Senator Toyofuku, seconded by Senator Abercrombie and carried, S.R. No. 366 was adopted.

A resolution (S.R. No. 367), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF THE LATE GEORGE C.K. LEONG AND EXTENDING DEEPEST CONDOLENCES TO HIS WIDOW, CHILDREN, AND FAMILY", was jointly offered by Senators Yim, Wong, Toyofuku, Abercrombie, Mizuguchi, Young, Machida, Carpenter, Yamasaki, Ushijima, Yee, Hara, Campbell, Chong, Carroll, Kawasaki, George, Ajifu, Cayetano, Kuroda, Cobb, O'Connor, Soares and Saiki.

On motion by Senator Yim, seconded by Senator Mizuguchi and carried, S.R. No. 367 was adopted.

A resolution (S.R. No. 368), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE REVEREND DR. CLAUDE F. DUTEIL", was jointly offered by Senators George, Young, Kuroda, Chong, Anderson, Saiki, Carroll, Ushijima, Mizuguchi, Wong, Machida, Carpenter, Yee, Hara, Yamasaki, Toyofuku, Ajifu, Campbell, Cayetano, Yim, Cobb, Soares, O'Connor and Abercrombie.

By unanimous consent, action on S.R. No. 368 was deferred to the end of the calendar.

A resolution (S.R. No. 369), entitled: "SENATE RESOLUTION RECOGNIZING IVA LEE SINCLAIR AND THE HAWAIIAN ASSOCIATION FOR CHILDREN AND ADULTS WITH LEARNING DISABILITIES FOR THEIR CONTRIBUTION TO SPECIAL NEEDS PEOPLE OF THE STATE OF HAWAII", was jointly offered by Senators Abercrombie and Carpenter.

On motion by Senator Abercrombie, seconded by Senator Carpenter and carried, S.R. No. 369 was adopted.

A resolution (S.R. No. 370), entitled: "SENATE RESOLUTION CONGRATULATING THE HAWAII GYMNASTS WHO QUALIFIED FOR THE UNITED STATES GYMNASTICS FEDERATION WESTERN NATIONAL CHAMPIONSHIPS THIS YEAR AT SPOKANE, WASHINGTON", was jointly offered by Senators Mizuguchi, Yim, Young, Cobb, Yamasaki, Ushijima, Kuroda, Carpenter, Machida, Ajifu, Campbell, Kawasaki, Chong, O'Connor, Toyofuku, Cayetano, Hara, Wong and George.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.R. No. 370 was adopted.

A resolution (S.R. No. 371), entitled: "SENATE RESOLUTION COMMENDING THE HONOLULU INTERNATIONAL COUNTRY CLUB FOR A JOB WELL DONE", was jointly offered by Senators Hara, Ushijima, Carpenter, Abercrombie, Yee, Cayetano,

Toyofuku, Yamasaki, Machida, Ajifu, Saiki, Soares, Carroll, Cobb, Chong, Campbell, Kuroda, Anderson, Kawasaki, Wong, Yim, Mizuguchi and O'Connor.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 371 was adopted.

A resolution (S.R. No. 372), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF TECHNICAL SERGEANT TERRY YUKITAKA MIZUTARI, A WORLD WAR II HERO, AND RECOGNIZING THE FORTHCOMING DEDICATION OF A UNITED STATES DEPARTMENT OF DEFENSE FACILITY IN HIS HONOR", was jointly offered by Senators Hara, Ushijima, Carpenter, Abercrombie, Yee, Cayetano, Toyofuku, Carroll, Kawasaki, Yamasaki, Young, Cobb, Machida, Ajifu, Anderson, Saiki, Wong, Soares, George, Campbell, Kuroda, Yim, Chong, Mizuguchi and O'Connor.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 372 was adopted.

STANDING COMMITTEE REPORTS

Senators Kawasaki and O'Connor, for the Committee on Government Operations and Efficiency and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1150-80) recommending that Senate Resolution No. 17 be referred to the Committee on Legislative Management.

On motion by Senator Kawasaki, seconded by Senator O'Connor and carried, the joint report of the Committees was adopted and S.R. No. 17, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF ADMINISTRATIVE AGENCY COMPLIANCE WITH REQUIREMENTS CONCERNING THE ADOPTION OF RULES AND REGULATIONS", was referred to the Committee on Legislative Management.

Senators Carpenter and O'Connor, for the Committee on Health and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1151-80) recommending that Senate Resolution No. 278, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Carpenter, seconded by Senator O'Connor and carried, the joint report of the Committees was adopted and S.R. No. 278, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE RETENTION OF MEDICAL RECORDS", was referred to the Committee on Legislative Management.

Senators Toyofuku and O'Connor, for the Committee on Human Resources

and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1152-80) recommending that Senate Resolution No. 297, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator O'Connor and carried, the joint report of the Committees was adopted and Senate Resolution No. 297, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE AVAILABILITY OF CHILD SHELTER FACILITIES IN THE STATE OF HAWAII", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1153-80) recommending that Senate Resolution No. 269, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 269, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN UPDATED FEASIBILITY STUDY ON THE ESTABLISHMENT OF A HAWAII STATE VETERANS HOME", was adopted.

Senators Carpenter and Toyofuku, for the Committee on Health and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 1154-80) recommending that Senate Resolution No. 287, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Carpenter and carried, the joint report of the Committees was adopted and S.R. No. 287, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A SEMINAR ON PROBLEMS FACING THE MEDICAID PROGRAM AND THE OVERALL SYSTEM OF MEDICAL CARE SERVICES IN HAWAII", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1155-80) recommending that Senate Resolution No. 288 be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 288, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF LEGISLATIVE OPTIONS REGARDING HEALTH PROMOTION AND WELLNESS", was adopted.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1156-80) recommending that Senate Resolution No. 101 be adopted.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 101, entitled: "SENATE RESOLUTION

URGING EXPEDITIOUS COMPLETION OF THE PANAWEA AGRICULTURAL PARK IN THE COUNTY OF HAWAII", was adopted.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1157-80) recommending that Senate Resolution No. 103 be adopted.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and, Roll Call having been requested, S.R. No. 103, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF CONVERTING THE WETLANDS OF THE PEARL HARBOR AREA, OAHU, INTO AN AGRICULTURAL PARK", was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Carroll).

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1158-80) recommending that Senate Resolution No. 141 be adopted.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 141, entitled: "SENATE RESOLUTION URGING CREATION OF A MANAGEMENT CONSULTANT TEAM TO ADVISE AND ASSIST NEW AND FLEDGLING AGRICULTURAL COOPERATIVE ASSOCIATIONS", was adopted.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1159-80) recommending that Senate Resolution No. 142 be referred to the Committee on Legislative Management.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 142, entitled: "SENATE RESOLUTION REQUESTING A HEARING BY THE HAWAII STATE SENATE CONCERNING THE LEASING OF LANDS FOR AGRICULTURAL PURPOSES", was referred to the Committee on Legislative Management.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1160-80) recommending that Senate Resolution No. 143 be adopted.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 143, entitled: "SENATE RESOLUTION RESPECTFULLY URGING HAWAII'S DELEGATION TO THE CONGRESS OF THE UNITED STATES TO SPONSOR AND ACTIVELY

SUPPORT THE PASSAGE OF LEGISLATION RELATING TO EDIBLE FRESH GINGER-SPICE ROOTS, ZINGIBER OFFICIANALE", was adopted.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1161-80) recommending that Senate Resolution No. 144 be adopted.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 144, entitled: "SENATE RESOLUTION REQUESTING ADOPTION OF A STATEWIDE POLICY TO ASSURE THE PRESERVATION OF STATE LANDS UNIQUELY SUITED FOR THE CULTIVATION OF TARO AND OTHER WETLAND CROPS", was adopted.

Senator Machida, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1162-80) recommending that Senate Resolution No. 167 be adopted.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the majority of the Committee was adopted and S.R. No. 167, entitled: "SENATE RESOLUTION REQUESTING INSTALLATION OF A COOLING AND HOLDING FACILITY FOR FARM PRODUCTS IN KONA, HAWAII", was adopted.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1163-80) recommending that Senate Resolution No. 168 be adopted.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 168, entitled: "SENATE RESOLUTION REQUESTING AN EXAMINATION OF THE FEASIBILITY OF INSTALLING A FUMIGATION CHAMBER TO PROCESS FARM PRODUCTS IN KONA, HAWAII", was adopted.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1164-80) recommending that Senate Resolution No. 233 be referred to the Committee on Legislative Management.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 233, entitled: "SENATE RESOLUTION REQUESTING CREATION OF A SPECIAL SENATE OR JOINT INTERIM COMMITTEE TO PERFORM A STATEWIDE REVIEW OF THE PROBLEM OF CATTLE AND OTHER LIVESTOCK RUSTLING DURING THE 1980 INTERIM PERIOD", was referred to the Committee on Legislative Management.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1165-80) recommending that House Concurrent Resolution No. 69 be adopted.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE UNITED STATES, SECRETARY OF AGRICULTURE AND THE SOIL CONSERVATION SERVICE ADMINISTRATOR TO PERMIT THE CONTINUANCE OF THE SOIL CONSERVATION SERVICE, PLANT MATERIALS PROGRAM IN THE STATE OF HAWAII", was adopted.

At 9:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:55 o'clock p.m.

At this time, Senator Chong introduced to the members of the Senate Ms. Annette Ching, a paralegal assistant, and Ms. Marilyn Crider, a management trainee with a downtown department store.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1166-80) recommending that the Senate advise and consent to the nomination of George J. Fukunaga to the State Post-Secondary Education Commission, term to expire December 31, 1983.

Senator Mizuguchi then requested that Rule No. 34 of the Rules of the Senate be waived in order to consider the nomination of the candidate as presented in Stand. Com. Rep. No. 1166-80, and, by unanimous consent, the waiver was granted.

Senator Abercrombie then moved that Stand. Com. Rep. No. 1166-80 be received and placed on file, seconded by Senator Ushijima and carried.

Senator Abercrombie then moved that the Senate advise and consent to the nomination of George J. Fukunaga to the State Post-Secondary Education Commission, term to expire December 31, 1983, seconded by Senator Ushijima.

The motion was put by the Chair and Roll Call having been ordered, was carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1167-80), recommending that Senate Resolution No. 280 be

adopted.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.R. No. 280, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS TO IMPLEMENT THE RECOMMENDATIONS CONTAINED IN THE REPORT OF THE ADVISORY COMMITTEE TO STUDY AND RECOMMEND IMPROVEMENTS IN THE AGRICULTURE EDUCATION PROGRAMS OF THE UNIVERSITY OF HAWAII SYSTEM", was adopted.

Senators Mizuguchi and Machida, for the Committee on Transportation and the Committee on Agriculture, presented a joint report (Stand. Com. Rep. No. 1168-80) recommending that Senate Resolution No. 102, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Machida and carried, the joint report of the Committees was adopted and S.R. No. 102, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR'S AGRICULTURAL COORDINATION COMMITTEE TO EXPLORE ALL POSSIBLE ALTERNATIVES IN ATTEMPTING TO PROVIDE DIRECT TRANSPORTATION OF AGRICULTURAL COMMODITIES FROM HAWAII COUNTY TO CALIFORNIA", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1169-80) recommending that Senate Resolution No. 235 be adopted.

Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 235, entitled: "SENATE RESOLUTION IN SUPPORT OF A BIKEWAY BETWEEN WAIMEA AND KEKAHA, KAUAI", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1170-80) recommending that Senate Resolution No. 260, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 260, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT ON PARK AND RIDE LOCATIONS", was adopted.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 1138-80 (Gov. Msg. No. 277):

Senator Mizuguchi requested that

Rule 34 of the Rules of the Senate be waived in order to consider the nomination of the candidate as presented in Stand. Com. Rep. No. 1138-80, and, by unanimous consent, the waiver was granted.

Senator Hara then moved that Stand. Com. Rep. No. 1138-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Hara then moved that the Senate advise and consent to the nomination of Alvin M. Inoue to the the Fish and Wildlife Advisory Committee, County of Hawaii, term to expire December 31, 1981, seconded by Senator Mizuguchi.

The motion was put by the Chair and Roll Call having been ordered, was carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Concurrent Resolution No. 116, H.D. 1:

Senator Cayetano moved that the referral of H.C.R. No. 116, H.D. 1, to the Committee on Ways and Means be waived, seconded by Senator Anderson.

At this time, Senator Cayetano rose to remark on the motion to waiver as follows:

"Mr. President, upon examining the resolution, I came to the conclusion that this resolution, the purpose of this resolution, is totally consistent with the Senate's program with respect to the Hula Mae bonds. Because of time constraints, I ask that the referral be waived and that the Senate move for the adoption of this resolution."

The motion was put by the Chair and carried, and the referral of H.C.R. No. 116, H.D. 1, to the Committee on Ways and Means was waived.

On motion by Senator Cayetano, seconded by Senator Anderson and carried, H.C.R. No. 116, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE U.S. SENATE DEFEAT H.R. 5741 RELATING TO THE REPEAL OF FEDERAL INCOME TAX EXEMPTIONS FOR MORTGAGE SUBSIDY BONDS", was adopted.

Standing Committee Report No. 1139-80 (S.R. No. 281):

Senator Carpenter moved that Stand. Com. Rep. No. 1139-80 be adopted and S.R. No. 281 be adopted, seconded by Senator Hara.

The motion was put by the Chair and

carried, and the joint report of the Committees was adopted and, Roll Call having been requested, S.R. No. 281, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE AN ADVISORY COMMITTEE TO STUDY RADIOLOGICAL SAFETY", was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Carroll, George and Saiki).

At 10:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:15 o'clock p.m.

MATTERS DEFERRED TO THE END OF THE CALENDAR

Conference Committee Report No. 7-80 (S.B. No. 2253-80, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 7-80 be received and placed on file, seconded by Senator Carpenter.

Senator Cobb then moved that S.B. No. 2253-80, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Carpenter.

At this time, Senator Carroll rose to speak against the measure as follows:

"Mr. President, I rise to speak against this measure.

"Mr. President, this bill, 2253, Conference Draft 1, is the missing link for the open door to the time-sharing industry. This bill must be killed.

"The bill has no public purpose stated; it's a bastardization of a bill which I introduced to ban time-sharing which was the original 2253 with a clear cut statement as to what was and was not residential.

"This bill sets up a definition of lodging units, which includes an apartment, a single family home, duplex, or other buildings used for habitation. It refines transient rental use, which means the rental of a unit in a multi-unit building for occupancy to visitors for less than a 30-day period, and so forth; very similar but not exact language as that included in the bill which we voted on earlier today.

"Mr. President, by the passage of this bill, we will create a situation wherein law abiding residents who follow the parameters set forth in this bill, that is, follow the disclosure statement requirements and make the report, will in effect

be creating transient vacation rental use areas.

"It is not much of a trick for even a mediocre lawyer to go to court for a time-share developer and argue, when he is finally cited by the City and County for a violation, to state that he is in an area where transient vacation rental use is taking place and although it may not be designated because of this continued de facto use they should be allowed to continue there.

"So I say that every beach dwelling, every apartment building, any home, any single family dwelling, will be opened by this bill to the ravages of time-sharing. I see this bill as the missing link. I did not wish to get into this while we were still talking about the time-share bill because I felt that we needed that measure to afford some measure of protection, but I ask that everyone vote no on this measure."

Senator Cobb then rose to speak in favor of the measure as follows:

"Mr. President, I'm afraid I cannot agree with the remarks of the previous speaker relative to the missing link for time-sharing.

"This bill is designed in its present form, Conference Draft 1, as a simple disclosure requirement as to where transient vacation rentals are in fact taking place. There has been considerable discussion and disagreement relative to exactly where these units are and, in the original definition of it that was proposed in the conference committee, we included single family as well as multi-unit buildings and the term or definition of transient vacation rental use was changed to that of a multi-unit building with more than one dwelling unit.

"As a result, Mr. President, the report deriving from this bill will give us a much clearer picture relative to where these types of transient rental accommodations are going on and by omission not going on, and will provide a basis for further legislative action if we deem it to be appropriate. I do not see it as a so-called missing link for a time-sharing at all, but rather a simple reporting mechanism to bring out this kind of information which we feel we need.

"During the course of the testimony of the state director of taxation in a hearing we had on the original form of this bill, he brought out in rather lengthy testimony the size of his estimate the dimensions of the transient vacation rental problem, and he also pointed out the transient

vacation rental problem, and he also pointed out the extreme difficulty that the Tax Office has in tracking down these kinds of units.

"This bill is in response to that particular problem and will enable the Real Estate Commission, as the body to whom this information is to be filed with, to gather this information and make it available for use in the Legislature. It will also enable the Tax Office to insure that those who are in this type of a vacation rental configuration are in fact paying their state taxes.

"As the situation exists now, a tremendous amount of manpower would be required in the Tax Office in order to track down this kind of information. Far less manpower would be involved if this bill were passed in order to get the same kind of information."

Senator Cayetano then asked that the chairman yield to a question and the chairman replied in the affirmative.

Senator Cayetano asked: "Mr. Chairman, can you tell me where in the committee report or the bill does it make reference to the considerations you discussed regarding the Tax Department? I don't see any mention of the Tax Department in the committee report."

Senator Cobb replied: "It does not; the Tax Department's testimony was in our original hearing on the bill and it was one of the primary reasons why we included the transient vacation rentals with the measure on time-sharing that this measure originally contained."

Senator Cayetano further asked: "Mr. Chairman, if it is not mentioned in the committee report, how can one glean the intent of this bill?"

Senator Cobb replied: "By the remarks I just outlined on the floor tonight."

Senator Cayetano then stated: "Mr. Chairman, I respect your remarks, but your remarks are not the committee report."

Senator Cobb replied: "My remarks are a reflection of the legislative intent of this measure that is coming out of conference committee."

Senator Cayetano then rose to speak against the measure as follows:

"Mr. President, I'm going to vote against this bill because I agree with Senator Carroll.

"One does not have to be a high-priced lawyer or a lawyer who has much experience

to know that this committee report speaks nothing of the bill having any relationship to the Tax Department.

"The chairman's remarks are certainly not any indication of the intent of this bill and that's his opinion.

"This committee report has been signed by the conferees of the House and the Senate, nine people have signed this. I'm voting against this measure."

Senator Cobb then rose on a point of clarification as follows:

"Mr. President, I would just like to point out that a number of members of the House Conference Committee felt that there should be no relationship in this bill in the committee report relative to time-sharing. They agreed with the bill on the premise that it would be for the simple disclosure and nothing more."

Senator Abercrombie also rose to speak against the measure as follows:

"Mr. President, I'm asking a vote against this bill. We discussed the time-sharing situation this morning. In its wisdom, this body decided to pass the time-sharing bill, 1516, this morning. I would ask those then who in good faith voted for that bill this morning to examine whether or not what was attempted in that bill will not further be blurred to the extent it is not already vague or confusing in the bill which we passed by passage of this bill.

"In particular, I refer you to page 1 where it says 'Chapter, Transient Vacation Rentals' but if you look through, my friends, the definitions, you will never see transient vacation rentals mentioned. You do not see it mentioned. What you do find is transient rental use. Yet, the chairman of the Consumer Protection Committee, when speaking in defense of this bill, never mentioned the phrase, transient rental use, but rather said transient vacation rentals.

"Transient vacation rentals is the phrase that is utilized in bill 1516. Maybe it was a slip of the tongue because, I guarantee you, what this bill does do is take 1516 in vagueness and slide in the reality of exactly what 1516 is supposed to do, which is open up the entire island, if not the state, to time-sharing.

"I'll say and ask you again to recall that the chairman's remarks did not refer to what is actually in the bill, transient rental use, but rather what is in the bill we passed this morning, transient vacation rentals. Yet, the

two definitions are ostensibly different. They're not different at all -- vacation rentals as opposed to transient vacation rental use. The word 'use' appear after 'rental' in the other bill; vacation modifies rental. They're one and the same.

"I would also indicate that this bill did not come from the Tax Department. I also heard the testimony in Ways and Means concerning the difficulties involved here. This did not come from the Tax Department. They're now working on a system for doing exactly what the chairman indicated is necessary to get done. Mr. Freitas did not indicate that this bill was the way in which that was to be done...to indicate further that the disclosure statement was taken care of this morning in bill 1516, quite lengthily as a matter of fact.

"So if we already have the disclosure situation, why are we doing it in this particular circumstance? It can only be to tie the two together.

"As for the Real Estate Commission doing any work in collecting any information for Mr. Freitas, I don't see that is anywhere mentioned in the committee report at all in terms of the intent.

"And, finally, I refer you to the committee report itself in which it said 'the purpose of this bill, as referred to your Committee, is to regulate the time share industry.' It's entitled, 'A Bill for an Act Relating to Land Use', but when you get into the guts of the committee report, the purpose is to regulate time-sharing. 'Your Committee has amended this bill to delete material relating to time sharing, and to provide language which requires a person who owns, rents a lodging unit for transient rental use to submit a disclosure statement...'

"Again, I am not an attorney but I can read the English language and I think the implications that have been stated by other speakers are very clear indeed.

"If we in good faith passed 1516 this morning, I think that the good faith will be impaired by the the passage of 2253."

Senator Carroll then rose on a rebuttal comment as follows:

"Mr. President, I have a rebuttal comment.

"Mr. President, Mr. Freitas's name has been mentioned and his testimony has been mentioned. I'd like to point out that last year in April he wrote a letter to me, upon my request, about the impact of time-sharing. One of

the things that he mentioned was the fact that this was running concurrently with vacation rental. In a fact finding public hearing which we had last summer, he resubmitted to my committee of one this same information and then he again submitted this comment.

"During the time that this session has gone on, particularly the past several weeks when there has been discussion on this subject matter with the House members, the House members have rejected the concept of bringing vacation rental use together with time-sharing but it has been the Senate which has insisted upon this. We have wondered about the motivation for this forced joinder, and this bill makes the picture crystal clear to me.

"Now, I say that this bill is a bill of mischief; it has no public purpose; it should be rejected.

"I did urge everyone to vote 'aye' on the time-sharing bill and I appreciate that and I know what an agony it was for me and I'm sure for others, but I think we'll be creating an absolutely intolerable situation to pass this bill alongside of the one we passed earlier on time-sharing, and I most strongly and respectfully urge that we reject this measure. Thank you."

Senator Cobb then rose to state as follows:

"Mr. President, there seems to be a fear in the body relative to what sort of information or result this bill will bring forth. While I share that concern I feel quite strongly that there's no way we can really get a handle on the information unless we have a reporting mechanism as outlined here to do that.

"We may be surprised to find the problem is less in terms of the dimension that we first suspected or we may be shocked to see that it's far greater. In either event, it will give us a basis for further legislative action if we so determine. But unless we get that information, Mr. President, we have no way of finding out, and that's the purpose of the bill as it stands now."

Senator Abercrombie then rose in rebuttal as follows:

"Mr. President, I feel that that calls for rebuttal.

"If we are now going to pass legislation on the basis that we don't know what we're doing, but let's pass legislation and find out later what the result is, it seems quite clear to me that what

is required here is a study. We have the Legislative Reference Bureau, we have majority and minority research, and we have all kinds of commissions and boards that we could call on. If nothing else, we call on the Consumer Protection Committee to form a subcommittee this year prior to the next session to make a report on precisely what the situation is, or Ways and Means could be requested to do it, because we're taking a look in general at a good measure of these situations anyway.

"You don't pass a bill before you get the information; you go out and do your work as a committee, get the information then pass a bill as a result of having the information."

Senator Cobb rose in further support of the measure as follows:

"Mr. President, very briefly, we have sufficient information received in testimony to justify this measure. This will provide additional information, not a case of moving in a direction where we don't know where we're going. We know what some of the problems are. We have not received yet a reliable reporting mechanism as to the location, disposition, number and breadth of these units and this bill will help us give that."

The motion was put by the Chair 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", having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes, 12. Noes, 13 (Abercrombie, Anderson, Campbell, Carroll, Cayetano, Chong, George, Hara, Kawasaki, O'Connor, Saiki, Soares and Yee).

Conference Committee Report No. 86-80 (H.B. No. 1784-80, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 86-80 be adopted and H.B. No. 1784-80, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Young.

At this time, Senator Cobb rose on a point of clarification as follows:

"Mr. President, I'd like to present some comments to make it clear to the Real Estate Commission, who will have to adopt rules and regulations pursuant to Chapter 91 to implement this bill, as to what types of projects your committee intends to cover when it amended the bill to exclude commercial, hotel, and

resort so-called use condominiums.

"Your committee is of the opinion that they should not tell people where they should live or not live, but your committee is aware of the fact that many resort condominiums that are developed are not done for a resident population. However, we don't intend in this regard that a resort or commercial project would have to comply with the provisions of this bill which addresses itself to residential condominiums. We would, in any event, expect residential condominiums, regardless of where it's built, to comply with the provisions of this bill, while projects built for resort use where permitted by the county would not have to do so."

Senator Yee, at this time, asked for a ruling of the Chair of a possible conflict of interest on the measure due to the fact that he is engaged in currently building a condominium on Maui, and the Chair ruled that Senator Yee is excused from voting.

The motion was put by the Chair and Conf. Com. Rep. No. 86-80 was adopted, and H.B. No. 1784-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hara). Excused, 1 (Yee).

Conference Committee Report No. 87-80 (H.B. No. 2720-80, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 87-80 and H.B. No. 2720-80, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 88-80 (S.B. No. 1838-80, S.D. 3, H.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 88-80 be adopted and S.B. No. 1838-80, S.D. 3, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

At this time, Senator Kawasaki rose to speak in favor of the bill as follows:

"Mr. President, I speak in favor of this bill. It is not exactly what we wanted in the Senate, but certainly it is better than what was offered by the body across the rotunda.

"I think, basically, what we wanted is contained in the bill, that is to say,

subpoena powers for the Crime Commission, the extension of the life of the Crime Commission for a total of five years, and the budgeting, we hope, will be taken care of in the budget bill.

"I am a little unhappy, of course, by the language contained in the committee report which alludes to the emphasis that is desired by the House of Representatives to say that the primary function of the Crime Commission is research. The Senate, of course, took the position that not only research, but investigative powers is necessary. We alluded to this in a way...in a fashion that I trust that the caliber of the commissioners, the nine commissioners appointed to this Crime Commission body, would determine very logically and intelligently the scope of their investigatory activities. And I leave that to their judgment.

"The appointment of the Crime Commissioners is made by the Governor, subject to confirmation of the Senate. The appointment of the chairman of the Crime Commission which is awfully important, again is made by the Governor but he has to state very clearly which of the nine members he designates as chairman, subject to our confirmation. This, I think, gives us a measure of control in that we try our best to be sure that the very important position of the chairman of the Crime Commission is controlled by the Senate body here and, in essence, I think this is about the best that we could have done considering there are many others in the body across the rotunda, as I said, who wanted to eliminate the existence of or truncate its activities completely.

"We have now at least a Crime Commission extended with substantially the powers they have today."

Senator O'Connor also rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this measure and in doing so would like to state some specific matters for legislative intent. The first being, and I echo Senator Kawasaki, that the purpose of this commission is for research and to collect information but also and equally important is the function to investigate incident to that research in order to study crime, criminal activity, and the operation of the criminal justice system.

"Going on, in the area having to do with subpoena powers, which is Section 843-6(c), the specific wording of the bill is that the commission is empowered to subpoena witnesses as allowed by Rules of Court, and I would like the record

to show that the Rules of Court referred to here are Rule 45, a and b, of the Hawaii Rules of Civil Procedure, which outline specifically the subpoena powers which we intended. Those have to do with the subpoena powers, both in 45, a and b, for witnesses and I cite from 45, a: 'The clerk shall issue a subpoena or subpoena for the production of documentary evidence, signed and sealed, but otherwise in blank' and so forth.

"That was specifically intended to be included as was 45, b, which is the production of documentary evidence power in the subpoena.

"I urge all to vote in favor of this measure."

Senator Anderson then rose to request that the chairman yield to a question and Senator O'Connor replied in the affirmative.

Senator Anderson then asked: "The subpoena you just described...there was some discussion on whether the subpoena was for a person only or and/or for records. I notice now that you are putting legislative intent into the Journal. Is the subpoena power allowed in this bill for persons only or and/or for records?"

Senator O'Connor replied: "The specific wording of the bill is to subpoena witnesses as allowed by the Rules of Court. The only Rules of Court are the ones I referred to allows subpoena, Mr. President, for witnesses and for documents which would be witnesses and for subpoena duces tecum."

Senator Anderson then rose to speak against the measure as follows:

"Mr. President, I'm going to vote against this bill and I rise to speak against it.

"I've been in a dilemma up until two seconds ago. It would be easy to vote aye for this bill because I think it's a motherhood type bill, but I think there has to be a dissenting voice for the watering down of this bill.

"When the Ways and Means Committee got through with this bill, it was in fact a bill that would commit this state to a true Crime Commission to the most maximum extent possible with as much flexibility and muscle and dollars behind it, demonstrating to the public that we are in fact in the Legislature committing ourselves, once and for all, to the area of assisting and participating in the combating of crime and finding out the so-called evils of our community.

"I sat in on a couple of these conference

committees even though I wasn't a committee member and listened to the discussion. From the word 'investigate' when it left the Senate, it became 'research,' 'incidental investigation,' and I don't question the sincerity of the definitions written into the Journal by the co-chairman.

"What bothers me is, in the arguing of compromise between the two bodies, we diluted the objectives and directives of it, Mr. President. We diluted it, and in an effort to compromise to a point where I think this body can satisfy itself that in fact we maintained and kept some teeth in it and therefore we're reading into the Journal some legal interpretations about what we mean.

"And across the hall we have the other chairman reading into the Journal that it was meant to be a research body and not really to investigate and not really to delve into it.

"Now, the Crime Commission under the existing situation has been called a circus, I think, by the Chief of Police, and I hope I'm not putting words in his mouth, but as I recall, that's the term he's used, 'it's a circus.' I've heard that the FBI called it a laughable situation.

"The Crime Commission, Mr. President, as we envisioned it in Ways and Means was a top body. I think, as it's emerged out of conference, that it's one that we can all campaign on one way or the other and we can say I meant it to be this; I thought it was going to be this way, that was our intention, and the other body would argue the other way. I think it's unfair because I think the Crime Commission, Mr. President, is caught in the dilemma between two bodies because we didn't clearly define the intent and the objective. They're going to be damned if they do and damned if they don't, because if they don't investigate and they don't come back next year and put before us something or demonstrate that they have in fact resolved and delved into and turned in to some prosecuting agency something, then the Senate's going to be very unhappy and Senator Kawasaki will take it to the floor every day.

"On the other hand, if they do get involved in investigation and begin to utilize their subpoena power or look into the extreme end of utilizing it, the House is going to say, 'you're going too far beyond the legislative intent.' And I think it's unfair; but what's more important, Mr. President, I think that the public should not be led to believe that this Crime Commission is a salvation or a cure-all.

"The functions of the Crime Commission

has been watered down. The Crime Commission's basic objective is research. Now, what in the devil we're going to research in crime, I don't know.

"If we're going to research it, we should have given it to the University of Hawaii. I can't see spending this kind of money for research or study. I think the basic layman in this town knows what crime is all about. I think this legislative body understands the problem out there.

"What we need is dollars, we need facts, we need data, we need investigations, Mr. President. We need some hard commitment to the situation of crime, but to put it into a report, to spend a half a million dollars to study, to put it into some sort of report that they are going to give to the Legislature and I don't think this body really needs or wants that.

"I don't want to fool the public that, in fact, this Crime Commission is going to make the streets any safer for all of us to walk on. I'll vote no because I think there should be a dissenting voice; I think there should be more dialogue and there should be more controversy in this area and I would hate to see a false sense of security in this community. Thank you."

Senator Campbell then rose to speak in favor of the bill as follows:

"Mr. President, I'd like to speak in favor of this bill. I have some reservations concerning the bill and some of the remarks of previous speakers have reflected some of my thinking.

"First of all, I'd like to express appreciation to the conference committee leadership for its determination in arriving at a compromise so that we can continue the work of the Crime Commission.

"I feel that there's nobody in this body who would disagree if I were to say that crime in this state is a very serious problem. And, in light of the fact that there's a national effort to curb funding for fighting crime, it becomes even more important that our state double its efforts in meeting this serious problem.

"Mr. President, some of us had taken, and this has been reflected in remarks just made, some of us have taken a rather strong position that the Crime Commission should be a strong investigative body, a commission void of this leverage becomes window-dressing. And what is more important in this regard, in my judgment, is the fact that the people of this state would be lulled into thinking that their

tax dollars are going into the funding of a strong, positive Crime Commission, but in reality they're funding a paper tiger.

"In my judgment, this measure falls short in two major respects and possibly three. One, its powers to investigate crime in this state are too limited; two, I was unhappy and I don't think this has been mentioned by anyone, I was somewhat unhappy to note that the legislative oversight committee was deleted. I think a vital role of the Legislature is oversight, particularly where we have the funding responsibility.

"Now, possibly the third major shortcoming of this measure as I see it does relate to funding, and I don't know if this is going to be dealt with later.

"The funding of the Crime Commission for its first year, in my judgment, should be no less than a million dollars, and I would certainly hope that when the issue of funding emerges in our conference it would be certainly no less.

"Mr. President, this kind of funding would be indicia that this Legislature means business when it comes to attacking the crime problem in our state; therefore, it is my fervent hope that this Legislature is going to return next year with a determination to make the Crime Commission an effective force in fighting crime in our state. On this basis, I urge my colleagues to vote 'aye.'"

Senator Cayetano also rose to speak in favor of the measure as follows:

"Mr. President, first, as one of the co-chairman of the conference committee, I'd like to commend the other co-chairman, Senator O'Connor, for the effort he put into saving the Crime Commission.

"As far as I am concerned, if it wasn't for the almost single-handed efforts of Senator O'Connor the Crime Commission would be dead today because Senator Kawasaki and I gave up. I don't think I'm hurting Senator Kawasaki's feelings if I disclosed that publicly.

"The difficulty we had in dealing with this bill can be seen when you compare the remarks of the previous speakers. Both sound alike, but one is voting against the bill and the other one is voting for the bill, and that's the kind of difficult decisions we had to make in deciding whether this would come out of conference or not.

"Although the primary objective or purpose as stated in the bill speaks to research, the phrase 'investigation

incident to research,' in my judgment, gives the commission sufficient latitude to do the kind of work that we in Ways and Means wanted the commission to do with the preferable version of the Senate bill. Because, more important than the stated objectives, I think, are the other items listed in the bill, and the fact that the commission retains its subpoena powers under the bill is, I think, a plus because the House position was no subpoena powers.

"More importantly is the fact that the crime commissioners, or the people who are nominated to the Crime Commission, now face stricter standards in terms of the qualifications that they would have to have in order to be appointed. The bill provides for screening by the Attorney General. That is a position, although not exactly the same, that was contained in the Senate version.

"I think that this bill, although it may not be everything that we want, still basically accomplishes what we strived for in the Senate bill. We had to make a tough choice and we did, and the choice was whether we would have a Crime Commission or none at all."

Senator Abercrombie then rose to speak in support of the measure as follows:

"Mr. President, speaking in favor of the bill, I was one who opposed the continued existence of the Crime Commission. I made that very clear at the beginning of the session and I made it clear to the people from the Crime Commission until the Senate position was developed, much as was indicated by the remarks of Senator Campbell and Senator Anderson. Because of that, I changed my mind and I did sit in on the conference on the Crime Commission and felt quite hopeless as Senator Cayetano indicated until the resultant work of Senator O'Connor paid off in terms of keeping the Crime Commission together.

"I really wish that Senator Anderson was still on the floor because that's where I wanted principally to direct my remarks to, in the sense of urging his reconsideration, because I believe that his statement was an eloquent one and a defensible one in the sense of what we want to accomplish...he's here, I'm sorry.

"I'm asking the senator to reconsider his no vote because his statement, as I indicated, was an eloquent one, it was a persuasive one, it was inciteful in terms of what we want to accomplish in the state and what the goals and objectives were. I appreciate the passion of his

remarks and the intent with which they were made. I think it does bring out very clearly what some of the frustrations were with this bill and the difficulties we faced with it. But I would ask that those who are thinking of voting no on the bill, as I had when we started out in this, to consider the following because it may be that the words 'incident to research,' may be misinterpreted.

"I don't want to get into theological arguments in the sense of trying to prove the existence of God or trying to do some kind of trickery with words, some pedantic enterprise that enables us to pretend that something's happening simply because we're able to string words together in a way that seems meaningful. But I think the words 'incident to research' is used very purposefully here because it does not mean incidental.

"Incidental has to do with miscellaneous or has to do with something that's casual. But when we're talking about research and 'to investigate incident to that research' and then connect it with...this is in the committee report... the functions of the commission, I think that some of our fears about whether the commission can succeed may be allayed.

"If you connect it with paragraph (3) on page 5 and paragraph (5), you see that if you do the investigation incident to that research, it involves the review and recommendations not necessarily related to the courts, police, and prosecutorial agencies, and then in paragraph (5) we talk about the reduction and facilitation, 'Study and make recommendations for facilitating the reduction and prevention of destruction of public property, school violence, business, and other white collar crimes, and criminal activity.' This gives them that broad operation and they can go to the criminal justice system on whatever level--FBI, federal, local--and bring the evidence that they have gathered to them, and that's what we mean by investigate incident to it.

"Incident means assessing; it means ascertaining too; it means that it has a direct relationship; it belongs by virtue of pertaining to an object; to be associated with; to be fitting; to occur in connection with something else. In a word, it is relevant; it is relevant to that research. That's why the word incident is used rather than incidental, and it makes all the difference in the world if we regard it in that light.

"That's why I would hope in the end that those who do have reservations about voting for the bill, precisely for the reasons so well stated by Senator Anderson, might reconsider the no on the basis of

giving the commission a chance with this bill and see then if the circumstances as I've outlined can take effect."

Senator Saiki then rose to speak against the measure as follows:

"Mr. President, the dilemma we face in making a decision on this bill is very understandable because it is a confusing road that we have taken, up to this point.

"This bill started off out of Judiciary Committee as a research-oriented bill. It went over to Ways and Means and came out as an investigative-oriented commission. It went over into conference committee and came out a little bit of research and a little bit of investigative. This kind of dichotomy does produce certain curious questions and I would have to say that I am going to vote no on this measure, Mr. President, because I consider we have not really accomplished much with this commission in giving it directions.

"As of this date, I would have to say that the commission today, as it was before, is neither fish nor fowl. Thank you."

Senator Kawasaki then responded as follows:

"Mr. President, I'm just amazed at the reaction of the two minority members of the Senate in regard to the final bill as it came out. I think, Senator Anderson being part of the dialogue in the Ways and Means Committee, in trying to get the Senate position to be a very meaningful bill is fully aware of the vigor and the energy with which the conferees from the Senate tried to maintain the Senate position.

"Being in the Legislature for some 15 years, he recognizes too, that sometimes if you just insist on having in a bill the language you wanted yourself and the other body seems diametrically opposed to it, then the end result, if you insist that you're gonna have your way, is that there will be nothing coming out, and I think that their advocating a no vote on this is just an indication that they want no Crime Commission at all.

"We've said that we're not completely happy with the language of this bill, but, be that as it may, I think much can be accomplished with the proper tenor, the proper type of people appointed to the Crime Commission and with the intelligent use of their powers, however limited they may be, there's much to be done in our effort to do something about criminal activity in this state, particularly regarding organized criminal

activity.

"If you are to do what the two senators from the minority party are asking we would have no Crime Commission. We'd have completely thrown down the drain what little good that the existing Crime Commission has done. The argument, I think, is just absurd and I can't really believe they mean what they're telling us on this floor.

"I urge the members, at least the majority party, to vote for this bill in all its weakness and all that they've talked about. We still can do much with the existence of the Crime Commission."

Senator Anderson then rose to speak further on the measure as follows:

"Mr. President, when I rose to speak against the bill, I didn't advocate or ask anybody to join me in voting no. I said that I felt strongly enough about it that I thought there should be a dissenting voice to create dialogue and create some controversy and make the people aware of what the bill said. And I haven't been here 15 years...I've been here 18 years.

"It's funny, the examples the good Senator from the Fifth Senatorial District used because the same persistence or quiet-spoken dedication or commitment to the budget where there is still no budget could have been applied to this. The Ways and Means buckled; the House won over.

"I also cannot accept, in reading further on the measure...and I'm not about to get into an argument with the co-chairman, Senator O'Connor, on the subpoena powers...but as I read the subpoena powers of this and in listening to the chairman of the House two nights ago, it was for a witness and not for records. It was for a witness and everything in here says witness. I think witness is mentioned about eight times in this and if you subpoena a witness and bring him before you because you suspect him of something, you can't subpoena that man or that woman to your particular office or before a body...he can take the Fifth Amendment because he won't incriminate himself and that's about the extent of it. I heard that not only once but I heard that 40 times from the chairman of the House conferees across the table. I believe that position won out.

"I believe that subpoena powers, as interpreted by the House and as written here, is for a witness and not for records. I guess only time will prove me out.

"I don't advocate killing this bill; I don't ask anybody to join me. I happen to believe that this bill isn't worth the paper it's written on. I think the \$500,000 that it's going to take to continue it might be better spent buying textbooks for our children in our schools. Thank you, Mr. President."

Senator O'Connor then rose to speak in favor of this measure and in rebuttal to the previous remarks as follows:

"Mr. President, I rise to speak in favor of this measure and in rebuttal to the previous speaker."

"I can't believe that anyone looking logically at this measure that is before us can say that it's not worth anything. This measure provides for a Crime Commission for this state which has specific and extensive duties having to do with twelve different areas of involvement, probably, more things than they can hope to do in the years that we have given them life. It provides for the existing commission to continue for a year and then a brand new commission of nine members to be put into position and run for almost a three-year period."

"I cannot believe that the way it has been structured that that commission is going to do nothing, as the previous speaker would indicate. It's there for a purpose. It is there to look at our crime problem in Hawaii, to investigate it and research it and to come to this Legislature and make suggestions by which we can fight crime. That's their job. It's clear, plain, simple, and straightforward."

"Now on this matter of subpoena, I'm glad that the Minority Leader finally had his lawyers go out and get their Rules of Court which they can bring over if they haven't already."

"Rule 45-A, which is a very simple rule, provides for the subpoenaing of witnesses and also provides the same rules for the production of documents. It is the only rule which is in existence in the Hawaii Rules of Civil Procedure having to do with subpoena power. It is clear; it is plain; it is simple; it is the one I referred to earlier, and if the Minority Leader would get it and read it, it would be very plain what it refers to."

"The bill is simple and straightforward in its approach; it says 'empowered to subpoena witnesses' as allowed by the Rules of Court. These are the Rules of Court; they are called the Hawaii Rules of Civil Procedure. They are rather straightforward and simple also in this

area. If you don't have a copy, the lawyers have a copy."

"Mr. President, I urge all to vote for this measure. It provides for a Crime Commission which will do the job for us. It provides the functions, authority, ability, screening, subpoena power, and other matters which we urged as the Senate in this situation."

"To say that we gave in to the House in matters is ridiculous. We came away with more of the matters that we went in seeking than they came away with. And we got a pretty darn good bill out of it."

Senator Anderson responded as follows:

"Mr. President, I don't mean to belabor this, but as an advocate I'd like to bring forth some of the tremendous points that Senator O'Connor mentioned, the twelve points."

"(1) Research and collect information regarding crime in Hawaii; ' -- research and collect information regarding crime in Hawaii. I've got to believe that the Attorney General and the Chief of Police of the various counties can give us that."

"(2) Investigate incident to research in order to study crime, criminal activity, and the operation of the criminal justice system; ' -- investigate incident to research in order to study crime, criminal activity and the operation. I can't see where that's going to put anybody in jail."

"(3) Evaluate and make recommendations regarding the operations of existing programs, agencies, and other projects relating to crime, including but not necessarily related to the courts, police, and prosecutorial agencies; ' We ought to pass a resolution and have the Legislative Auditor do this."

"(4) Review and make recommendations regarding existing substantive laws; ' We've got a Judiciary Committee in both houses; we've got a police department; we've got a court across the street. I've got to believe that's everyday business."

"(5) Develop, recommend, and where appropriate, implement public education programs relating to educating the public as to the nature of crime; ' God forbid if the public isn't aware of the crime on the streets without educating them."

"(6) Develop, recommend, and where appropriate, implement programs of public education to provide defensive living education to the public, and information regarding affirmative steps which may be taken to avoid the occurrence

of crime, eliminate the possibility of becoming a victim of crime, and other information designed to defend against any aspect of crime; ' God forbid if that's going to help anybody to put anybody in jail; that isn't going to get to the bottom of some of the organized crime of the so-called gyp-joints I've heard, of what's going on in Waikiki, infiltration of outside interests of mafia or call them what you want.

"(7) Study' again, 'and make recommendations for facilitating the reduction and prevention of destruction of public property, school violence, business and other white collar crimes, and criminal activity; ' Study and make recommendations.

"(8) Study, develop, and make recommendations for the protection of the community, including name check systems for businesses, and other measures designed to protect individuals and the State from crime and direct and indirect criminal influence; ' I'm not even sure what the hell that says.

"(9) Report, to the legislature prior to the convening of each legislative session, on its activities of the preceding year and on a program of action for the coming year; ' In dire desperation of maintaining their budget and being given some survival this year, they just did that to the chairman of the Ways and Means Committee and all hell broke loose because they confided in somebody to justify that they were trying to do something.

"They, in fact, were investigating; they were in fact running over, under the existing system, information to the particular agencies to bring crime to an end.

"(10) Hold public and closed hearings; ' God, that's tremendous.

"(11) Receive, manage, and tender funds for rewards for apprehension and conviction of criminals; '

"(12) Perform other fuctions and duties necessary to carry out the procedures established in section 843-6.'

"Mr. President, if this in any way is going to assist the various chiefs of police, if this is going to in any way help the FBI or to any other agency investigating and trying to curb crime, I'll eat this document."

Senator Cayetano then retorted and stated as follows:

"Mr. President, maybe we better provide some ketchup for Senator Anderson.

"Mr. President, the arguments made by the good Senator were exactly the same arguments made by the House conferees to justify their position. The fact of the matter is that the Crime Commission in any form, whether it's investigative or research or a combination of both, tends to duplicate the functions of certain agencies that we have existing today.

"If the Crime Commission investigates, it duplicates the powers, for example, of the police department; it duplicates the powers and functions of the Attorney General's office.

"If the Crime Commission researches, it also duplicates some functions of the University... the Legislature. There's a lot of duplication.

"The items mentioned by the good Senator actually are merely a revision, if you will, of the existing law. It's really a restatement of the existing law. If you take a look at Section 843-5, 1 to 8, I believe, which has been deleted from the bill, it's basically the same thing.

"The point, I think, we should not miss is that by having investigative powers incident to research this Crime Commission has enough latitude to do the kind of things Senator Anderson is talking about. If there is anything or if there is any weakness with the existing Crime Commission, it was that the existing law did not provide for strict screening with respect to the fitness and qualifications of people to serve on the Crime Commission. Moreover, the existing Crime Commission had a very limited budget, which is why the Senate took the position of putting in \$500,000 in the budget instead of \$300,000.

"I think it's unfortunate that Senator Anderson did not sit in on all of the conference hearings that we had. If he had he would have heard the same arguments being made over and over again and he would be have been on the House side and argued for the abolishment of the Crime Commission."

Senator Anderson, very briefly, replied as follows:

"Mr. President, I would just honestly say, Senator Cayetano and Senator O'Connor, in this instance I truly hope I am wrong and you are right because this is one instance I would really hope to be wrong."

The motion was put by the Chair and Conf. Com. Rep. No. 88-80 was adopted and S.B. No. 1838-80, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO THE HAWAII CRIME COMMISSION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, George and Saiki).

At 10:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:12 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Senator Yim moved that the Senate reconsider its action taken on Conf. Com. Rep. No. 64-80 and House Bill No. 1775-80, H.D. 2, S.D. 1, C.D. 1, seconded by Senator Chong.

The Chair then stated as follows:

"When this bill was recommitted to the Conference Committee earlier today, it was with the understanding that the chairman of the Senate conferees was to contact his House counterpart to see if it would be possible for the conferees to meet again to correct a technical problem with the bill. Unfortunately, it appears that this will not be possible. We will have to vote on the bill as presently worded. Hopefully, the technical problem can be addressed administratively by the Land Use Commission."

The motion to reconsider the action was put by the Chair and carried.

Senator Yim then moved that Conf. Com. Rep. No. 64-80 be received and placed on file, seconded by Senator Chong and carried.

Senator Yim then moved that H.B. No. 1775-80, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chong.

At this time, Senator Chong rose to speak in support of the measure as follows:

"Mr. President, I rise to speak for this bill.

"As you know, it's meant to serve two purposes; one, simply to replace the present interim statewide land use guidance policies that will expire May 30th of this year and to give the Land Use Commission more comprehensive guidelines in determining the appropriateness of granting zoning reclassification petitions. The interim controls are meant to guide land use management

until passage of the State Plan and the accompanying functional plans.

"The Land Use Commission presently has 20 reclassification petitions to consider. Their normal workload is 10 to 12. The rush is on to get desired zoning now before the implementation of the functional plan which will require more stringent scrutinization of zoning requests and greater consideration of the project's impact on the other sectors of our economy and life's considerations.

"The claim that the provisions under subparagraph c, page 7, of the bill regarding reclassification of ag land were totally banned--I repeat, were totally banned--is not valid, because it ignores page 7, lines 4 to 8, which simply states, 'Preference shall be given to land use amendment petitions that will provide for housing development plans that include a commitment to build for and market to gap-group and low-income households a reasonable percentage of the total housing units planned for the development.'

"The argument that this bill would block that sort of thing, simply is not valid.

"Mr. President, the movement for the preservation of agricultural lands is much more than the environmentalist's yearning. It speaks to wise planning, accommodating urban growth where it is appropriate, protecting Hawaii's true natural resources beauty from short term economic interests. Tourism is dependent upon the preservation of this resource, and funding allocation to HVB will never overcome the result of raping of the land.

"If this bill is killed, it will subvert the work done by both the state and counties in attempting to provide a preferred growth policy of the state.

"I urge everyone to vote for this bill."

Senator O'Connor then rose to speak against the measure as follows:

"Mr. President, I rise to speak against the bill and I do so purely on a technical basis.

"The bill seeks to enact additional interim statewide land use guidance policy. We enacted the interim statewide land use guidance policy in Section 205-16.1 in 1975, pending the passage of the State Plan, and the only reason that we enacted this section at that time was that it be interim until the State Plan was in fact enacted.

"As a matter of fact, the section specifically states that these interim statewide land use guidance policies be effective until two years after the effective date of the enactment of the State Plan. Our State Plan has been in effect for more than two years.

"The corresponding section, Section 205-4(h) says that no amendment of a land use district boundary shall be approved unless the commission finds, upon the clear preponderance of the evidence, that the proposed boundary is reasonable, not violative of Section 205-2, and consistent with the interim policies and criteria pursuant to Section 205-16.1, or any State Plan enacted by the Legislature, which plan shall supersede any interim guidance policy.

"The format of our statutory scheme was to have the State Plan enacted, which we've done and then to have the interim policies and criteria go away, which it's supposed to do. Instead of having them go away this bill reenacts them, so we not only now have a State Plan but we have another interim plan; why, I'm not sure.

"I disagree with the earlier speaker that the State Plan must in this area include the functional plan. There's no such statement in our statute or in any of the planning guides. Once the State Plan is enacted, it's supposed to be the guide.

"I would suggest that if we go on and keep enacting interim, after interim, after interim, guidelines, we're going to get knocked over by the Supreme Court. It's going to say, 'Wait a second, you have a State Plan. You're supposed to follow it. It is supposed to contain the guidelines.'

"Mr. President, if it doesn't contain the guidelines there for some reason, our State Plan is not the State Plan that it should be, then we should be talking about amending the State Plan, not about additional interim plans when we already have the State Plan.

"For that technicality, I am going to vote against this bill."

The motion was put by the Chair and H.B. No. 1775-80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING", having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes, 4. Noes, 21 (Ajifu, Anderson, Carpenter, Carroll, Cayetano, Cobb, George, Hara, Kawasaki, Kuroda, Machida,

Mizuguchi, O'Connor, Saiki, Soares, Toyofuku, Ushijima, Wong, Yamasaki, Yee and Young).

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

At 11:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:23 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Senator O'Connor moved that the Senate reconsider its action taken on April 3, 1980 on S.B. No. 2155-80, S.D. 1, H.D. 1, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate agree to the amendments made by the House to Senate Bill No. 2155-80, S.D. 1, and that S.B. No. 2155-80, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cobb.

At this time, Senator O'Connor stated as follows:

"Mr. President, the changes in this bill has to do with the Intake Service Center and is shifting it from the Office of the Governor to the Department of Social Services and Housing.

"The only difference in the House version as compared to our original bill, is that the House amended the functions of the advisory board to make it a policy board and not one which reports to the Governor. This is logical in that the entire center will not be under the Governor anymore."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2155-80, S.D. 1, and S.B. No. 2155-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov.

Msg. No. 301), transmitting an Executive Order providing for an extension of the 1980 Session of the Tenth Legislature as follows:

"EXECUTIVE ORDER

"WHEREAS, Section 10, Article III of the Constitution of the State of Hawaii, provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor'; and

"WHEREAS, said Section 10 further provides that 'Saturdays, Sundays, holidays, the days in mandatory recess and any days in recess pursuant to a concurrent resolution shall be excluded in computing the number of days of any session'; and

"WHEREAS, the governor has been requested to grant an extension and it appears that such an extension is necessary;

"NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, do hereby extend the 1980 regular session of the Tenth Legislature of the State of Hawaii for a period of twenty-four (24) hours, following 12:00 midnight, April 18, 1980, but excluding Saturday and Sunday, pursuant to Section 10, Article III of the Constitution of the State of Hawaii.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 18th day of April, 1980.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII

APPROVED AS TO FORM:

/s/ Wayne Minami

WAYNE MINAMI
Attorney General",

was read by the Clerk and was placed on file.

RECONSIDERATION OF ACTIONS TAKEN EARLIER IN THE DAY

Standing Committee Report No. 1095-80 (H.B. No. 1162, H.D. 1):

Senator Cayetano moved that the Senate

reconsider its action on Stand. Com. Rep. No. 1095-80 and H.B. No. 1162, H.D. 1, seconded by Senator Kawasaki and carried.

By unanimous consent, action on Stand. Com. Rep. No. 1095-80 and H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", was deferred until Monday, April 21, 1980.

Conference Committee Report No. 32-80 (H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1):

Senator Cayetano moved that the Senate reconsider its action on Conf. Com. Rep. No. 32-80 and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, seconded by Senator Abercrombie and carried.

By unanimous consent, action on Conf. Com. Rep. No. 32-80 and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Monday, April 21, 1980.

Conference Committee Report No. 67-80 (H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1):

Senator Cayetano moved that the Senate reconsider its action on Conf. Com. Rep. No. 67-80 and H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, seconded by Senator Kawasaki and carried.

By unanimous consent, action on Conf. Com. Rep. No. 67-80 and H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Monday, April 21, 1980.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Senate Resolution No. 368:

By unanimous consent, action on S.R. No. 368, entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE REVEREND DR. CLAUDE F. DUTEIL", was deferred until Monday, April 21, 1980.

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 Monday, April 21, 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 Monday, April 21, 1980.

Conference Committee Report No. 87-80 (H.B. No. 2720-80, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 87-80 and H.B. No. 2720-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC." was deferred until Monday April 21, 1980.

At 11:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock p.m.

At this time, Senator Soares rose on a point of personal privilege to inform the members of the Senate that the Aloha T-shirts, with their respective names printed on the back of the shirt, placed on their desks, were provided by him as a token of the Aloha night of the legislative session.

Senator Carroll also rose on a point of personal privilege as follows:

"I would like to enter into the Journal our Aloha to 'Koma' Tanaka who is the lovely lady who assists in transcribing our sometimes interesting, more often nefarious, obnoxious and probably mostly boring comments through these four tortured months. So, for the record, I would like to say 'Aloha, Koma, and Mahalo Nui!' from all of us."

Senator Anderson then rose on a point of personal privilege as follows:

"Mr. President, while I have no vote on the subject of which none of us have, because the Governor of course can keep us in session, I think it's very unfair and extremely irresponsible of this body and the one across the hall to burden the Governor with an extension.

"The fault of what's happened in the disagreement between the two bodies is one that we brought on ourselves and we should have been men enough

to request ourselves, as any business group would, a three-day extension.

"The 24-hour extension that the Governor put forward, in fact, is a one-day extension and will not meet the constitutional requirement so the public ought to be aware that the one-day extension means at least to Wednesday midnight, a three-day extension.

"I'm sorry the Governor sought to get involved in this as I feel that it was the responsibility of the Senate and the House, who caused the problem, to go into an extension themselves for three days and not burden the Governor's Office."

Senator Cayetano responded as follows:

"Mr. President, in response to the previous speaker's remarks, I think the Senate was willing to take the step but the other body was not.

"I, personally, want to thank the Governor for showing great leadership and statesmanship at this time. I think he is serving his office and his role very well."

Senator Anderson further remarked as follows:

"Mr. President, speaking as a partisan this time, the Republicans, as we have for the last several weeks, as members of the Ways and Means Committee, stand ready in any way possible and ask that the Senate Ways and Means Committee and the House Finance Committee get down to serious business, start holding public meetings as the conference committee report indicates and get the business at hand resolved.

"I do not think that we should continue forever to run this thing in the way it has been handled.

"I would ask that the President utilize his office to knock a few heads, if need be, and I think it incumbent on you, Mr. President, as the President of the Senate and as President of the majority party, to get this resolved as quickly as possible."

ADJOURNMENT

At 12:00 o'clock midnight, on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, April 21, 1980.

SIXTY-FIRST DAY

Monday, April 21, 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 Claude DuTeil of the Institute for Human Services, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Hara and Kawasaki who were excused.

The President announced that he had read and approved the Journal of the Sixtieth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 302 to 304) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 302), advising the Senate of the withdrawal of the nomination to the Board of Regents, University of Hawaii, of Constance B. Smales, term to expire December 31, 1983, under Governor's Message No. 288, was placed on file.

In compliance with Gov. Msg. No. 302, the nomination listed under Gov. Msg. No. 288 was returned.

A message from the Governor (Gov. Msg. No. 303), advising the Senate of the withdrawal of the nomination to the Board of Regents, University of Hawaii, of William F. Mielcke, term to expire December 31, 1982, under Governor's Message No. 287, was placed on file.

In compliance with Gov. Msg. No. 303, the nomination listed under Gov. Msg. No. 287 was returned.

A message from the Governor (Gov. Msg. No. 304), advising the Senate of the withdrawal of the nomination to the Western Interstate Commission on Higher Education of Sumie F. McCabe, term to expire December 31, 1983, under Governor's Message No. 212, was placed on file.

In compliance with Gov. Msg. No. 304, the nomination listed under Gov. Msg. No. 212 was returned.

HOUSE COMMUNICATIONS

The following communications from

the House (Hse. Com. No. 762 to 778) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 762), transmitting House Concurrent Resolution No. 134 which was adopted by the House of Representatives on April 18, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF MAY 7 THROUGH MAY 14, 1980 AS ASIAN/PACIFIC AMERICAN HERITAGE WEEK", was adopted.

A communication from the House (Hse. Com. No. 763), transmitting House Concurrent Resolution No. 153 which was adopted by the House of Representatives on April 18, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING A WARM 'ALOHA' TO THE AMERICAN NEWSPAPER PUBLISHERS ASSOCIATION AND ITS MANY DISTINGUISHED GUESTS ON THE OCCASION OF THE 94TH ANNUAL AMERICAN NEWSPAPER PUBLISHERS CONVENTION IN HONOLULU, HAWAII, FROM APRIL 21-23, 1980", was adopted.

A communication from the House (Hse. Com. No. 764), transmitting House Concurrent Resolution No. 70, H.D. 1, which was adopted by the House of Representatives on April 18, 1980, was placed on file.

By unanimous consent, H.C.R. No. 70, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION PROPOSING A CODE OF ETHICS FOR GOVERNMENT SERVICE", was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 765), transmitting House Concurrent Resolution No. 102 which was adopted by the House of Representatives on April 18, 1980, was placed on file.

By unanimous consent, H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE LIFE INSURANCE COST DISCLOSURE PROPOSALS AND RELATED SUGGESTIONS IN THE BUREAU OF CONSUMER PROTECTION'S 1979 STAFF REPORT TO THE FEDERAL TRADE COMMISSION AND THE NAIC MODEL COST DISCLOSURE REGULATION PROPOSAL", was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 766), transmitting House Concurrent

Resolution No. 128 which was adopted by the House of Representatives on April 18, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 128, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT THROUGH THE GOVERNOR'S ADVISORY COUNCIL ON CHINA AFFAIRS, TO INITIATE ESTABLISHMENT OF A SISTER-STATE/PROVINCE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND GUANGDONG PROVINCE OF THE PEOPLE'S REPUBLIC OF CHINA", was adopted.

A communication from the House (Hse. Com. No. 767), transmitting House Concurrent Resolution No. 139 which was adopted by the House of Representatives on April 18, 1980, was placed on file.

By unanimous consent, H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO STATE FUNCTIONAL PLANS", was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 768), returning Senate Concurrent Resolution No. 55 which was adopted by the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 769), returning Senate Bill No. 1973-80 which passed Third Reading in the House of Representatives by not less than two-thirds vote of all the members to which the House is entitled on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 770), 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. 1161, S.D. 1, was adopted by the House; and S.B. No. 1161, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 771), 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. 1784-80, H.D. 1, was adopted by the House; and H.B. No. 1784-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House

(Hse. Com. No. 772), 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. 1827-80, S.D. 1, was adopted by the House; and S.B. No. 1827-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 773), 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. 1838-80, S.D. 3, was adopted by the House; and S.B. No. 1838-80, S.D. 3, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 774), 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. 1851-80, S.D. 2, was adopted by the House; and S.B. No. 1851-80, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 775), 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. 2329-80, S.D. 2, was adopted by the House; and S.B. No. 2329-80, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 776), 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. 2741-80, S.D. 1, was adopted by the House; and S.B. No. 2741-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 777), 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. 2784-80, S.D. 2, was adopted by the House; and S.B. No. 2784-80, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1980, was placed on file.

A communication from the House (Hse. Com. No. 778), 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. 2927-80, S.D. 2, was

adopted by the House; and S.B. No. 2927-80, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1980, was placed on file.

MATTER DEFERRED
FROM APRIL 18, 1980

Senate Resolution No. 368:

Senator George moved that S.R. No. 368 be adopted, seconded by Senator Saiki.

Senator George then stated as follows:

"Mr. President, in asking for an 'aye' vote on this resolution, I would like to relate some of the information that I received about the Institute for Human Services. Maybe some of you here know it better as the 'peanut butter ministry', that's usually the way it is referred to.

"There are some things about it that maybe most of us haven't known before. One is that the Institute for Human Services is supported solely by church and private contributions; they don't come and ask for money from the state; they are not bound by federal or state red tape. The Institute can set its own standards, and its first rule is 'we don't turn anyone away.'

"Its success has been enormous as most of us know but its success is measured by a different yardstick from the one that most of us use to measure success. Success for the peanut butter ministry is when a hungry person is fed even a meal as simple as a peanut butter sandwich; success is when a lonely person finds companionship; success is when a frightened person is comforted; and success is when a bone-weary person can sleep without fear of being beaten and robbed and get cleaned and clothed for a job interview.

"Mr. President, the reason I read all this about the Institute for Human Services is that the resolution I'm asking you to vote for is in honor of the founder and the present 'spark plug' of the Institute for Human Services."

The motion was put by the Chair and carried, and S.R. No. 368, entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE REVEREND DR. CLAUDE F. DUTEIL", was adopted.

Senator George then introduced to the members of the Senate Reverend Dr. Claude F. DuTeil and presented him with a lei, a certified copy of the resolution and a three pound can

of peanut butter.

At 11:22 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:24 o'clock a.m.

SENATE RESOLUTION

A resolution (S.R. No. 373), entitled: "SENATE RESOLUTION WELCOMING AND EXTENDING ALOHA TO THE NEW MEXICO AMIGOS AND THE HONORABLE BRUCE E. KING, GOVERNOR OF THE STATE OF NEW MEXICO", was jointly offered by Senators Kuroda, O'Connor, Cobb, Machida, Carpenter, Saiki, Anderson, Mizuguchi, Ushijima, Hara, Toyofuku, Young, Chong, Abercrombie, Ajifu, Yee, George, Yamasaki and Campbell and was read by the Clerk.

Senator Kuroda moved that S.R. No. 373 be adopted, seconded by Senator O'Connor.

Senator Kuroda then stated as follows:

"Mr. President, you will note that the fourth 'whereas' clause states that the Amigos have chosen to honor the State of Hawaii by placing Honolulu on the itinerary of the 1980 Goodwill Flight. Since 1962, this group has been going on goodwill flights all over the country. At the time they are here in Hawaii, those of us who will be participating with the Amigos will extend to them the good wishes of the Senate."

The motion was put by the Chair and carried, and S.R. No. 373 was adopted.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1171-80) informing the Senate that Senate Resolution Nos. 359 to 372 and Standing Committee Report Nos. 1134-80 to 1170-80 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.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 18, 1980

FINAL READING

Conference Committee Report No. 32-80 (H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf.

Com. Rep. No. 32-80 and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 67-80 (H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67-80 and H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 87-80 (H.B. No. 2720-80, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 87-80 and H.B. No. 2720-80, S.D. 2, C.D. 1, was deferred to the end of the calendar.

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, was deferred to the end of the calendar.

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, was deferred to the end of the calendar.

Standing Committee Report No. 1095-80 (H.B. No. 1162, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1095-80 and H.B. No. 1162, H.D. 1, was deferred to the end of the calendar.

FINAL READING

Conference Committee Report No. 89-80 (S.B. No. 2914-80, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Toyofuku and carried, Conf. Com. Rep. No. 89-80 was adopted and S.B. No. 2914-80, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Abercrombie, Hara and Kawasaki).

At this time, Senator Machida introduced to the members of the Senate a large group of retired government employees

from the islands of Maui, Hawaii, Kauai and Oahu.

At 11:27 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 8:00 o'clock p.m. tonight.

NIGHT SESSION

The Senate reconvened at 11:58 o'clock p.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 305), transmitting an Executive Order providing for an extension of the 1980 Session of the Tenth Legislature as follows:

"EXECUTIVE ORDER

"WHEREAS, Section 10, Article III of the Constitution of the State of Hawaii, provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members of which each house is entitled or may be granted by the governor'; and

"WHEREAS, pursuant thereto the governor extended the 1980 regular session of the Tenth Legislature of the State of Hawaii for a period of twenty-four hours, excluding Saturday and Sunday, to 12:00 midnight, April 21, 1980; and

"WHEREAS, it appears that a further extension is necessary in the public interest;

"NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, do hereby further extend the 1980 regular session of the Tenth Legislature of the State of Hawaii for a period of Twenty-Four (24) hours following 12:00 midnight, April 21, 1980.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 21st day of April, 1980.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii,

APPROVED AS TO FORM:

/s/ Wayne Minami

WAYNE MINAMI
Attorney General",

was read by the Clerk and was placed

on file.

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

Conference Committee Report No.
32-80 (H.B. No. 2723-80, H.D. 2,
S.D. 2, C.D. 1):

By unanimous consent, action on
Conf. Com. Rep. No. 32-80 and H.B.
No. 2723-80, H.D. 2, S.D. 2, C.D.
1, entitled: "A BILL FOR AN ACT
RELATING TO THE HAWAII HOUSING
AUTHORITY", was deferred until
Tuesday, April 22, 1980.

Conference Committee Report No.
67-80 (H.B. No. 2029-80, H.D. 2,
S.D. 2, C.D. 1):

By unanimous consent, action on
Conf. Com. Rep. No. 67-80 and H.B.
No. 2029-80, H.D. 2, S.D. 2, C.D.
1, entitled: "A BILL FOR AN ACT
RELATING TO THE HAWAII HOUSING
AUTHORITY", was deferred until
Tuesday, April 22, 1980.

Conference Committee Report No.
87-80 (H.B. No. 2720-80, S.D. 2,
C.D. 1):

By unanimous consent, action on
Conf. Com. Rep. No. 87-80 and H.B.
No. 2720-80, S.D. 2, C.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR PAYMENT OF
SETTLEMENT BETWEEN THE STATE
OF HAWAII AND MARK CONSTRUCTION,
INC.", was deferred until Tuesday,

April 22, 1980.

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 Tuesday, April 22, 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 Tuesday, April
22, 1980.

Standing Committee Report No. 1095-
80 (H.B. No. 1162, H.D. 1):

By unanimous consent, action on
Stand. Com. Rep. No. 1095-80 and H.B.
No. 1162, H.D. 1, entitled: "A BILL
FOR AN ACT RELATING TO HEALTH",
was deferred until Tuesday, April
22, 1980.

ADJOURNMENT

At 11:59 o'clock p.m., on motion
by Senator Mizuguchi, seconded by
Senator Soares and carried, the Senate
adjourned until 6:00 o'clock p.m.,
Tuesday, April 22, 1980.

SIXTY-SECOND DAY

Tuesday, April 22, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:30 o'clock p.m., with the President in the Chair.

The Divine Blessing was invoked by Auntie Mona K. Hao, member of Haili Church of Hilo, Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Chong, Kuroda, Yim and Young, who were excused.

The President announced that he had read and approved the Journal of the Sixty-First Day.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1172-80) informing the Senate that Senate Resolution No. 373 had been printed and is ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

At 11:34 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock p.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 306), transmitting an Executive Order providing for an extension of the 1980 Session of the Tenth Legislature as follows:

"EXECUTIVE ORDER

"WHEREAS, Section 10, Article III of the Constitution of the State of Hawaii, provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor'; and

"WHEREAS, pursuant thereto the governor extended the 1980 regular session of the Tenth Legislature of the State of Hawaii for a period of twenty-four hours, excluding Saturday and Sunday, to 12:00 midnight, April 21, 1980; and

"WHEREAS, the governor further extended the 1980 regular session of

the Tenth Legislature of the State of Hawaii for a period of twenty-four hours to 12:00 midnight, April 22, 1980; and

"WHEREAS, it appears that a further extension is necessary in the public interest;

"NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, do hereby further extend the 1980 regular session of the Tenth Legislature of the State of Hawaii for a period of Seventy-Two (72) hours following 12:00 midnight, April 22, 1980.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 22nd day of April, 1980.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII

APPROVED AS TO FORM:

/s/ Wayne Minami

WAYNE MINAMI Attorney General",

was read by the Clerk and was placed on file.

MATTERS DEFERRED
FROM APRIL 21, 1980

FINAL READING

Conference Committee Report No. 32-80 (H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 32-80 and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Wednesday, April 23, 1980.

Conference Committee Report No. 67-80 (H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67-80 and H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Wednesday, April 23, 1980.

Conference Committee Report No.

87-80 (H.B. No. 2720-80, S.D. 2, C.D.1):

By unanimous consent, action on Conf. Com. Rep. No. 87-80 and H.B. No. 2720-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.", was deferred until Wednesday, April 23, 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 Wednesday, April 23, 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 Wednesday, April 23, 1980.

Standing Committee Report No. 1095-80 (H.B. No. 1162, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1095-80 and H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", was deferred until Wednesday, April 23, 1980.

ADJOURNMENT

At 11:59 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 12:01 o'clock a.m., Wednesday, April 23, 1980.

SIXTY-THIRD DAY

Wednesday, April 23, 1980

FINAL READING

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 12:01 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Senator Dennis O'Connor, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Chong, Yim and Young who were excused.

The President announced that he had read and approved the Journal of the Sixty-Second Day.

STANDING COMMITTEE REPORTS

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1173-80) recommending that House Bill No. 1361, H.D. 3, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1361, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX CREDITS", passed Second Reading and was placed on the calendar for Third Reading on Friday, April 25, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1361, H.D. 3.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1174-80) recommending that House Bill No. 2552-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2552-80, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS", passed Second Reading and was placed on the calendar for Third Reading on Friday, April 25, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2552-80.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 22, 1980

Conference Committee Report No. 32-80 (H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 32-80 and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Thursday, April 24, 1980.

Conference Committee Report No. 67-80 (H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67-80 and H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Thursday, April 24, 1980.

Conference Committee Report No. 87-80 (H.B. No. 2720-80, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 87-80 and H.B. No. 2720-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.", was deferred until Thursday, April 24, 1980.

THIRD READING

Standing Committee Report No. 679-80 (S.B. No. 1829-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 679-80 and S.B. No. 1829-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT", was deferred until Thursday, April 24, 1980.

Standing Committee Report No. 695-80 (S.B. No. 1828-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 695-80 and S.B. No. 1828-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NON-PROFIT CORPORATION ACT", was deferred until Thursday, April 24, 1980.

Standing Committee Report No. 1095-80 (H.B. No. 1162, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1095-80 and H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", was deferred until Thursday, April 24, 1980.

At 12:07 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate stood in recess for the purpose of receiving Conference Committee Reports on bills for Final Reading.

CONFERENCE COMMITTEE REPORTS

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 18, H.D. 1, S.D. 2, presented a report (Conf. Com. Rep. No. 90-80) recommending that H.B. No. 18, H.D. 1, S.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 H.B. No. 18, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COUNCIL ON REVENUES".

Senator Cayetano, for the majority of the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1864-80, H.D. 1, S.D. 2, presented a report (Conf. Com. Rep. No. 91-80) recommending that H.B. No. 1864-80, H.D. 1, S.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 H.B. No. 1864-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1865-80, H.D. 1, S.D. 2, presented a report (Conf. Com. Rep. No. 92-80) recommending that H.B. No. 1865-80, H.D. 1, S.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 H.B. No. 1865-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2773-80, H.D. 1, S.D.

1, presented a report (Conf. Com. Rep. No. 93-80) recommending that H.B. No. 2773-80, H.D. 1, S.D. 1, 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 H.B. No. 2773-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS".

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. 2795-80, S.D. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 94-80) recommending that S.B. No. 2795-80, S.D. 1, H.D. 1, 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. 2795-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS".

Senator Cayetano, for the majority of the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1912-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 95-80) recommending that H.B. No. 1912-80, H.D. 1, S.D. 1, 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 H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIMUM JULY 1, 1979 TO JUNE 30, 1981".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1772-80, H.D. 2, S.D. 1, presented a report (Conf. Com. Rep. No. 96-80) recommending that H.B. No. 1772-80, H.D. 2, S.D. 1, 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 H.B. No. 1772-80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED".

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:00 o'clock a.m., Thursday, April 24, 1980.

SIXTY-FOURTH DAY

Thursday, April 24, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:00 a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Jerry Appleby of the Church of the Nazarene, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Kuroda, Saiki and Ushijima who were excused.

The President announced that he had read and approved the Journal of the Sixty-Third Day.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1175-80) informing the Senate that Conference Committee Report Nos. 90-80 to 96-80, Standing Committee Report Nos. 1173-80 and 1174-80, House Bill No. 1222, H.D. 1, S.D. 3, C.D. 1 and Senate Bill No. 2635-80, S.D. 2, H.D. 1, C.D. 1 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.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 23, 1980

FINAL READING

Conference Committee Report No. 32-80 (H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 32-80 and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Friday, April 25, 1980.

Conference Committee Report No. 67-80 (H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67-80 and H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Friday, April 25, 1980.

Conference Committee Report No. 87-80 (H.B. No. 2720-80, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 87-80 and H.B. No. 2720-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.", was deferred until Friday, April 25, 1980.

THIRD READING

Standing Committee Report No. 1095-80 (H.B. No. 1162, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1095-80 and H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", was deferred until Friday, April 25, 1980.

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 25, 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 25, 1980.

At 11:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:28 o'clock a.m.

RECONSIDERATION OF ACTION
TAKEN ON APRIL 23, 1980

Conference Committee Report No. 96-80 (H.B. No. 1772-80, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate reconsidered its action taken on April 23, 1980 in placing H.B. No. 1772-80, H.D. 2, S.D. 1,

C.D. 1, on 48-hour notice for Final Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Roll Call vote having been requested, Conf. Com. Rep. No. 96-80 and H.B. No. 1772-80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", were recommitted to the Committee on Conference on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Carroll). Excused, 4 (Abercrombie, Kuroda, Saiki and Ushijima).

Senator Cayetano, chairman of various conference committees, requested that the following package as offered by the House of Representatives be inserted into the Journal:

"I. For the Office of Hawaiian Affairs: Section I - \$200,000 (General Fund) and Section II - 20% of funds from Public Land Trust (H.B. No. 1853-80, S.D.3);

"II. For the State Comprehensive Employment Training program: \$3,000,000

(H.B. No. 1772-80, H.D. 2, S.D. 1);

"III. For the Supplemental Budget: Capital Improvement Projects plus Cash (H.B. No. 1912-80, H.D. 1, S.D. 1);

"IV. For the Pensioners Bonus: The formula of \$5.00 a month for each year of the retirant's or pensioner's credited service, if the person retired prior to July 1, 1965; \$3.00, if the person retired after June 30, 1965 but prior to July 1, 1970; \$2.00, if the person retired after June 30, 1970 but prior to July 1, 1975; and \$1.00, if the person retired after June 30, 1975 but prior to July 1, 1979. (H.B. No. 2035-80, H.D. 2, S.D. 2); and

"V. The Senate version of Land Bank plus \$10,000,000. (H.B. No. 2574-80, H.D. 2, S.D. 1)."

ADJOURNMENT

At 11:30 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 7:00 o'clock p.m., Friday, April 25, 1980.

SIXTY-FIFTH DAY

Friday, April 25, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 7:00 o'clock p.m., with the President in the Chair.

The Divine Blessing was invoked by Mrs. Linda Cravalho, a member of the parish at St. Anthony's Church in Kailua, after which the Roll was called showing all Senators present with the exception of Senator Yim who was excused.

The President announced that he had read and approved the Journal of the Sixty-Fourth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 307 to 309) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 307), informing the Senate that on April 17, 1980, he signed the following bills into law:

S.B. No. 1519 as Act 20, entitled: "RELATING TO HAWAII BANK ACT OF 1931";

S.B. No. 2066-80 as Act 21, entitled: "RELATING TO LIQUOR";

S.B. No. 3085-80 as Act 22, entitled: "RELATING TO ENVIRONMENTAL IMPACT STATEMENTS";

S.B. No. 3131-80 as Act 23, entitled: "RELATING TO MORTUARIES AND FUNERALS"; and

H.B. No. 2418-80 as Act 24, entitled: "RELATING TO ENERGY PRODUCTION FACILITIES IN AGRICULTURE DISTRICTS",

was placed on file.

A message from the Governor (Gov. Msg. No. 308), informing the Senate that on April 22, 1980, he signed the following bills into law:

S.B. No. 1871-80 as Act 25, entitled: "RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII";

S.B. No. 1992-80 as Act 26, entitled: "RELATING TO TRADEMARKS, PRINTS, LABELS, AND TRADE NAMES";

S.B. No. 2003-80 as Act 27, entitled: "RELATING TO MOTOR CARRIER SAFETY LAW";

S.B. No. 2004-80 as Act 28, entitled: "RELATING TO HIGHWAY SAFETY";

S.B. No. 2188-80 as Act 29, entitled: "RELATING TO ARTICLES OF INCORPORATION";

S.B. No. 2515-80 as Act 30, entitled: "RELATING TO CONTRACTORS";

S.B. No. 2740-80 as Act 31, entitled: "RELATING TO SHARES WITHOUT PAR VALUE";

S.B. No. 3026-80 as Act 32, entitled: "RELATING TO TEMPORARY DISABILITY INSURANCE";

H.B. No. 1827-80 as Act 33, entitled: "RELATING TO PARTNERSHIPS";

H.B. No. 2127-80 as Act 34, entitled: "RELATING TO THE IMPOUNDMENT OF VESSELS"; and

H.B. No. 2351-80 as Act 35, entitled: "RELATING TO EMPLOYMENT PRACTICES",

was placed on file.

A message from the Governor (Gov. Msg. No. 309), informing the Senate that on April 23, 1980, he signed the following bills into law:

H.B. No. 721 as Act 36, entitled: "RELATING TO CONSUMER TRANSACTIONS";

H.B. No. 1816-80 as Act 37, entitled: "RELATING TO TRUST COMPANIES";

H.B. No. 1817-80 as Act 38, entitled: "RELATING TO INSURANCE";

H.B. No. 1969-80 as Act 39, entitled: "RELATING TO PROPERTY";

H.B. No. 2284-80 as Act 40, entitled: "RELATING TO FROZEN FOOD PRODUCTS";

H.B. No. 2339-80 as Act 41, entitled: "RELATING TO PORT PILOTS"; and

H.B. No. 2487-80 as Act 42, entitled: "RELATING TO THE DEPARTMENT OF EDUCATION",

was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 374 to 376) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 374), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE McCULLY AJA BASEBALL TEAM ON ITS WINNING THE OAHU AJA

SENIOR BASEBALL LEAGUE CHAMPIONSHIP", was jointly offered by Senators Toyofuku, Hara, Machida, Chong, Yamasaki, Carpenter, Kawasaki, Cayetano and Young.

On motion by Senator Campbell, seconded by Senator Young and carried, S.R. No. 374 was adopted.

A resolution (S.R. No. 375), entitled: "SENATE RESOLUTION ENCOURAGING AND EXTENDING WARMEST ALOHA TO ALL INDIVIDUALS, GROUPS, AND ORGANIZATIONS CHOOSING TO RECOGNIZE THE YEARS 1980 THROUGH 1989 AS 'HAWAII IN THE EIGHTIES: DECADE OF YOUTH'", was jointly offered by Senators Toyofuku, Hara, Machida, Chong, Yamasaki, Carpenter, Kawasaki, Young and Cayetano.

On motion by Senator Campbell, seconded by Senator Chong and carried, S.R. No. 375 was adopted.

A resolution (S.R. No. 376), entitled: "SENATE RESOLUTION HONORING BRUCE CRAIG BEETHAM, MEMBER OF PARLIAMENT AND LEADER OF THE SOCIAL CREDIT PARTY OF NEW ZEALAND ON HIS FACT FINDING TRIP TO HAWAII", was jointly offered by Senators Chong, Carpenter, Cayetano, Soares, Wong, Yamasaki, O'Connor, Hara, Yim, Mizuguchi, Machida, Kawasaki and Cobb.

On motion by Senator Chong, seconded by Senator Carpenter and carried, S.R. No. 376 was adopted.

Senator Chong introduced the honoree as follows:

"Mr. President, the man we are honoring today is a distinguished member of the New Zealand parliament and a leader of one of the three major political parties in that country, the Social Credit Party.

"Like Hawaii, New Zealand is blessed with an equable climate that lets the grass grow green throughout the year; and like Hawaii, the interracial relationships in New Zealand are generally kind and gentle compared to such relationships elsewhere in the world; and like Hawaii, with a small population, New Zealanders enjoy one of the highest standards of living in the world; and like Hawaii, New Zealand possesses several outstanding Universities; and like Hawaii, New Zealand's flag consists of the Union Jack in its upper left quadrant reflecting a common historical relationship with an Atlantic ocean island peoples, like British.

"Mr. President, Bruce Craig Beetham epitomizes this unique cultural heritage,

having graduated with honors and an M.A. from Auckland University in 1959 and being awarded the Master of Philosophy degree in 1972 from the University of Waikato.

"It is my pleasure to introduce to you Mr. Bruce Craig Beetham."

Senator Chong then presented Mr. Beetham with a certified copy of the resolution just adopted and Senator Young presented him with a lei.

At 7:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock p.m.

PETITION

A petition, respectfully requesting an extension of 12 hours beyond the Sixty-Fifth Day of the Regular Session of 1980 of the Tenth Legislature of the State of Hawaii, signed by not less than two-thirds of the members to which each house is entitled, was read by the Clerk and was placed on file.

Upon receiving the sufficient number of signatures of the members of both Houses, the President of the Senate and the Speaker of the House of Representatives issued the following proclamation which was read by the Clerk:

"P R O C L A M A T I O N

"We, Richard S.H. Wong, President of the Senate, and James H. Wakatsuki, Speaker of the House of Representatives, of the Tenth Legislature of the State of Hawaii, pursuant to the power vested in us by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which each house is entitled, do hereby extend the Regular Session of 1980 of the Tenth Legislature of the State of Hawaii for a period of 12 hours beyond the Sixty-Fifth Day of the 1980 Regular Session, excluding Saturdays, Sundays, holidays and any days in recess pursuant to a concurrent resolution.

/s/ Richard S.H. Wong

RICHARD S. H. WONG
President of the Senate

/s/ James H. Wakatsuki

JAMES H. WAKATSUKI
Speaker of the House"

MATTERS DEFERRED
FROM APRIL 24, 1980

FINAL READING

Conference Committee Report No. 32-80 (H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 32-80 and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Monday, April 28, 1980.

Conference Committee Report No. 67-80 (H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67-80 and H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Monday, April 28, 1980.

Conference Committee Report No. 87-80 (H.B. No. 2720-80, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 87-80 and H.B. No. 2720-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC", was deferred until Monday, April 28, 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 Monday, April 28, 1980.

Standing Committee Report No. 695-80 (S.B. No. 1828-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 695-80 and S.B. No. 1828-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NON-PROFIT CORPORATION ACT", was deferred until Monday, April 28, 1980.

Standing Committee Report No. 1095-80 (H.B. No. 1162, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1095-80 and H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

HEALTH", was deferred until Monday, April 28, 1980.

MATTERS DEFERRED
FROM APRIL 23, 1980

FINAL READING

Conference Committee Report No. 90-80 (H.B. No. 18, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 90-80 and H.B. No. 18, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COUNCIL ON REVENUES", was deferred until Monday, April 28, 1980.

Conference Committee Report No. 91-80 (H.B. No. 1864-80, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 91-80 and H.B. No. 1864-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", was deferred until Monday, April 28, 1980.

Conference Committee Report No. 92-80 (H.B. No. 1865-80, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 92-80 and H.B. No. 1865-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", was deferred until Monday, April 28, 1980.

Conference Committee Report No. 93-80 (H.B. No. 2773-80, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 93-80 and H.B. No. 2773-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS", was deferred until Monday, April 28, 1980.

Conference Committee Report No. 94-80 (S.B. No. 2795-80, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 94-80 and S.B. No. 2795-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS", was deferred until Monday, April 28, 1980.

Conference Committee Report No. 95-80 (H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf.

Com. Rep. No. 95-80 and H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIIUM JULY 1, 1979 TO JUNE 30, 1981", were recommitted to the Committee on Conference.

MATTERS DEFERRED
FROM APRIL 23, 1980

THIRD READING

House Bill No. 1361, H.D. 3:

By unanimous consent, action on H.B. No. 1361, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX CREDITS", was deferred until Monday, April 28, 1980.

House Bill No. 2552-80:

By unanimous consent, action on H.B. No. 2552-80, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS", was deferred until Monday, April 28, 1980.

RECONSIDERATION OF ACTION
TAKEN ON APRIL 24, 1980

Conference Committee Report No. 96-80 (H.B. No. 1772-80, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate reconsidered its action taken on April 24, 1980 in recommitting Conf. Com. Rep. No. 96-80 and H.B. No. 1772-80, H.D. 2, S.D. 1, C.D. 1, to the Committee on Conference.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1772-80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED".

At 11:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock p.m.

RECONSIDERATION OF ACTION
TAKEN ON APRIL 3, 1980

Senate Bill No. 2531-80, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate reconsidered its action taken on April 3, 1980 in disagreeing to the amendments made by the House to Senate Bill

No. 2531-80.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2531-80, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2531-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET".

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

CONFERENCE COMMITTEE REPORTS

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1853-80, S.D. 3, presented a report (Conf. Com. Rep. No. 97-80) recommending that H.B. No. 1853-80, S.D. 3, 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 H.B. No. 1853-80, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2035-80, H.D. 2, S.D. 2, presented a report (Conf. Com. Rep. No. 98-80) recommending that H.B. No. 2035-80, H.D. 2, S.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 H.B. No. 2035-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS".

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1912-80, H.D. 1, S.D. 1, presented a report (Conf. Com. Rep. No. 99-80) recommending that H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 1, as amended in C.D. 2, 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 H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIIUM JULY 1,

1979 TO JUNE 30, 1981".

ADJOURNMENT

At 11:46 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 8:30 o'clock a.m., Monday, April 28, 1980.

SIXTY-SIXTH DAY

Monday, April 28, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 8:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Dennis Koshko of the Cathedral of Our Lady of Peace, after which the Roll was called, showing all Senators present with the exception of Senator Cobb who was excused.

The President announced that he had read and approved the Journal of the Sixty-Fifth Day.

At this time, Senator Yee introduced to the members of the Senate 25 second grade students from Punahou School, accompanied by their teacher Joan Petrie.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 779 to 784) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 779), 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. 18, H.D. 1, was adopted by the House; and H.B. No. 18, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 25, 1980, was placed on file.

A communication from the House (Hse. Com. No. 780), 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. 2773-80, H.D. 1, was adopted by the House; and H.B. No. 2773-80, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 25, 1980, was placed on file.

A communication from the House (Hse. Com. No. 781), returning Senate Concurrent Resolution No. 58, S.D. 1, which was adopted by the House of Representatives on April 25, 1980, was placed on file.

A communication from the House (Hse. Com. No. 782), returning Senate Bill No. 866, S.D. 1, which passed Third Reading in the House of Representatives on April 25, 1980, was placed on file.

A communication from the House (Hse. Com. No. 783), returning Senate Bill No. 2634-80, S.D. 1, which passed Third Reading in the House of Representatives

on April 25, 1980, was placed on file.

A communication from the House (Hse. Com. No. 784), informing the Senate that the amendments proposed by the Senate to House Concurrent Resolution No. 124 were agreed to by the House and H.C.R. No. 124, S.D. 1, was Finally adopted by the House of Representatives on April 25, 1980, was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 377 to 385) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 377), entitled: "SENATE RESOLUTION EXPRESSING APPRECIATION TO THE MINISTERS OF RELIGION FOR THEIR INSPIRATIONAL PRAYERS", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 377 was adopted.

A resolution (S.R. No. 378), entitled: "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE TENTH LEGISLATURE, REGULAR SESSION OF 1980", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 378 was adopted.

A resolution (S.R. No. 379), entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 379 was adopted.

A resolution (S.R. No. 380), entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 380 was adopted.

A resolution (S.R. No. 381), entitled: "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE TENTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 381 was adopted.

A resolution (S.R. No. 382), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 382 was adopted.

A resolution (S.R. No. 383), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 383 was adopted.

A resolution (S.R. No. 384), entitled: "SENATE RESOLUTION RELATING TO STANDING AND SPECIAL COMMITTEES AUTHORIZED TO CONDUCT HEARINGS DURING THE INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 1980 AND THE CONVENING OF THE REGULAR SESSION OF 1981", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 384 was adopted.

A resolution (S.R. No. 385), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTY-SIXTH DAY", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 385 was adopted.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1176-80) informing the Senate that Senate Resolution Nos. 374 to 376 and Conference Committee Report Nos. 97-80 to 99-80 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.

ORDER OF THE DAY

FINAL READING

Conference Committee Report No. 99-80 (H.B. No. 1912-80, H.D. 1, S.D.

1, C.D. 2):

Senator Cayetano moved that Conf. Com. Rep. No. 99-80 be adopted and H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 2, having been read throughout, pass Final Reading, seconded by Senator Kawasaki.

At this time, Senator Cayetano rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 2, relating to the budget.

"In doing so, I wish to express my thanks to the members of the Ways and Means Committee, Majority and Minority, for their tireless efforts in developing this bill. I also want to thank the subject matter committees for their contributions and recommendations and I especially want to thank the members of the Ways and Means staff for their dedicated work and the effort they put into this bill.

"Mr. President, last session the conference on the budget was one of the fastest in the history of the Legislature. Negotiations took less than one day to complete. This did not come about by accident. It came about because both the House and the Senate staff and the committee members, as well as Ways and Means staff and committee members, were well prepared and versed in matters relating to the budget. Both sides understood the complexities of the new fiscal rules relating to the budgeting that was imposed upon the Legislature by the 1978 Amendment to the State Constitution. Perhaps most important, both sides were willing to withstand the pain which is a necessary condition of the cost of fiscal restraint chartered for the state by the people's ratification of the Con Con Amendments in November of 1978.

"With this understanding and acceptance of the people's will, last session's budget conference was held in an atmosphere of trust and cooperation. And the final product, Act 214, reflected such an atmosphere. A budget bill was passed in a format which clearly expressed the Legislature's priorities regarding expenditures. The limit for spending was framed in an expenditure ceiling which the Legislature imposed upon itself and, as a result, the budget bill or Act 214 was a responsible, frugal budget with appropriations for expenditures and capital improvements set well below the levels requested by the Governor.

"I reflect on the history of last year's budget conference only to remind you of what was accomplished and what could be accomplished in a spirit of cooperation and trust, and rather than

engage in recrimination about the manner in which this year's conference took place, I want to state for the record that the Senate budget conferees were as well if not better versed and prepared in matters relating to the budget than last year, and that there were no changes in the make-up of the Senate conferees. The Senate was represented by the same conferees who participated in last year's historic conference and that the Senate was prepared to do the people's business in the same atmosphere and spirit of trust and cooperation which prevailed last year.

"Unfortunately, the House lost its outstanding leader the Honorable Jack Suwa to retirement. His absence from this year's budget conference was sorely felt. The same degree of experience, wisdom and knowledge was not available to House and Senate conferees. As a result, negotiations were difficult and at times confused.

"Despite these difficulties we have before us a bill which is a frugal and responsible budget. Mr. President, I'm pleased with this bill because it basically is a Senate document. Much of what is contained in this bill was recommended by your Senate conferees and those recommendations which were accepted were accepted because the justifications were sound and responsible and in the best interest of the people in our state.

"For example, because of the large surplus of general fund revenues, both Senate and House planned expenditures which total would exceed the self-imposed expenditure ceiling. The Senate financial plan called for extraordinary expenditures for land banking, repair and maintenance, water resources development and energy research, totalling approximately \$46 million above the expenditure ceiling, but not to exceed the \$67 million surplus for fiscal year 1979. The House, on the other hand, called for extraordinary expenditures totalling three times the amount requested by the Senate.

"I'm very happy to inform this body that the budget bill before you calls for such extraordinary expenses amounting to approximately \$64.7 million, well below the Senate's bill of \$67 million.

"In determining program expenditures, the Senate attempted to cut fat and streamline government operations without affecting the quality of level of government services. I believe this goal was accomplished in many program areas; for example, in EDN 105 the Senate's recommendation to cut \$1,275,000 was accepted, resulting in a savings in that amount to the people.

"The Senate's recommendations to buy \$2 million worth of textbooks from savings resulting from the UPW strike, rather than making an additional appropriation of \$2 million was accepted.

"In health, Health 170, the Senate's recommendation to appropriate only \$995,000 instead of the \$1,581,000 requested by the administration was accepted, resulting in a savings to the people of \$585,000.

"In SOC 204 the Senate's recommendations of reducing general assistance funding because of a decrease in program caseload resulted in a savings of \$3.3 million to the taxpayers.

"In Labor 171 the Senate's recommendation to reduce funding for unemployment compensation resulted in savings of \$2.4 million to the taxpayers.

"In Government 821 the Senate's recommendation resulted in a savings of \$120,000 for the funding of the Public Defender's program.

"With respect to grants to private organizations the Ways and Means Committee spent three days intensively going over these grant applications. As a result, over \$2.5 million was saved.

"Mr. President, Senate input has led to an operating budget which is fiscally responsible and which will serve the best interests of our people. Unfortunately, because negotiations were terminated abruptly, the major savings recommended by the Senate were not discussed and were not been included in the budget. These are as follows: In SOC 230, \$3.9 million reduction for health care payments as a result of reduced caseload was not discussed nor included; in BUF 110 \$2.4 million reduction in debt service to reflect a deferral of one bond sale was not included in the budget. These recommendations, if they had been thoroughly discussed, I'm sure would have been accepted and would have resulted in savings to the taxpayers of a total of \$5.3 million.

"Mr. President, the Senate pushed very hard for a program of land banking, water resource development, restoration and preservation of historic sites. We believe that expenditures for these items justified exceeding the self-imposed expenditure ceiling. As a result, we have come up with a land banking program which will greatly accelerate the acquisition of land for parks already programmed within the Department of Land and Natural Resources' Six-Year CIP Plan, and as a result, for example, we have for Malaekahana - \$3.1 million. We have

an additional \$4 million for Makena-LaPerouse, making possible the acquisition of all four land parcels and many, many others... three historic sites, for example. We provided money for the restoration of the Russian Fort.

"We spent \$2.3 million for water resources development on the Island of Oahu and millions of dollars for the same on the neighbor islands. This is because water resource development, as you know, has become a major problem for the state.

"Included in this budget, Mr. President, is roughly \$12.7 million for what has been traditionally called 'pork.' As you know, the Senate position at the outset was no 'pork.' Unfortunately, it takes two to put a budget together and the inclusion of 'pork' in the budget is the result of a compromise and trade-off.

"I regret... I read in the newspaper the other day, some comments to the effect that the Senate should never have gone public in stating its position of no 'pork' as the Senate will now have to eat its words. These kinds of comments, Mr. President, I think reflect a lack of understanding of the meaning of the Con Con Amendments and the fiscal restraint those amendments are imposed on us.

"The Senate's position of no 'pork' this year was not arrived at in a cavalier fashion. Had Representative Suwa been the chairman of the Finance Committee, I believe that the recommendation would have been accepted. It would be very interesting two years from now for us to compare 'pork' with land banking and to report to the people what was appropriated and what in fact was built and what was acquired.

"All in all, Mr. President, with the exception of the omission of an appropriation for operating funds for the HNEI, I believe this budget is one that we can be proud of and one we can go home with great satisfaction for the people. Thank you."

Senator Campbell also rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of the budget bill with some reservations.

"The chairman of the Ways and Means Committee has touched on some of the areas which I had planned to address, but it's his comprehensive covering of those items make it unnecessary for me to make reference to all of them. Mr. President, I feel that no one in the Senate, and I guess this is true of the

House too, would disagree if I were to say that this was a very difficult time for House and Senate conferees; probably, the most difficult negotiation we've had in many, many years. And while I cannot support everything that the conferees did I can, without reservation, congratulate them for their commitment and their dedication.

"Mr. President, I have some serious concern about the total spending that this budget provides for the Crime Commission. I must congratulate the chairman of Ways and Means Committee for urging more money for this agency, but the House was adamant against our position.

"The people of the state, according to a survey, have identified fighting crime as their top priority. When I look at the structure and the funding of the Crime Commission which has emerged from this Legislature I'm inclined to conclude that crime fighting is far from being our top priority.

"In another vein, related to the budget, a few days ago, Mr. President, one of our leading high schools had to be closed because of campus violence. I could name several high schools where the potentiality for this kind of violence is great.

"In the Finance Committee over on the House side is a money bill entitled, 'Tracking Troubled Students.' The purpose of that bill was to deal with troubled students before they got into trouble. The measure provided for a two-year pilot program which would cost the state a grand sum of \$1.00 for the first year. Waianae High School was to have been the first school selected for the pilot program. Because that bill lies molding in a graveyard across the hall, no action will be taken this year. No action will be taken this year of the comprehensive and coordinated nature called for by this bill, and that, in my judgment, is sad. School violence is a very serious problem and it's about time that this Legislature stopped treating it as kid stuff.

"Finally, Mr. President, let's turn our attention to the process by which the Senate and the House reached a final compromise on measures where there was disagreement.

"The House and Senate conferees meet for days, many times working around the clock, to seek an acceptable compromise. These conferences are a tug-of-war. No conference leader wants it said that he or she gave in. This is the reason, in my judgment, in many instances for legislative extensions. Nobody wants

to give in. In this kind of process the merits of issues suffer tremendously. The merit of issues before the conferees get lost in the tug-of-war.

"Mr. President, when I think that this is the process by which we arrive at the most important legislation, in most instances, which passes this Legislature I cringe, the process is, in my judgement, the best brief for a unicameral legislature I have seen or heard in many, many years.

"Now, let me close by making just one or two observations.

"The first one is, in spite of the fact that the full House and the full Senate have final approval authority, we all know that much of the most important legislation which passes both Houses is shaped and tailored by just a handful of representatives and senators. This approach, in my judgment, is hostile to the democratic legislative process.

"The second observation and it relates to the first--this handful of powerful decision-makers in the House and Senate in most instances gets locked in battle where the deciding factor in most cases is not the merits, as I mentioned earlier, not the merit of the issue at hand, but the physical endurance of the participants. Now, Mr. President, in the interest of the people of this state. This folly must come to a halt.

"I call upon you to start the ball rolling. After the close of this session, Mr. President, convene a House-Senate committee whose purpose would be to seriously consider an alternative to our present process of reaching agreement with the House, related to proposed legislation, where there is some difference of opinion. Thank you."

Senator Ajifu also rose to speak in favor of the bill as follows:

"Mr. President, I would like to speak in favor of H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 2.

"This has been a particularly difficult period of transition for our state government. We are faced with the threat to our economic stability from inflation on the one side and recession on the other. We have come to this day through a metamorphosis of philosophy toward government spending.

"Due to constitutional amendments and a stronger resolve to respond to the needs of our people, we have set in motion the kinds of restraint on government spending so greatly needed at this time.

"It was no easy task for the chairman of our Ways and Means Committee to bring into budget discussions this firm commitment to those policies expressed in the constitutional mandates.

"As a Minority member of Ways and Means and also on the budget conference committee, I saw that the conduct of committee work by our chairman was extremely responsible and fair. He is to be commended for his careful approach to fiscal management in state government.

"I saw that his committee hearings were particularly thorough, especially in the area of funding for private agencies. Almost 100 agencies were called in for a review of their budget. In so doing, we are now beginning to establish specific standards and criteria for these private agencies to receive state funding in the future.

"It was a monumental effort in a difficult situation, and the members of the conference committee should be congratulated for their diligence in continuing to work toward an agreement that is satisfactory to the people of Hawaii.

"There is little doubt that the package we have before us is the best that could be accomplished through the give-and-take compromise of both Houses of the Legislature. It should be recognized that, once again, we are reminded that only through compromise is the democratic process best served.

"Although we were not able to include all the budgetary items that we would have wanted, the Senate has taken a responsible position in trying to serve the public in a cautious and fiscally careful manner.

"I submit that we, here in the Senate, can be thankful to have the talents of Senator Cayetano among us.

"I urge that we all vote in favor of this bill.

"Thank you."

Senator George then rose to ask the chairman to yield to a question and Senator Cayetano replied in the affirmative.

Senator George then asked as follows:

"Mr. President, it's a long weekend's work but I finally got down to page 52 and I do have a question about that one. It's on page 52 beginning with line 11. It has to do with a proviso '...that no two or more members of a family or kin of the first or second degree shall be employed under contract by the

organization... ' earlier referred to, 'unless specifically permitted in writing by the director of finance or the director of the expending agency...' I want to know if the chairman would be good enough to answer for me if it's the committee's intent to do away with nepotism by including this language?"

Senator Cayetano, at this time, asked the Chair for a short recess in order to find the proviso cited by Senator George and the Chair granted the request.

At 9:22 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:24 o'clock a.m.

Senator Cayetano then rose to ask Senator George to repeat her question.

Senator George asked: "Mr. President, I'm referring to page 52, beginning with line 11 of the budget... I want to know if it was the committee's intent to do away with nepotism through the language which I have just read?"

Senator Cayetano replied as follows:

"Mr. President, this proviso was suggested by the House and agreed to by the Senate and I would say that it is the committee's intent to discourage nepotism.

"I don't know if you can ever do away with it. That's the answer."

Senator George thanked Senator Cayetano then further stated and asked as follows:

"Mr. President, I would certainly agree that doing away with nepotism would be a valuable target if we can indeed accomplish it. I think nepotism is unacceptable in our public institutions and those private institutions which are supported with tax money. However, I took the trouble to look up a definition of nepotism and I decided that Webster's Third International Unabridged Dictionary was probably as good a definition as I could find.

"Nepotism is defined as 'favoritism shown to nephews and other relatives as by giving them positions because of their relationship rather than on their merits.' and this, Mr. President, is the reason I'm asking about this.

"I'm just not sure that the language doesn't criticize the mere fact of consanguinity of relationship as opposed to giving somebody a job regardless of whether or not they're qualified for it, if being related is a bar or difficulty in securing employment.

"It it's a no-no even if you're qualified, then it would have been wrong for John Burns to appoint his brother; it would have been wrong for Jack Kennedy to have appointed his brother Robert; so I'm really disturbed by the intent here.

"The other question I have is, what is the second degree of kinship? How widespread is this net? Is it grandparents, grandchildren, cousins, wife's sisters? If I may inquire of the chairman, Mr. President?"

Senator Cayetano rose to reply as follows:

"Mr. President, I believe the good Senator is reading more into the proviso than there actually is.

"If one reads the proviso, it states in part, '...provided that no two or more members of a family or kin of the first or second degree shall be employed or under contract by the organization' and this is the key part, 'unless specifically permitted in writing by the director of finance or the director of the expending agency for the appropriation;' So you see, it does not prohibit such employment by people who have this kind of relationship.

"What we're saying is that if a member of an organization wants to hire his wife, his daughter or some kin, that he let the expending agency or director of finance know and that such relationship be stated in writing. This is only for accountability purposes."

Senator George further inquired as follows:

"Mr. President, then if the chairman once again will respond, is it the committee's intent that the director of finance or the expending agency, whichever agency it happens to be, that they adopt rules and regs to govern the criteria for issuing these permits which are required?"

Senator Cayetano replied as follows:

"Mr. President, I think that would be reading too much into the intent of the committee.

"The director of finance or the director of the expending agency for the appropriation already has certain powers regarding the establishment of contractual obligations. All we're saying is that using those parameters he can set these guidelines."

Senator George then stated as follows:

"Mr. President, I think probably I should explain that as I was thinking about this I started thinking about recipients

of grants-in-aid; for example, the Symphony Society...there are a couple of married couples there and that rather bothers me.

"I think every nursing and care home or a good many of them have nieces, wives, husbands, cousins, uncles, and so on, and perhaps the question I ought to ask of the chairman again and maybe I am making too much of this or reading too much into it, but as I read it, well I don't know what it says. Is it the intent that those presently occupying these positions like the trombonist at the Symphony...that will really wipe them out; they've only got two and they're married, you know. Is it the intent that it would be grandfathered in or is this only for new hires? If the chairman would respond to that?"

Senator Cayetano replied as follows:

"Mr. President, I really think the Senator is reading a lot into this proviso than there actually is.

"Instead of the Symphony, let's just stick to a more specific organization such as Habilitat. Okay, now, that's the kind of situation that we are addressing in this proviso.

"I don't think it is the intent of the committee, for example, to ask each member of the Symphony whether he is a trombonist or plays the flute or oboe to tell the finance director whether the oboe player is related to the bassoonist or the bassonist is related to the violinist. I just don't think that's our intent."

Senator George thanked Senator Cayetano and further stated and inquired as follows:

"Mr. President, I hope the chairman can make that prevail. I hope my rather weighty opening of this can of worms isn't the one that prevails.

"It goes on, however, to an even more difficult one to understand and once again I would hope that could be explained to me and that is that the director of finance will also have to grant a permit for every increase in benefits or wages.

"Whether or not the good chairman feels that the Symphony is not involved, it is involved, and when the Symphony achieves an agreement with the Musicians' Union as to salaries, it appears to me from this language that the director of finance has to approve it.

"It says specifically, 'only upon prior approval of the director of finance' and my question of the chairman here is, if it's the committee's intent that the

director of finance establish the criteria for granting such approval--this is fairly heavy--by issuance of rules and regulations pursuant to Act 91?"

Senator Cayetano responded as follows:

"Mr. President, this provision was meant to address the situation where a person who is in a position of responsibility with a private organization receiving funds from the state will have to disclose to the director of finance or the director of the expending agency for the appropriation that that person has hired members of his family or kin of the first or second degree. And it is only meant to put some sunshine on the whole process.

"It is not meant to discourage the hiring of qualified people, whether they be related or not.

"I must admit that the Senator, I think, has put her finger on a potential ambiguity in the proviso in the second part. But, if what the Senator is trying to mean here that it was our intent, it certainly was not our intent that the director of finance shall give permits or approval to salary increases for every employee in every organization. I don't think that's our intent at all."

Senator George again thanked Senator Cayetano and then stated as follows:

"Mr. President, I am grateful to the chairman for expressing the intent of the committee and I hope it is clearly expressed in the Journal to show that the intent was not to rain on every single agency, every single person, who is involved in any way in grants-in-aid or contract with the agencies or in any way tied with strings to the government.

"I think it's important that we know this because as the language is written here it seems to me, Mr. President, that a carload of dynamite is being used to do what might have well been a rifle shot approach. If Habilitat is that indeed the target, I think it would have been clear and easier for all of us to understand if that had been done directly and through legislation, rather than legislating in a proviso in the budget.

"Thank you."

Senator Kawasaki then rose to speak in favor of the measure as follows:

"Mr. President, I rise in favor of this bill, and to clarify further the standards that we have set.

"I would suggest to the good Senator who has been the most ardent supporter

of Habilitat and, incidentally, one of only two senators who did not sign the senate resolution asking for the audit that proved so useful--the audit of the financial operations of Habilitat--I would suggest to her that she consult with the conferees in the House of Representatives who suggested this language and, make no mistake about it, in which the Senate conferees completely concurred.

"The conferees in the House had harsher language, I recall, and it was only by the suggestion on the part of the conferees from the Senate that we have some kind of language permitting, as suggested by the good Senator from the 3rd District, that perhaps in certain kinds of private organizations receiving state funds; for example, a nursing home where a couple might be very well qualified...a husband and wife...to care for some elderly people, half a dozen elderly people, put into these private homes receiving state funding. In a situation like this we should permit, with the concurrence on the part of the relevant departments or the director of budget and finance, whereby permission in writing for this kind of husband and wife situation could be permitted...nepotism to this extent. We did, however, want to discourage unlimited nepotism and this was a House suggestion in which I completely concurred.

"We want to discourage nepotism in the fashion of Habilitat where the director has his wife, his sister, his brother and his daughter, all working for the same organization, because I am not quite convinced by Mr. Morino that there are no other people very well qualified to render this kind of services.

"We put in this language because this is only consonant with the federal requirements and with any kind of private grant program receiving federal funds there is a standard set by the federal government discouraging nepotism. We feel that this is a good suggestion that should be put into our statute so that it would be very consonant with the federal requirements.

"Now, it's quite interesting that the Senator from the 3rd District brings this up. Yesterday, I received a call from Mr. Morino threatening me. He apparently took the requirement to mean that we're trying to get back at him. Mr. Morino threatened me, used abusive language, and he said that he's got contacts on the streets and if I wanted it handled on that level. Of course, he should know better, I do not get intimidated by Mr. Morino or anybody else. I informed Mr. Morino that 'the day I couldn't handle a situation like you are presenting to me, I'd resign

from this job,' and I think this is where all the information...this is the background by which some of those questions were posed to the chairman.

"The standards that we put into this budget bill are standards badly needed. I hope that all organizations would take very seriously what is intended here, that, while we permit nepotism of limited fashion where it's justified to do that with the permission of the directors of the agencies involved, we allow this, but we will certainly discourage nepotism in a more enlarged fashion, and certainly we want the message to be made very clear to all agencies receiving taxpayer funds that no amount of intimidating threats are going to change our posture on this. We will maintain this standard and we will make sure that the standard will be implemented."

Senator Cayetano then rose on a clarification as follows:

"Mr. President, just a further clarification of the second half of the proviso, and let me read it for the record: '...provided further that the organization shall also agree that any salary or employee benefit increase shall be granted only upon the prior approval of the director of finance or the appropriation shall be subject to a decrease by an amount equal to the amount of increase not so approved.

"Mr. President, I believe this half of the proviso was meant to deal with a problem which we discovered as we were going through the screening of grant applications. That is, that some of these organizations were coming in and asking for grants which would take care of their, basically, salary increases to their employees. Many of these organizations receive funding from more than one source. Some receive funding from state agencies such as the Department of Health or the Department of Social Services, as well as the Legislature in the form of a grant. Some receive funding from the state, the Legislature and the federal government, as well as private organizations.

"Our feeling was that, with respect to salary increases, that they be subject to the prior approval of the director of finance because we felt that the grant given by the Legislature should be used to expand the benefit in terms of program services, and not primarily to take care of fringe benefits or salary increases for the employees of those particular organizations.

"In closing my remarks on this matter, let me say that, personally, I happen to believe that Habilitat is providing a valuable service. I disagree with some of the

comments made by my good friend Senator Kawasaki, only in terms of the services provided, I do believe that there is a problem with respect to the hiring, for example, of personnel in that particular organization."

Senator Kawasaki then rose to state as follows:

"Mr. President, one additional piece of information. Contained in the standards we set is a proviso that all relevant departments will examine the reasonableness of salaries paid. This was prompted because we found great disparities in similar types of jobs, and we found, for example, of all the private agencies funded by the state government the highest salary is enjoyed by the director of Habilitat, \$46,500, which is higher than what we pay the director of the Department of Social Services and Housing with his responsibility of a \$314 million budget in the biennium and his roughly 2,000 employees. These are things that concerned us and we made certain that the standard was quite efficient in the way of doling out taxpayers funds efficiently and economically with integrity."

Senator Carroll, in rising to speak in favor of the bill asked that the chairman of Ways and Means Committee respond to a question and the chairman replied in the affirmative.

Senator Carroll inquired as follows:

"Mr. President, in the conference committee report on page 4, under transportation, it states, 'General Aviation Airport. Hawaii's congested Honolulu International Airport (HIA) remains a concern due to the heavy mix of large and light aircraft. Funds have been made available to support a general aviation airport and relieve traffic at HIA.' My question is, where in the budget have we done this?"

Senator Cayetano then replied as follows:

"Mr. President, my answer is that we have provided funding for improvements to Dillingham Field and also, we have, I believe, provided an appropriation to increase the length of one of the runways at Honolulu International Airport. I believe it's either for a left or for a right."

Senator Carroll then stated: "I'm looking at item 11, page II-7 and I do not see any additional monies for Dillingham Field. I see \$221,000; \$152,000 of which was put in last year; \$68,000 which was already in."

At 9:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:45 o'clock a.m.

At this time, Senator Cayetano responded as follows:

"Mr. President, I don't know if Senator Carroll has found the appropriate page in the budget bill, but I would like to direct his attention to pages IV-21 and IV-22. I believe the section he was looking at has been bracketed out, and the appropriation placed in another section, in the page I just mentioned.

"If the Senator will look at 7B, Oahu General Aviation Airport - Dillingham Airfield, it reads: 'Fund to develop Dillingham Airfield as the first satellite general aviation airport. Funds to be expended for runway improvements taxiways, holding pads, access roads, utilities, and administration building, hangars, security fencing, and other improvements required for general aviation operations.' The funding calls for \$3.6 million.

"Then on page IV-22, item 7E, '...funding for extension of runway 4-left at Honolulu International Airport..., \$200,000."

Senator Carroll then inquired: "Then, my question is, with this in the budget is this supposed to somehow relieve the problem at Honolulu International Airport?"

Senator Cayetano replied: "Mr. President, we believe so."

Senator Carroll then asked: "May I ask, how?"

Senator Cayetano replied as follows:

"Mr. President, the building of the satellite airport at Dillingham should provide some relief for the general aviation pilots. Now, that may have to be coupled with some kind of economic incentive to move to Dillingham Airfield. We will have to deal with that at the appropriate time.

"Let me say that there may be some difference of opinion as to whether this will relieve congestion at HIA or not but let me state that that difference of opinion depends on where one is coming from.

"The argument put forth for the second general aviation airport has always been put forth in terms of safety versus agricultural land. I'm coming from the prospective of convenience to pilots versus agricultural land. In that prospective, agricultural land always wins out."

Senator Carroll then rose to speak in favor of the measure as follows:

"Mr. President, I'd like to speak for the bill, with reservations. I'd like to ask that my earlier remarks regarding Dillingham and Poamoho be incorporated by reference with respect to this particular measure, indicating that Dillingham is a totally inappropriate place for the general aviation airport for satellite use as it's intended to relieve the problems at HIA, inasmuch as it already exists, inasmuch as it is already a useable airport, and inasmuch as there is no way under current existing federal law that through the use of economic sanctions can general aviation operators be forced to move there.

"I'd also like to add that the \$200,000 extension to 4-left is probably a good idea as far as it goes, but it's simply going to add to the already congested situation at Honolulu International, perhaps create a sense of complacency among the general public and perhaps even among some pilots that something useful has been done.

"And I submit, with the red-star rating, the black-star rating, the experience that we've had, the stacks of testimony we've heard on this matter, that we are not doing a wise thing even by including this in the budget.

"I think we would have been wiser to have simply left it out and avoided the issue, which is essentially what this particular provision amounts to.

"I am extremely disappointed that this is all we've been able to do. I consider it counter-productive, but in the vein of Winston Churchill, I will never, never, never give up on this subject matter and I hope that when the election is over this year that we'll see some better decisions made on this subject.

"Thank you."

Senator Mizuguchi then rose in rebuttal of the previous speaker and stated as follows:

"Mr. President, just a few brief remarks in rebuttal of the previous speaker. As you are well aware, the naming of Dillingham Airfield as a first satellite general aviation airport has been a Senate position. We have won out in terms of designation of Dillingham; improvements of \$3.6 million have been provided. And this is just the first step in resolving some of the mix and congestion at HIA.

"We've discussed this problem for the last 19 years in the Legislature,

and before one can take a full step, one has to take half a step.

"With improvements at HIA, the extension of 4-left, we believe that there will be a separation of mix of general aviation and commercial turbo-jet activities at HIA. Hopefully, the HIA Master Plan will segregate GA activities from that of commercial aircraft activities.

"Dillingham, I believe, can accommodate 90,000 more air operations with the addition of a second runway and I believe that it's the pilots, it's Senator Carroll's friends that said that HIA is dangerous, that HIA should receive a black-star; it's the pilots that say that it's dangerous.

"If Dillingham is improved, that is an alternative... and we'll see who should move out to Dillingham... I think it's incumbent upon the pilots who said that it's dangerous at HIA.

"If the Legislature provides that facility, and I think with the passage of Senate Bill 866, which gives the Department of Transportation rule-making authority to make HIA safer, I believe that we at least can address this problem this session and I believe that we're taking the proper steps to make Honolulu International Airport safer.

"Thank you."

Senator Carroll then rose in rebuttal as follows:

"Mr. President, indeed the pilots have said this, general aviation pilots have said it, the safety committee of the Airline Pilots Association have said it, the safety committee for the air traffic controllers have said it. Anybody who is professionally knowledgeable, including many non-flyers, engineers, people who are involved in the aviation industry have all said it. It's not something that the two-hole pit special pilots are saying because they want a special little field for themselves and that seems to be the thought.

"I think the idea that there's a group of people who are trying to build up some special center for themselves is some thing that ought to be swiftly erased. Many of them would be just as happy to stay there, given the opportunity to do so.

"I think it's a matter of responsibility of seeing a problem and hopefully solving that problem before, instead of our Manoa rains, we have hot metal and burning bodies out of the sky on this city and then we will look at this with a totally different prospective. I just pray to

God that day doesn't come."

Senator Abercrombie then rose in rebuttal of Senator Carroll's remarks as follows:

"Mr. President, speaking in rebuttal of the last remarks. I personally resent having a situation put forward in which the Legislature is deemed to be the cause of the kind of thing that the previous speaker just alluded to.

"If we could get the pilots in this state, in general aviation, to obey their own rules, among other things, not flying over populated areas which happens continuously, in violation of the rules.

"They come out of Honolulu International Airport and they fly over Makiki and over Manoa, they fly over Punchbowl, they fly over Kakaako, continuously, month after month, year after year, despite being warned over and over again, told over and over again, threatened over and over again by the FAA, by the people in the towers that do the controlling.

"As far as I am concerned, I could care less whether any private pilot ever gets a plane up in the air again. I've had it up to here, with this kind of threats.

"Now they know that they're not supposed to fly the way they do. They can come down. They purposely buzz the areas especially after complaints are made; then the planes come and fly lower, just to show everybody they can still do as they damn well please.

"Now, as far as the commercial aviation is concerned, it's going to stay at HIA and that's why we're lengthening the runway, and they can put the mix into patterns that if they obey the rules in terms of landing and taking off, there will be a minimum of any kind of activity that could cause an accident. It's these people that take off and fly as they damn well please all over this island that cause these problems.

"And if there's going to be any kind of crash in an area like Manoa or whatever it is, I want to know what they're doing over it when they're not supposed to be flying there. They do it all the time. So they have a choice as has been put forward by the chairman of Ways and Means and the chairman of Transportation. They can put safety first and fly the way they're supposed to or they can be grounded.

"There are worst things in life than having to worry about whether some clown that has enough money to take

a plane up in the air, to screw around in the air over the island of Oahu gets to do it any time he pleases."

Senator Kuroda then added his remarks as follows:

"Mr. President, I'd like to enter into this discussion regarding light aviation.

"The speaker previous to Senator Abercrombie is one who has spoken from the position of being an experienced pilot. I rise to speak from the same position but with opposite views.

"I believe that the chairman of the Transportation Committee of the Senate has done his homework and has made every effort to try to cope with the problem that Hawaii faces at HIA. The Senator from the 6th Senatorial District, flies fast and furious jet aircraft.

"I've flown in these skies for 18 years, flying light aircraft and helicopters, and representing the people who have flown light aircraft, I am very much aware of the proposals made by the chairman of the Senate Transportation Committee. These proposals are sound.

"I've flown in and out of Dillingham Airfield. That fellow from the 6th District has flown jets from Dillingham. I've flown light aircraft and helicopters, and that particular airfield can be much better utilized and take the danger from HIA to Dillingham, not in any sense saying transfer the danger to my other constituents of the North Shore, but I think that these proposals must be seriously considered and I commend the chairman of the Transportation Committee for taking this step.

"The Senator from the 6th District alluded to certain political implications, such as, after the election there will be different attitudes regarding the position taken by certain Senators of this body. Well, additional elections will take place two years hence; at that time must the candidates for that election period again be accused of playing politics with the airways? I believe not. I believe that the Senators involved, and I'll be one of them, will stand their ground to again rebut the kind of statements made by the Senator from the 6th District.

"I believe that the chairman of the Senate Ways and Means Committee is on the right track when he responds to the accusations made by certain people on this floor.

"Thank you."

Senator Carroll then rose to express

his rebuttal as follows:

"Mr. President, I rise to make comments in rebuttal to both of the previous speakers.

"First of all, the comments are almost incredibly ignorant of what we're talking about.

"We keep talking about the private pilot going out for a joyride. The basis for the problems we have here is primarily caused by air-tour operators and the air-taxis. They provide the bulk of the operations that go on in this state.

"If it were simply a question of telling the people flying the piper-cub, the Stinson, the pit-special to go out to Dillingham, we wouldn't have a problem. And I think the biggest problem we have in this Legislature is ignorance of what general aviation is.

"For somebody to stand in here and say these pilots are not obeying the rules is ludicrous, absolutely ludicrous, when somebody's been in here for six years and should know the problems that we're talking about.

"These people that are routed out over Manoa, Makiki, etc., are routed there by the direction of the air traffic controllers. If somebody's nutty enough to be buzzing in this day and age, they certainly should be grounded and never given back their license.

"The comment that we will fight this issue, that it is not politics and so forth, speaks for itself. It's clearly political...it's nothing but. And I hope that the general public is not fooled even by the mild rhetoric that I've heard against it today. Thank you."

Senator Cayetano then rose to briefly state: "Mr. President, just one final observation. Dillingham Field is located in the 4th Senatorial District. The 4th Senatorial District is represented by myself, Senator Mizuguchi and Senator Kuroda and Senator Young."

Senator Abercrombie then added as follows:

"Mr. President, I thought I made it clear; perhaps I didn't. I'm not ignorant of the situation; I know perfectly well that there are these air-taxis and these commercial outfits that fly their planes. I don't know the names of the planes; I can draw 'em for you because I can see them so clearly.

"If it's the case in which it is not the private pilot, which it is, it's a lot of these same kinds of planes that he's

talking about and general aviation, specifically, can be a single pilot with a small plane; owns it himself, or one of these planes that goes either by air-taxi or some of the other designations that are put together. It still flies the same way.

"I don't want any more bull about Kona weather. We must have Kona weather 350 days a year the way these people fly. It's not when it's Kona weather and if that's the case, then, yes, they should be grounded...and I asked about this...and that they should be put to the test of whether they should keep their licenses and nothing happens, among other things, because the pilots in this state don't get together and insist that that be done. It's perfectly all right to get away with it, and they don't do anything about.

"So, if we have to ground these air-taxis and all the rest of it in order to accomplish it, then that's what should be done but that hasn't been done for six years while I've been in here, either.

"I might be ignorant in the sense that I can't name all the particular kinds of planes, and I suggest that if one of these accidents takes place that's been alluded to, nobody would give a particular damn what kind of plane it was, or any of those particular circumstances.

"I'm smart enough to know when I'm being fed a line of bull and one of them is that these pilots have to fly over this way because of Kona weather, whether it's for commercial purposes or whether it's for purposes of pleasure, or for both.

"My point is and will continue to be that if people want to deal with safety primarily, and I sat on the Transportation Committee when this was first brought up and I asked the question.

"I've been through the report from stem to stern and the answer that I got to the question about Dillingham was, 'Oh, it's too far,' and I heard all this stuff about safety. Well, is it going to be safe out there? 'Yes, but it's too far to drive.' So, in other words, the point is that you would rather have something more convenient whether or not it's safe, as opposed to going some place that's possibly a little inconvenient to you but would nonetheless provide for the safety measures that you've been putting forward to us on this committee as being necessary to the welfare not only of yourself but the people of the community. And that's the only answer I've ever gotten. That's the only answer that I think the chairman of Transportation has ever heard, both of them who sit

on this floor right now because the chairman of Ways and Means was the chairman of Transportation prior to becoming Ways and Means chairman.

"Now, it seems to me, again as an amateur, I only fly in those things; I only get to go up in these things where I watch...put my life in the hands of somebody I don't know anything about. Probably, we are fools to fly in the first place, as far as that's concerned, so I'm in the situation of where I have to believe what Senator Kuroda said is the case. I've heard it from other people.

"I hear a lot of talk from people who say that that's the position that's been put forward here that we're all irresponsible for doing this, but I talk to other people who say, 'but look, that's only a certain number of people that are talking that way'...a little more vocal...'do want this airport routine for their own convenience.' You talk to some of the people that Senator Kuroda knows and have spoken with and you get a different story.

"So I imagine that just as many people who write the editorials too in this town are just as 'ignorant' as I am about this, because I don't think all of them own or fly their own airplanes either. Of course, they could, being editors of the Advertiser and the Star-Bulletin, because God knows they make enough money to own a whole fleet."

At this time, Senator Yee rose to speak against the budget bill as follows:

"Mr. President, I rise to say that I'm voting against the bill although I know the bill will pass without any question.

"I rise to speak about a particular industry that failed to receive an important appropriation this year. An industry that I am personally a part of; an industry that I'm also involved through the Western Pacific Fisheries Council which governs the 200-mile jurisdiction for the United States; an industry which the state administration and the Legislature has said they will support.

"The fishing industry is one of the most delicate and yet it has a great future for the State of Hawaii.

"Under the 200-mile fisheries jurisdiction, the Western Pacific Fisheries Council manages all the waters between Midway, the Big Island, American Samoa and Guam. You combine all these waters and it equals more than the West Coast, Gulf of Mexico and the East Coast. We have great resources here. About a month ago WestPac had a request for about 600 Japanese fishing vessels to

fish in the waters of our areas. So we do know the resource is here and the fishing industry, in order to grow, need help. It failed this year.

"The House had an appropriation for \$2.5 million; the Senate had nothing. We came close to getting something but in the wee hours it lost out.

"I'll give you some examples of my concern. You've been reading about Easy Rider II. It cost Skip Neffel and his group \$3.0 million. They had to borrow \$1.7 million and they came out with \$1.3 million of their own money, and taken together with the National Fisheries Loan program, the rate is one above prime. I don't know when Mr. Neffel got his loan, but assuming \$1.7 million at 15% interest, we're talking about an annual interest of \$225,000. That's a tough nut to crack. Yet, he has the first modern fishing boat throughout the entire United States. People like him need help.

"Another, a new person, Jim Cook, recently purchased a boat; had it made on the West Coast. It's now operating in Hawaii. It cost him almost half a million dollars, and on an 80% loan, again at 15%, he has to pay interest at \$60,000 a year. And I can go on and on because there are other commercial fishermen who want to borrow but there are no state funds available.

"And we are not throwing money away; it's an investment in the future. The borrowers are putting up their boats as equity and they risk their lives. The money is paid back to the state.

"There was a ship or a commercial boat called Santa Inez that went up to the French Frigate Shoals to fish about a month and a half ago; got caught on the reef; it was being towed back and it sunk. The insurance company paid off \$375,000. Now it will cost them over half a million dollars to replace that boat. Fortunately, no lives were lost.

"We know that the interest rate paid back on the loan is rather small, 7%, but we do it because we know that risk is involved and we want to build a fishing industry.

"I've been assured that the Legislature will be more helpful and cooperative next session, but I did want to speak in behalf of these people who want to help Hawaii build an industry and to develop revenues for the state, rather than importing all our fish products from the Mainland and elsewhere. There is a tremendous fishery resource and

if we don't take advantage of it others will."

Senator Cayetano, in response, remarked as follows:

"Mr. President, just an explanation to the previous speaker's remarks.

"Mr. President, the Senate's initial position was to provide no more funding for the loan fund. It was based on the following reasons: one, there are about four or five studies which are pending which we felt was necessary to conclude to determine the feasibility of long distance fishing. Upon conclusion of these studies we felt that we would then provide funding for the loan fund.

"The other reason was that the loan fund is supposed to be a revolving fund. There is about \$400,000 presently in the loan fund. Unfortunately, because collections in the past have not been judicious, the fund has been depleted.

"Before committing more state money to that fund we thought it would be better to make certain that the administrative process in terms of collection and these studies were completed.

"However, during the course of negotiations the Senate was willing to go up a million dollars for the loan fund and, unfortunately, the loan fund appropriation was tied in to the HNEL appropriation and both fell through the crack, if you will, during the closing hours of the negotiation.

"So, I don't think it's a question of the Legislature not making a commitment to fishing; it's a question of the Senate or Legislature taking a judicious and cautious approach in this area to make certain that the mistakes that were made in the past are not repeated."

Senator Abercrombie then rose to speak in favor of the budget bill as follows:

"Mr. President, speaking in favor of the budget, I wish to, as chairman of Higher Education, make reference to only one particular area, which is the funding reauthorization of capital improvement money for the University of Hawaii Law School.

"Now this has been accomplished whether or not the accreditation situation will remain in effect, that is to say, accreditation remaining in effect is still speculative at this point.

"I met with the accreditation committee that was here when we were on the verge, if not, just on the brink of having the accreditation taken away from the Law

School. I had spoken, as I said, with that committee and urged them in the strongest possible terms not to do that in the hopes that we could finish this business about building the school, and I mean it, not only physically but in terms of supporting the faculty and the student body at the Law School.

"But I report this to you with this reservation as I have received, in the course of our negotiations over this budget, a copy of the negative declaration of environmental impact from the University, out of the Vice President for Administration's office. I want to say at this point so that it can be made very clear, should something go wrong with the Law School, that the Legislature has done all within its power, all within its branch of government that it can do to see that the Law School proceed apace.

"If, as I believe is the case, this negative declaration with the environmental impact statement is either inadequate or inappropriate or both, and as a result there are difficulties in the construction of that Law School, I want it made clear that this was flagged out by the Legislature by your committee ahead of time, and that the responsibility lies with the University of Hawaii as it had all through this whole sorry situation where the Law School is concerned.

"I would suggest that it might be useful at the University of Hawaii that they do a little bit of rethinking as to whether the location that they have chosen for the Law School right now is in fact the most appropriate one...not theoretically...I know what the theory is. But I also know that the present location had to have a change order of half a million dollars because the foundations were cracking, buckling at the parking structure in the quarry. There is now a proposal to build a two-story building on top of that structure.

"Now, it may be that the change order that was put forward and executed some years ago when the parking structure was built is sufficient to hold the weight of the new building. I, however, feel that the environmental impact study that has been given to me does not reflect in any way, shape, or form any consideration as to whether that change order is sufficient to hold the weight. If it does not hold the weight and I think you know, Mr. President, that the quarry is notorious for its shifting ground, and we've not even completed the drainage system in the quarry. As a matter of fact, the drainage system CIP appropriation rates higher than that of the Law School.

"Therefore, if we find a situation in which the school is built on that parking structure without adequate measures having

been taken prior to the construction to see whether or not the present structure can support the new building and whether the ground underneath the present structure is sufficiently firm to hold the building, we might find ourselves in a situation in which an absolutely horrendous expense might be involved to try and either shore it up or we might find a situation like we have with the Business Administration building where we find a structure that has been put up by public expense having to be closed.

"Now, I say this in deadly seriousness...in deadly earnestness...I hope that we do not find a situation in which some bureaucratic maneuver is going on up at the University so that the goodwill and good faith not only of this Legislature, but of the people of this state and the graduates and students and faculty of the Law School will find that with all that taken into account that we lose the Law School due to incompetence.

"I hope the message goes up to the Vice President for Administration at the University that submitting an environmental impact statement which does not take into account the fact that you had a structure which failed previously is not something that is acceptable.

"Thank you."

At this time, Senator Yim rose to speak against the budget bill as follows:

"Mr. President, I rise to speak against the budget document before us.

"Mr. President, I am disturbed that major vital programs seriously affecting the future of our state have been lost because of very questionable priorities, or perhaps misplaced loyalties, among some on the conference committee discussing this budget document. Some issues, overwhelming in their significance to the people of Hawaii, transcend our day-to-day politics, and we, the people's representatives, are obligated to recognize these issues and respond accordingly.

"It is not news to anyone here that we are 92% vulnerable to an increasingly expensive and uncertain petroleum market. Skyrocketing prices at the gas pumps and recent large additions to our electric bills for 'fuel oil adjustment' dramatize our problem. This year alone we in Hawaii will pay over one billion dollars to import oil. And a much greater oil crisis is surely before us with doubling or tripling prices by 1990 yet only a small fraction of 1% of the state's annual oil cost, \$1.2 million was included in the Senate budget bill for urgently needed operating funds to the University of Hawaii Natural Energy Institute (HNEI)

for renewable energy research, development, and demonstration. I am shocked that in this legislative session, this essential appropriation has been deleted.

"The needed funding for HNEI core programs for OTEC, wind, geothermal, solar, and biomass energies is dead. Hence, these programs will have to struggle on limited funds, will forfeit eligibility for millions of dollars of possible federal matching funds, and will be slowed perhaps by years in their developmental timetables. And for each year's delay in finding alternative sources of energy the people in this state will continue to pay over a billion dollars each year to the OPEC nations and to the oil companies.

"Let's take a look at HNEI's record. HNEI's record the past two years has been impressive. Major projects and programs are now or soon will be a reality, thanks to HNEI. A few of these where HNEI played a vital role either as the lead agency or as a catalyst, coordinator or in a key support role include the following:

"The Electric Vehicle Demonstration at the University of Hawaii and its related demonstration project at the Hawaiian Telephone Company;

"The Kauai Wilcox Hospital Hospital Photovoltaic (PV) Demonstration will provide both electrical and thermal energy directly from the sun;

"The first in the world Residential Rooftop Installation of PV Cells, that will provide the needed energy for a single family living in that unit, is scheduled to be installed this year;

"The acceleration of Wind Energy Conversion as a reality in Hawaii, where just a year ago, leaders of our utility industry were saying that the use of wind energy was years off in the future, yet today, thanks in part to HNEI's wind energy application network (WEAN) program, the following have come to a reality:

"A 40 KW windmill is operating at Kahua Ranch on the Big Island;

"A 10 KW machine has been installed on Molokai;

"A 200 KW wind machine generator will soon be on line at Kahuku;

"Six 500 KW verticle axis wind machines have been ordered for installation in Hawaii later this year by a private wind farm developer;

"Four 40 KW windmills are scheduled to be installed on Molokai.

"In brief, in the past year, Hawaii has become established as the leader in the nation's wind energy conversion program, as over 20 wind systems will be on line this year, and several wind farms are being planned (one to provide 80 megawatts of energy by the mid-80's that will provide about 10% of Oahu's electrical energy requirements).

"Geothermal energy will soon be providing 3.5 megawatts of electricity for the people of Hawaii, and an additional 25-megawatt project is now scheduled to get underway.

"The Molokai Electrical Energy Self-Sufficiency Program initiated by HNEI and the County of Maui just a year ago has made significant progress and could be accomplished in the next three to four years.

"Of course we all know HNEI's role in OTEC.

"All of these and many more efforts have been initiated, nurtured or received key support by HNEI... which operates on an annual budget of a little over \$200,000.

"However, inspite of this remarkable record, these vital energy RD&D programs cannot move forward at the needed pace if we are to protect Hawaii from the pending energy crisis without greater financial support!

"The funds that have been deleted from the Senate passed budget bill would have enabled the following programs to be undertaken:

"Wind Energy Conversion (\$200,000)

"Provide \$100,000 for the Core Wind Energy Program for minimum staffing and equipment to provide information for wind machine siting and to establish a testing, evaluation, applications and monitoring program for installed windmills.

"Provide \$50,000 for wind-electric utility interfacing RD&D programs as this is the greatest concern of utilities when it comes to wind.

"Provide \$50,000 for basic wind characteristics and RD&D in such important areas of forecasting winds for up to 24 hours.

"OTEC Core Program Support (\$200,000) for needed staffing and funds to secure federal and other program grants and contracts to carry on basic RD&D that must be completed if OTEC will achieve its potential as a major contributor to Hawaii's future energy needs.

"Biomass Core Program Support (\$100,000) needed to expand biomass' already important contribution to Hawaii's energy supply, plus \$200,000 for the next step in developing the very promising giant haole koa tree farm program, an actual tree farm demonstration.

"Geothermal energy program needs continued assessment (\$100,000) to identify where drilling would be most promising and for applied engineering RD&D (\$100,000) at the successful Puna Well site.

"Small Scale Technology Program (\$100,000) is a new program strongly supported by many groups in Hawaii to assist desirable renewable energy projects by individuals and small businesses or farms and ranches.

"The loss of these funds is a serious setback to Hawaii's energy forward momentum. The lead time we have to make the transition to our own renewable energy resources is getting shorter.

"Yet, your Legislature is refusing to provide the funds to HNEI in this year of surplus. In the opinion of many, HNEI has helped develop the best State Renewable Energy Program in the country, as evidenced by the U.S. Department of Energy's selection of HNEI to organize the December 1980 First Renewable Energy Conference in the country.

"Time is running out.

"In closing, Mr. President, we should do much more than what we are now doing."

Senator Cayetano then rose to state as follows:

"Mr. President, I just would like to make some remarks to qualify the negotiations on this very important item.

"Mr. President, I don't think during the negotiations on the appropriations for HNEI, which was tied to the negotiations for the appropriations and positions for PED 120 there was ever a difference in opinion between the House and the Senate with respect to the importance of energy to our state.

"This particular item was negotiated for much of the six days that we extended the session. However, when all things were said what it boiled down to was a philosophical difference between the House and the Senate.

"The House was willing to provide the funds to HNEI providing that the

Department of Planning and Economic Development would be designated as the expending agency. As explained to your conferees, the House position was that all energy programs should be administered by the Energy Resources Coordinator.

"The Senate took the position which we believed had been resolved by both the House and the Senate last year...that the University should be the expending agency for HNEI because HNEI is concerned primarily with research and operated out of the University budget.

"That difference, Mr. President, is what caused the appropriation to fall through and not be included in this budget. It is unfortunate but it was a philosophical difference which just could not be resolved through trade-off, through negotiations, and through the lengthy talks that we had.

"This Legislature will have to make up its mind once and for all which agency should be the expending agency so that we can get on with the business of providing for the development of energy or alternative sources of energy for this state and for our people."

Senator Yim rose to respond as follows:

"Mr. President, what we just heard is a clear example of small, petty politics.

"That a major issue fell through the cracks because of that kind of difference between the House and the Senate makes no sense.

"The same kind of concern as was just stated by the chairman of Ways and Means did not apply as to that part of the energy packet that has to do with hydroelectric power on Molokai. That project is in the budget before us now and the expending agency is the Department of Land and Natural Resources not DPED per se.

"In addition to that the OTEC funding in the budget before us, at least originally, was in the Marine Affairs Coordinator's Office, not in HNEI, originally not in DPED, but because of another bill putting the Marine Affairs Coordinator's Office for administrative purposes to DPED. That wasn't even considered as to whether that too should be not MAC but should be under the Energy Coordinator's Office under DPED. That was not even discussed in the conference.

"So, this illustrates again what Senator Campbell indicated earlier, the need to review the whole conference process where one or two member of the 76 in the legislative body can destroy a major

program for the state. This must not be permitted again.

"If these issues, the fishing vessel loan and the funding for HNEI were before the members of the House and the Senate for vote today I would venture a guess, except for one or two, all 76 legislators would be voting in favor.

"So, Mr. President, I would like to repeat what Senator Campbell said earlier, next session we must have a change, one way or the other."

Senator Chong then rose in support of Senator Yim's remarks as follows:

"Mr. President, I'd like to support Senator T.C. Yim's remarks with regard to the important energy program and very briefly point out that it has been my pleasure as chairman of the Public Utilities Committee to have worked with him. It was really an honor and a pleasure to have had this opportunity.

"Perhaps there is no other legislator in the State of Hawaii, who knows so much about the energy program in Hawaii and who has conscientiously and selflessly put so many long hours into this program.

"I would like to point out that, in addition to what he just said, the House unfortunately killed practically unilaterally, in spite of the perceptive key arguments of Senator Yim who was the conference chairman, a major bill which would have tremendously assisted the sugar industry and the people of Hawaii by providing economic incentives to convert and enlarge upon existing industrial plants to produce electricity.

"Fortunately for us, I think the wind energy and some of the geothermal and hydro-energy experimental programs will move ahead because of major federal laws which are now in effect.

"I think Senator Yim should be commended for the long and arduous hours he has put into pulling together a major legislative package. I hope next year that this honorable body and the body across the hall will see fit to address themselves more adequately to our question of 90% fossil fuel dependence."

At this time, Senator O'Connor rose to speak in favor of the measure as follows:

"Briefly, Mr. President, I'm voting in favor of this bill; however, I do have some reservations.

"A major piece of legislation passed by this body this year was the Juvenile Master Plan. In the original draft of that bill, it contained necessary funding

for several of the situations that are continued by that plan. The most important is the Youth Correctional Facility at Koolau.

"The Youth Correctional Facility at Koolau today is a disgrace. It's been allowed to run down; some of the cottages are almost uninhabitable; others that could be inhabited have their roofs caved in and they are just in terrible shape.

"Unfortunately, when that measure left the Senate the money for some of those necessary things was taken out and it was intended to be placed in the budget. As the budget emerges, the money is not contained in it. However, there are appropriations in the budget which, if used in appropriate fashion, can initiate the work at Koolau. In addition, there is the proviso for \$25 million for repair and maintenance of state facilities which is allowed through the director of finance with the approval of the Governor.

"I would hope that there will be other members of this body that will join me in urging the Governor and the director of finance to utilize some of that money at Koolau so that we can get that place off the ground."

Senator Cayetano then rose to add his remarks regarding HNEI as follows:

"Mr. President, I just would like to add to my previous remarks regarding the negotiations on HNEI.

"Mr. President, your Senate conferees, Majority and Minority, defended the Senate position until the last. We conferred with the chairman of the Energy Committee, discussed the House position with him, and the recommendation to us was to stick with the Senate position and we did, with the result that the appropriation is not included in the budget.

"I just want to make that clear for the record."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 99-80 was adopted and H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIIUM JULY 1, 1979 TO JUNE 30, 1981", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Hara, Yee and Yim). Excused, 1 (Cobb).

MATTERS DEFERRED
FROM APRIL 25, 1980

FINAL READING

Conference Committee Report No. 32-80 (H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 32-80 was adopted and H.B. No. 2723-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

Conference Committee Report No. 67-80 (H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 67-80 was adopted and H.B. No. 2029-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

Conference Committee Report No. 87-80 (H.B. No. 2720-80, S.D. 2, C.D. 1):

Senator Cayetano moved that Conf. Com. Rep. No. 87-80 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that H.B. No. 2720-80, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawasaki.

At this time, Senator Kawasaki rose to speak in favor of the bill as follows:

"Mr. President, just a brief reminder to the members of this body that, consonant with the Senate's fiscally conservative but responsible position, had we gone along with the administration's proposal of settling out-of-court for \$3.5 million, this particular litigation, as it was reflected in the House bill, it would have caused the taxpayers an additional million dollars.

"The Senate position, hard and fast as it was, ultimately saved the taxpayers a whole million dollars.

"I speak in favor of this bill."

Senator Anderson then rose to remark as follows:

"Very briefly, Mr. President. The

Senate's position was \$2.0 million, not \$2.5 million. It was the conference committee that emerged with \$2.5 million. After sitting in and hearing the discussion from the attorney handling this case for the state with the Attorney General, I happen to believe that the state was terribly at fault. I think it's damn disgraceful that we can hold out on a citizen who has to hire an attorney at today's prices until he's damn near broke."

Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, I speak against this bill for reasons stated previously. I think that the explanation that I received, perhaps it was...all depends on how you hear it, I'm willing to concede that, but that seems to me that there was a case to be made that the individual involved here was not paying attention to what should be done either.

"I personally believe that this case should go to court and that to the extent that someone is broke...they're sure as hell not broke now; they've got \$2.5 million now."

Senator Carpenter also rose to speak against the measure as follows:

"Mr. President, just a few comments in rising to speak against this bill.

"I recognize that the conference committee changed the amount from \$2.0 million to \$2.5 million, and I believe that, as previously stated before on this bill, the State of Hawaii is taking the easy way out, and that this nuisance value of \$2.5 million is really not a fair value.

"I think that this is really the tip of the iceberg of what may have been in existence in terms of state administration, may continue to be in existence in terms of failure of the state administration to address a very serious problem.

"I think I can anticipate that we're going to have additional problems with the failure of the University (Business) building, and, perhaps, many others along the line, unless we start to address these things more seriously. These problems are going to continue perhaps even to a greater degree than this one was anticipated to have cost."

Senator O'Connor then rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak briefly in favor of this bill.

"Having carefully reviewed this piece of litigation, both with the attorney handling it, with the Attorney General, and with

the attorney representing Mark Construction Company, it was apparent that there was a hard core amount of approximately \$1.6 million in fairly liquid damages which were occasioned by the state, in this instance, doing many, many different things. It's too complicated to even talk about it in such a brief time. However, the \$1.6 million seem to be almost without argument.

"The balance of this settlement, the \$2.5 million, represents a compromise of a variety of other claims, all of which totalled something in the neighborhood of \$11 to \$12 million. In toto, it would seem that this claim, based upon the facts and evidence which were available to the attorneys and also actually represented in court over the initial six-week period of trial, warranted a settlement in the neighborhood of \$2.5 million.

"I was one of those, two years ago, that took the hard position that this matter should be tried and I only took that position because, at that time, they were also talking about \$3.5 million. But something in this neighborhood where the \$1.6 million seem hard and fast and the balance is to settle claims, which certainly have proof going in both directions, seems equitable and fair under the circumstances."

Senator Carroll then rose to state: "Mr. President, I'd like the remarks of Senator Carpenter incorporated by reference adopted as my own."

The motion was put by the Chair and carried, and H.B. No. 2720-80, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Carpenter, Carroll and Chong). Excused, 1 (Cobb).

THIRD READING

Standing Committee Report No. 679-80 (S.B. No. 1829-80, S.D. 2):

By unanimous consent, 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", were recommitted jointly to the Committee on Judiciary and the Committee on Ways and Means.

Standing Committee Report No. 695-80 (S.B.No. 1828-80, S.D. 2):

By unanimous consent, 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", were recommitted to the Committee on Judiciary.

Standing Committee Report No. 1095-80 (H.B. No. 1162, H.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 1095-80 was adopted and H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Third 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 (Cobb).

FINAL READING

Conference Committee Report No. 90-80 (H.B. No. 18, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 90-80 was adopted and H.B. No. 18, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COUNCIL ON REVENUES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

Conference Committee Report No. 91-80 (H.B. No. 1864-80, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 91-80 was adopted and H.B. No. 1864-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

Conference Committee Report No. 92-80 (H.B. No. 1865-80, H.D. 1, S.D. 2, C.D. 1):

Senator Cayetano moved that Conf. Com. Rep. No. 92-80 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that

H.B. No. 1865-80, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawasaki.

At this time, Senator Abercrombie rose to state as follows:

"Mr. President, I speak in favor of this bill with only one regret, the part of it that's going to fund the office that's going to be occupied by Judge Wakatsuki.

"I think the actions of the Speaker in the last two weeks have brought forth, unfortunately all too well, the reservations that I and others had as to how he conducts himself in these last few days.

"I think that it's certainly my hope...I guess by my remarks and my attitude, if I happen to be in court some day before Judge Wakatsuki...I suppose I'll be able to ask for a change due to conflict of interest...I just think it's unfortunate that anybody else has to appear in front of him."

The motion was put by the Chair and carried, and H.B. No. 1865-80, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

Conference Committee Report No. 93-80 (H.B. No. 2773-80, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 93-80 was adopted and H.B. No. 2773-80, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

Conference Committee Report No. 94-80 (S.B. No. 2795-80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 94-80 was adopted and S.B. No. 2795-80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (Cobb).

Conference Committee Report No. 96-80 (H.B. No. 1772-80, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 96-80 was adopted and H.B. No. 1772-80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

Conference Committee Report No. 97-80 (H.B. No. 1853-80, S.D. 3, C.D. 1):

Senator Cayetano moved that Conf. Com. Rep. No. 97-80 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Cayetano then moved that H.B. No. 1853-80, S.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Abercrombie.

At this time, Senator Ajifu rose to speak against the measure as follows:

"Mr. President, I rise to speak against H.B. No. 1853-80, S.D. 3, C.D. 1.

"I should preface my remark by first stating that I am not against OHA. I am opposed to H.B. No. 1853, S.D. 3, C.D. 1, because of the method of funding for this office. I believe we, as legislators, are relinquishing our responsibilities by providing appropriation in this manner. We should appropriate funds for OHA like any other agency and review the appropriations and program as we have done with all other agencies and branches in our government.

"I believe, to provide a fixed percentage in the statute would be very inadvisable. If we believe in this concept of funding, then we should calculate the percentages for each department and agency and provide the appropriation by percentages from general fund revenue and, maybe, eliminate the whole budgetary process.

"Again, Mr. President, I am not opposed to OHA, but, I am opposed to placing statutorily a percentage of revenue from the public land trust funds as provided in H.B. 1853-80, S.D. 3, C.D. 1.

"Thank you."

Senator Kawasaki then briefly spoke

against the measure as follows:

"Mr. President, consonant with my concern about the constitutionality of these bills and their propositions, I will vote against this bill."

Senator Abercrombie then rose in support of the measure as follows:

"Mr. President, I will vote for this bill.

"I want to explain for the record why I put 'WR.' There are two reasons; one, as I indicated to the people I discussed this bill with, I have become convinced that the bill as it is, is of doubtful constitutionality. For that reason, I supported the position that was adopted in the Senate other than that which appears in the bill right now. I did that because I wanted to see it succeed.

"In the course of events, in discussions, and this leads to the second reason... this bill was taken from being considered on a separate basis and placed inside a package, not at the behest of the Senate but at the insistence of the House, and, very unfortunately, I don't understand exactly yet how it managed to work itself around but some of the people who were concerned with the passage of this bill somehow got the idea that it was the Senate that had put this bill into this so-called package that was put together and was in fact holding this bill, as it was put to me last weekend, 'hostage' not only to the budget but to the rest of the bills in this so-called package. This is simply not true, and I put 'WR' again because of the accusations that were made to me and the manner in which they were made to me... as Senator Kawasaki spoke earlier about being threatened.

"I can assure you, Mr. President, and assure anyone who is of a like mind, to the person or persons that were speaking to me the other night, under no circumstances will this particular Senator be intimidated by anyone in respect of a bill and so I vote for this bill, not on the basis of being threatened that I had to vote for it or else, and I vote for this bill not on the basis that I believe the arguments against its constitutionality are specious, but on the grounds that this is the only bill that we have that can fund this office and maintain the agreements that were arrived at in the course of the negotiations over not only the budget, but the various and sundry bills associated with the ultimate passage of legislation this session.

"I regret very much that the bill is before us in this manner. I fear that for those who are interested in seeing this office move forward that they have won a Pyrrhic victory, that this is merely

a skirmish in a very large battle.

"I regret to say, although I would be delighted to say otherwise, I regret to say that I expect that the moment this passes into statute, there will be a suit and that the business of the Office of Hawaiian Affairs is, as a result, going to be tied up in court for God-knows how many years.

"If that does happen, all I can say is that some of the people who were most adamant in seeking the passage of this bill have been instrumental in seeing that the activities, and the programs, and the people for whom the Office of Hawaiian Affairs is to act, will be in a position where they will not be able to do the kinds of things that they have been instructed to do by the Constitution and that the good faith and goodwill of a great number of people will be in jeopardy."

Senator Chong also rose in support of the measure and stated as follows:

"Very briefly, Mr. President, I will also be voting for this bill.

"I just would like the record to show that I concur with the comments of the previous speaker. Also, with regard to the OHA bill, I was in the unfortunate position of having received a threatening phone call the last day of the session. I'm voting for the bill, but not because of that call."

Senator O'Connor then rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"The bill is a compromise; it was arrived at in conference committee. The language of the bill reflects the fact that it is a compromise. However, I'd like to point out some technical matters, hopefully, which for the record might resolve litigation in the future.

"The first section of this bill talks in terms of 20% of all funds derived from the public land trust being expended by the Office of Hawaiian Affairs, as defined in Section 10-2, for the purposes of this chapter. That 20% of funds comes from the monies from land which are reflected in Section 5(f) of the Admissions Act for the State of Hawaii.

"It does not change the Admissions Act; it cannot change the Admissions Act. Anyone reading this section must read it in connection with Section 5(f) of the Admissions Act which is plain; the monies involved here can only be

expended for the benefit of native Hawaiians.

"Native Hawaiians is defined as those 50% or more of Hawaiian blood.

"The second section of this Act provides the sum of \$100,000 for the establishment and operation of the Office of Hawaiian Affairs and operations which pertain to Section 10-3(2) of the Hawaii Revised Statutes. Section 10-3(2) has to do with Hawaiians who are not native Hawaiians; therefore, who are those less than 50%.

"This appropriation, together with the other appropriation of a \$125,000 of last year when this original OHA bill was passed, should certainly suffice for most of the operations of this office for the first six months of its existence.

"The bill passed last year, which is Chapter 10 of the Hawaii Revised Statutes, provides in part, '...the board, OHA, shall annually submit a proposed budget for the office to the Legislature; the office shall be subject, annually, to government audit.'

"It is plain that OHA, once it gets elected this November, will then have to, during the next session of the Legislature, submit a budget for its on-going program. There's nothing in the law that says the percentage established in Section 1 of this bill cannot be changed at some time in the future or changed from year to year, if necessary. However, all of these things must be taken into consideration when these funds are utilized when the program pursues and, if OHA is to be successful, there has to be a terribly careful accounting of these funds in their utilization in the future.

"I think we all hope that this Office of Hawaiian Affairs works, is beneficial to Hawaiians and to this state, and if it does, we shall all be very thankful. We hope though that the funding shall be taken care of as indicated."

Senator Carpenter then rose to speak in favor of the measure as follows:

"Mr. President, just a short comment.

"I rise to speak in favor of this bill.

"I would just like to hope that if the amount of money or the funding source and the percentage derivation comes under attack, that it comes under attack and litigation as early as possible so that it can be sorted out for as not to inhibit the operation of the Board of Trustees for the Office of Hawaiian Affairs.

"I would also like to hope that in the election yet to come, that the Board of

Trustees not be inhibited in their processing of the budget, and one of the things I would hope the members of the Legislature would bear in mind is that the numbers that they might come up with to speak to the programs that they would carry for the next several years would have to be developed over a very short period of time and that the members of the Legislature would take into consideration their various requests for the amounts of money, within the parameters of time constraints of November 4th to the budget submission to the Legislature of January 15th.

"With that, I hope, Mr. President, all will vote aye on this measure as I believe it is an opportunity certainly not only to the Hawaiians to do their thing, but all the people of the State of Hawaii to show a certain amount of faith in the Hawaiian community to do that very thing.

"Thank you."

Senator Anderson also rose to speak for the measure as follows:

"Mr. President, I rise to speak in favor of this measure.

"I believe that if you vote against this bill you are against OHA, Mr. President. I think the Hawaiians are entitled to win a few skirmishes, if not the war, at this time.

"I happen to believe, Mr. President, that if it were not for the package concept that the House was adamant to, this bill in fact would not be here on our desks today.

"If the chairman of Ways and Means, and I don't speak of Senator Cayetano but the one next year and the year after, and the year after, wants to review this budget he needs but put a bill in changing the 20% to 12, to 19, to 8, to 7, to 5, thus, of course, forcing that particular commission before the body and, in the process, evaluating the budget.

"I believe the Legislature every year has an opportunity to review, justify and make sure that in fact the office is working toward the goals that the people ratified in the Constitutional Convention.

"I would also like to say that the members, the proponents supporting OHA, Mr. President, have been receptive and they have been here for two and a half or three weeks looking for and willing to participate and accept a compromise language, if in fact that language could be found between the House and the

Senate. It was not that they demanded this or nothing.

"You've got to remember that we've got a bank of attorneys around here...by the dozens... and they have volunteers. They were receptive to language; they were receptive to help; and they wanted a bill that they could operate and prove their worth. I don't think that's unreasonable, but because of the Senate's position of not considering this, and you recall I had to ask you several times whether or not you had adjourned these conferees because of rumors?

"Because the House persisted and it did get packaged, it is here on our desks today.

"I think the office will work. I think the Legislature in recommending changes or evaluating their budget will have that opportunity in the years to come and should.

"I urge passage of this bill."

Senator Cayetano then rose to remark as follows:

"Mr. President, just to put this bill in its proper perspective.

"The negotiations between the House and the Senate conferees had reached an impasse on this bill. The existing law, as I understand it, was the product of compromise last session between the House and the Senate, and the feeling on the Senate side was to amend the bill this year would not be the judicious thing to do; that we should wait until next year when they come in for their funding and then deal with that matter accordingly.

"But, notwithstanding my desire to end the negotiations on the bill itself, when this matter was packaged, as a matter of fact, we submitted many proposals. Senator O'Connor worked on some of those proposals and much time was spent on the proposals exchanged between the House and the Senate. We also spoke to people, the proponents of the OHA bill who are not legislators, who came down to lobby, and it seemed that in the case of a few of those persons, at least, we convinced them that the Senate's position was a reasonable one.

"The House took a more hard position and, as a result, this matter was packaged with the pensioners bonus, the supplemental CIP, SCET, and some of those other bills."

The motion was put by the Chair and carried, and H.B. No. 1853-80, S.D. 3, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Ajifu and Kawasaki). Excused, 1 (Cobb).

Conference Committee Report No. 98-80 (H.B. No. 2035-80, H.D. 2, S.D. 2, C.D. 1):

Senator Cayetano moved that Conf. Com. Rep. No. 98-80 be adopted and placed on file, seconded by Senator Toyofuku and carried.

Senator Cayetano then moved that H.B. No. 2035-80, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Toyofuku.

At this time, Senator Anderson rose to remark as follows:

"Mr. President, very briefly for the record. I happened to hear a newscaster this morning who referred to our State Capitol as the square building on Beretania Street and I've gotta believe, Mr. President, we've got some of the most ill-informed, unadvised reporters in this building at times.

"The way this bill was reported by that newscaster this morning, Mr. President, the director of HGEA by some shenanigans over the weekend in which these bills were clocked...that means they came to agreement last week Friday...some shenanigans over the weekend...bending arms and compromises and God knows what...for that and that reason only this bill is before us. I think this is very irresponsible reporting...but I guess it's very popular.

"The gentleman who does it, of course, can make a mystery of you and I going to the bathroom and we might be on separate floors.

"I think legislators and members of the press have the responsibility of making sure that they don't exploit the news and quote out of context to get the people riled up in this community. I think the people are already anti-government and anti-politicians and justly so in many instances, but when they create and manufacture reasons to make us the bad guys, I think that's very bad.

"This bill before us is part of the compromise package. It is another one that is controversial; it is one that I think should pass. The pensioners are entitled to have it passed."

Senator Abercrombie added his remarks

and stated: "Mr. President, I'd like to agree with the previous speaker and indicate that all the shenanigans by Mr. Trask in this bill took place before last weekend, not over the weekend."

Senator Cayetano then rose to state as follows:

"Mr. President, let me say that negotiations on this bill were concluded when select conferees from representatives of the House and the Senate met. At that time, only people who were entitled to be there were there. I didn't see any other person, including the executive director of HGEA.

"I agree with Senator Anderson. I heard that report myself. It's highly inaccurate.

"This matter should have been resolved last week because, as you may recall, Mr. President, the Senate's final offer was 4, 2, 1, and the final resolution of this bill is 4½, 2½, and 1. Unfortunately, that final offer was not conveyed or communicated to the members of the Finance Committee until we were passed the deadline for decking; consequently, we had an extension."

"If it wasn't for the Speaker of the House we may never have resolved the negotiations on this bill. Mr. President, it was only after he came down and spoke to you and me and other conferees that we resumed the negotiations and we reached a compromise which I think is satisfactory to everyone, including the pensioners."

Senator Abercrombie then rose to add his remarks as follows:

"Mr. President, just in relation...a last remark.

"It may be that the Speaker of the House helped resolve this pension bonus issue. At the end of that is because the Speaker of the House helped get us into the trouble in the first place. It was only incumbent upon the Speaker that he get us out of the situation. If he hadn't spent so much time trying to please Mr. Trask we wouldn't have had our situation develop that way."

Senator Anderson then responded as follows:

"Let me respond for a minute, Mr. President. I think it's important enough to discuss for a minute.

"I find it hard to accept terms like a senator calling somebody a mobster. That's his personal feeling and of course he's entitled to it.

"David Trask, heaven knows, has had his battles with Andy Anderson, but on this particular bill had some of the senators talked to the pensioners themselves, as they lobbied, the policy that they themselves had drafted, I think Mr. Trask had no alternative but to support the policy of the pensioners.

"The pensioners supported the original bill. I think their policy was all or nothing; you take care of all of us or you take care of none of us...and that's fair. I think that's what legislators themselves, individually, say, 'Come to the Legislature; lobby; put in your pieces of legislation; come and testify in the democratic process.'

"I don't think Mr. Trask had the authority or the power to accept the first Senate version of \$2.0 million dollars...one shot. I don't think Mr. Trask had the authority or power to accept any compromise thereupon offered until the pensioners themselves so advised him. I think he represented the pensioners as he has to as any lobbyist or chairman of any group has to.

"Yes, he's rather hard, he's rather abrasive at times and he grates on you when you happen to disagree with him but I think the pensioners themselves, the board of directors so to speak, they were calling the shots. They wanted assistance and this is what they asked for.

"They weren't asking for a one-shot deal where you give them \$50 a month and when January rolls around it's taken away from them. They were asking for a cost-of-living escalation so they can afford a loaf of bread, a gallon of gas, take care of the wife and kids next year, and those were reasonable. Mr. Trask, representing them, brought their message to the Capitol and hammered it away. If we happen to disagree with the way he does it, so be it, but I think the message that he brought to us from the pensioners was one that was heard."

At this time, the Chair stated as follows:

"Before proceeding with any discussion I think it only appropriate that the Chair remind every member of the Senate that any further discussion should be pertinent to the measure before us. Any mention of individuals outside of the merits or demerits of the bill will not be accepted at this time.

"I would like at this time to ask that if anyone has any comments to make with reference to the merits of the bill, the pensioners's bill, that he speak up now."

Senator Abercrombie then rose to

state: "Mr. President, I rise on a point of personal privilege."

The Chair then asked: "Would you like to state your point of personal privilege?"

Senator Abercrombie replied: "Yes, the previous speaker mentioned comments that I had made in the press concerning Mr. Trask which had no bearing on any of the statements that I had made previously on this floor concerning this bill, and as a result of that I would like to speak to those remarks as being inappropriate to the discussion of this bill."

The Chair replied as follows:

"I quite agree with you Senator Abercrombie, but I would like to request that if there's a discussion of individuals in connection with any measure pending before this body that it be taken up as a point of personal privilege at the end of the agenda where we take up announcements.

"If that meets with your approval we should do that."

Senator Abercrombie answered: "Yes, I'll do that. I think it only appropriate we take up mobsters at the end."

The motion was put by the Chair and carried, and H.B. No. 2035-80, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

THIRD READING

House Bill No. 1361, H.D. 3:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 1361, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX CREDITS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

House Bill No. 2552-80:

Senator Cayetano moved that House No. 2552-80, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

At this time, Senator Kawasaki rose to speak in support of the measure as follows:

"Mr. President, while this proposition

was initially a House proposition, I'm delighted to vote for it considering the fact that I think consumers did not fare too well in this session.

"In considering the other side of the coin where big corporations got their revenue bond legislation that's going to save them millions of dollars, consumers on the other hand having to pay higher interest rates on loans and what not...for this reason, I think this one piece of legislation at least gives us some feeling that we've done something for the ordinary non-government employee taxpayer."

Senator Cayetano then rose to remark as follows:

"Mr. President, just some brief remarks with respect to this bill as well as the one before.

"The increase in the personal exemption as provided in House Bill 2552 is not exclusively a House position in that it was contained in two bills which the Senate sent over to the House and which died in the House. We're talking about the bills relating to tax reform.

"I hope that in the future, as we see the kind of surpluses that a very progressive or regressive tax structure is generating because of inflation, that we deal with the question of tax reform in the very, very near future."

The motion was put by the Chair and H.B. No. 2552-80, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

FINAL READING

Senate Bill No. 2531-80, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki, S.B. No. 2531-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cobb).

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 785 to 799) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse.

Com. No. 785), informing the Senate that the amendments proposed by the Senate to House Bill No. 1606, H.D. 2, were agreed to by the House; and H.B. No. 1606, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 786), informing the Senate that the amendments proposed by the Senate to House Bill No. 1610, H.D. 1, were agreed to by the House; and H.B. No. 1610, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 787), informing the Senate that the amendments proposed by the Senate to House Bill No. 1762-80 were agreed to by the House; and H.B. No. 1762-80, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 788), 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. 1853-80 was adopted by the House; and H.B. No. 1853-80, S.D. 3, C.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 789), 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. 1912-80, H.D. 1, was adopted by the House; and H.B. No. 1912-80, H.D. 1, S.D. 1, C.D. 2, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 790), informing the Senate that the House had reconsidered its action taken on April 3, 1980 in disagreeing to the amendments made by the Senate to House Bill No. 2167-80, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 791), informing the Senate that the amendments proposed by the Senate to House Bill No. 2167-80, H.D. 1, were agreed to by the House; and H.B. No. 2167-80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 792), 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. 2720-80 was adopted by the House; and H.B. No. 2720-80, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 793), 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. 1865-80, H.D. 1, was adopted by the House; and H.B. No. 1865-80, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 794), 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. 1864-80, H.D. 1, was adopted by the House; and H.B. No. 1864-80, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 795), 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. 2795-80, S.D. 1, was adopted by the House; and S.B. No. 2795-80, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 796), 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. 1772-80, H.D. 2, was adopted by the House; and H.B. No. 1772-80, H.D. 2, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 797), 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. 2035-80, H.D. 2, was adopted by the House; and H.B. No. 2035-80, H.D. 2, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 798), informing the Senate that the amendments proposed by the Senate to House Bill No. 2193-80, H.D. 1, were agreed to by the House; and H.B. No. 2193-80, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1980, was placed on file.

A communication from the House (Hse. Com. No. 799), returning Senate Bill No. 1906-80, S.D. 2, which passed Third Reading in the House of Representatives on April 18, 1980, was placed on file.

At 11:20 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:22 o'clock a.m.

At this time, Senator Abercrombie rose on a point of personal privilege as follows:

"Mr. President, I know everyone is anxious to leave so I think I'll rest on my laurels.

"On the point of personal privilege I raised earlier, I don't care to go into it. Why waste time on somebody like that.

"I do have another point of personal privilege I would like to raise and this is with the Hawaii Newspaper Agency. It just happens to be the last day of the Legislature but I think it's typical of the kind of hypocrisy that these people indulge in.

"I have here yesterday's newspaper, the HNA publication, and this is an ad from Liberty House, and it's an ad for a cosmetic line called 'Opium.' On the surface it might seem amusing, but I think this has to do... I'm sorry the chairman of the Judiciary isn't here.

"As you know, Mr. President, I've voted consistently, despite at times seeming almost a bit foolish doing so, voting in the negative on various bills in respect of sentencing procedures and so on because they contained, at least in part, offenses having to do with drugs. And the reason for that, as I stated many times, is that I feel that we are in a situation in society where we are actually encouraging the use of these drugs by our young people and that they are not in the same category as some of the more terroristic crimes and this is exactly the kind of thing that I'm talking about.

"If there's money to be made, you can take a half page ad in the first section of the newspaper and the HNA prints it for the money without batting an eye.

"You've experienced the hypnotic fragrance of opium, now abandon yourself to the pleasures of opium.' This is what's being printed in the paper. Everyone knows that heroin is a derivative of opium. And it just seems to me that this is the kind of hypocrisy... pornography

ads...I've gone into it before in the past. The ads for the pornographic films are in the same particular category.

"The HNA is a money machine. They don't particularly care whether they put out a good newspaper or not. The people who are connected with the newspaper care much about putting out a good newspaper. People who work for the papers do...but the owners do not.

"This is a medium for advertising; it's a medium for line inches; it's a medium for seeing that Gannett has its profitability factor the way it wants to have it, and I don't think the owners involved care one wit whether an ad appears in the paper.

"So my point is that until this society of ours, the community of ours, comes to grips with what it really seriously intends in respect of the abuse of drugs in all forms and until we come to a point where we seriously come to grips with the society and encourage the altering of one's consciousness, the alteration of one's capacity to judge right from wrong and what is good for oneself, and until we come to grips with the kind of situation that allows us to put profit, this kind of pandering for profit before good sense, I think that we're going to continue to have drug problems, drug related problems. I think we're going to continue to have problems in schools, some of them connected up with the kind of violence that Senator Campbell referred to earlier that will be drug related. Until we do that we're going to see exactly this kind of thing continue, and all the passages of all the bills in the world are not going to alter that.

"I think that any publication which can knowingly publish for profit the advertising of a product which has as its base the appeal of the drug induced nature of opium and not recognize what it was doing and contributing to the drug problem in this state is not acting with innocence but acting out of callous disregard and in favor of its own profit picture."

Senator Carroll also rose on a point of personal privilege as follows:

"Mr. President, I also rise on a point of personal privilege.

"The spokesperson for Common Cause has condemned the Legislature, I guess as a whole and the Senate perhaps in particular, for conducting secret meetings during the conference committee process. I do not know first hand if the accusation is true. I certainly hope that it is not.

"I hope that if it is true that what

appeared to be secret meetings was in fact something explainably different; however, if they were secret meetings, then I join in the condemnation of the members of the Senate and the House who engaged in those practices.

"I'm going to contact them personally to find out what sort of evidence they think they have and take appropriate steps to insure that it doesn't happen again, and I would urge that each member of this body who feels similarly, especially yourself, Mr. President, do the same thing.

"Thank you."

At this time, the President addressed the members of the Senate as follows:

"Members of the Senate:

"In a short while, this 1980 Legislative Session will pass into history.

"It has been a long and arduous session, especially during the last few days of the extension. While it is unfortunate that we had to have this extension, I personally feel that the extra days were well spent in resolving conflicts between the Senate and House where strong policy and philosophical differences existed. The legislative process involves hard choices on difficult and complex issues. It is not necessarily an easy or fast process. I do want to thank you all for your hard work, patience and, most of all, for your understanding.

"Looking back over this 1980 Session, I believe we have established a creditable record of accomplishments.

"With respect to the budget and related bills, we have put together a package which is fiscally responsible, the contents of which have been thoroughly scrutinized and which is in response to the needs of the state. Coming out with this package was hard but the results have proven worthwhile. Funds have been provided for land banking, for the accelerated repair and maintenance of state facilities, for water resources development which hopefully will help to alleviate the critical water problem existing now on Oahu, for the development of the Aloha Tower Complex, for a general aviation airport, and for the support of the Hawaii Visitors Bureau.

"We were able to work out compromises with the House on legislation dealing with the funding for the Office of Hawaiian Affairs - as mandated by the 1978 Constitutional Convention - as well as for a bonus to pensioners to help out our older governmental retirees who are being hard hit by the impact of inflation. These measures had generated major differences between

the Senate and House but we were able to overcome these differences successfully.

"Our housing package includes increased funding for rental housing projects which will help alleviate the shortage of rental units in the state. We have broadened the scope of the Hula Mae Program and provided additional funding to help moderate income families purchase their own homes. We have passed legislation to assure that the owner-occupants --rather than investors-- get an opportunity to purchase at least half of the units of new condominium projects.

"We have established the statutory framework for the regulation of the time-sharing industry. It is our intent to continue to monitor the industry and follow-up with additional legislation in the future if this is to be found necessary.

"Addressing the problem of inflation, we have passed legislation to raise the state's statutory usury limit. This will enable Hawaii to remain competitive with other states in attracting investment capital, especially for mortgages for prospective home buyers, and also permit our financial institutions - banks, savings and loan associations, credit unions, industrial loan companies to continue to operate on a viable and competitive basis. This should help maintain the stability of Hawaii's economic foundation.

"Responding to the public concern about our rising crime rate, we have strengthened our criminal laws which should be of significant help in the areas of enforcement and prosecution. We have developed and passed a comprehensive Juvenile Justice Master Plan to address the problem of the young offenders. We have extended the life of the Hawaii Crime Commission and have clarified its functions and powers. I believe our efforts this session in addressing the problem of crime is one of our most significant achievements.

"We have passed an updated and revised version of the Hawaii Rules of Evidence. This is a landmark piece of legislation which should help greatly in improving our legal system.

"This session's record is for all to share, it is a job we can all take satisfaction in.

"All in all, I believe we have done our job. We have developed a full package of meaningful legislation. We have hammered out a comprehensive budget bill to meet the fiscal needs of the state for the coming year.

"I have only two regrets this session. One is that we were unable to get House concurrence for funds for our struggling

fishing industry. With Hawaii's mid-ocean location near some outstanding fishing grounds, this is an area of economic potential that we are not fully realizing. The other is our failure to convince the House of the need for additional support for energy research and development. Energy self-sufficiency should be among our highest priorities. Gasoline and electricity costs are expected to double in the not-too-distant future. The unstable international situation in the Middle East portends a possible cut-off of our nation's oil supply. Given this situation, it is extremely short-sighted not to proceed expeditiously on developing Hawaii's indigenous energy resources. Hopefully, we will be able to address these concerns next year during the 1981 Session.

"Having served as your president for the past two sessions, let me take this opportunity to thank all the members of this honorable body, the leadership of both the Majority and Minority, the committee chairmen and all the individual members. Over the past two sessions, we have worked hard together and, at times, we have had our differences on the issues. However, all in all, the last two sessions have been creative ones. Together, we have produced meaningful legislation - legislation benefiting the people of Hawaii.

"My mahalo to each and every one of the members of this honorable body. It has been for me an honor and privilege to serve as your president. I look forward to working with you again in the 1981 Session.

"To those of you who will be out seeking reelection this year, my very best wishes. You have served your constituents well and I wish you good luck in your endeavors.

"Mahalo Nui Loa and thank you again!"

Senator Yee then rose to respond to the President's comments as follows:

"Mr. President, in response to your comments, I want to say, on behalf of the Republicans, we're very grateful for the past two years...they were trying times...I know it hasn't been easy for you. We have here a Senate of individuals... little teamwork...there were many little factions that went along so no matter who presided as president it was a difficult task. I don't see much change next year either...but one thing, I'd like to commend all the senators here for giving the Republicans adequate opportunity to speak freely, for allowing them input in committee hearings and for the many Republican measures that were passed for the first time this year where most measures were discussed on merit rather than on party labels. We're grateful for this."

Senator Kuroda then rose to remark as follows:

"Mr. President, I'm sure I speak on behalf of the hold-over senators...I'm one of the 11 who has the good fortune of coming back for the next two sessions. We wish all of you who must run for reelection all the success and we sincerely mean it when we say 'Please come back.'"

"There is talk that one of the senators may run for some other office and if he does choose to do that we wish him good luck. Thank you."

Senator Anderson then added his remarks as follows:

"Mr. President, I've been here for the last two hours putting notes in my remembrances to be a little bit stronger in my farewell to you. Senator Yee kind of deflated this balloon here."

"While we do appreciate the pluses on your running of the Senate, Mr. President, for the last two years, we are grateful for the kokua and the positions that were different than the previous two years."

"But a little bit more on the harder side, Mr. President, some of us plan to take this election and continue it on to the discussions. Taking credit for a fiscally responsible budget, like it was something other than what we've done for the past 17 years...if this one is so different I could dig into the Journal and find...and listening to closing remarks by various chairmen for 17 years where the budget was fiscally responsible...what else can we say when we vote on the budget."

"I think more appropriate is Senator Yim's closing remarks, and these of course are remarks that I've been involved in the last couple of weeks and the trio that I call the triumvirate and the barbs we've been giving each other in the press."

"While I can play politics either way...a full participant or an advocate...I really prefer the full participant. I think the legislative body as it stands here...that if it does come back next year needs some reshuffling, and I'm not speaking about posts, positions or titles."

"I would hope that as legislators, individually, that we've all benefited from one another; that we've all grown a little; one has learned from the other; that even an old dog like myself...I've learned from the new."

"I think the antagonistic ending that we ended with was not necessary and

I've said this consistently. I think there is enough talent in this room to move the state forward for many, many years... and the talent that will be coming after the next election."

"While we stand here the newspapers are giving us some sort of score card...report card on the many major issues."

"On the airport, I heard a while back... there was a protectionism on the question of the airport. It seemed that the airport was Senator Carroll's project and issue and nobody else's in this state."

"Mr. President, I have before me your Opening Day remarks where you spoke of...you were hoping and wishing to accomplish eight different points. As president of the Senate who has control of the Majority members, you talked about airports yourself, you talked about mass transit, you talked about tourism. And out of the eight, Mr. President, you got one. That's more than some of us got."

"Really, what I am saying, Mr. President, I think the Senate, once we convene and all the nonsense of organizing is put to rest, that somehow even on a bi-partisan way we put together a package...a package that represents the needs and the wishes of the people of this state and that we go forward together."

"Sure there are going to be personalities; sure there are going to be differences of approach; sure there are going to be differences on the way the final package will be out but I think we can begin to build the confidence of the public if they can see...no matter what you or I say, if it's in their direction...the direction of assistance and help in resolving the issues...they are going to feel important."

"The Hawaiians this year got involved for the first time because of OHA and they came to ask us about the process. There's some deep resentment in the Hawaiian community, those that are close to this project, with this body in particular, and that's unfortunate because I don't think any one senator here really wanted to kill that bill; it was a form of it. But because of tiredness, the lateness of the hours, the packaging, the haggling, that bill almost died."

"The pensioners bonus...11,500 members plus their families, 25 or 35,000 people...it's really unfortunate that those people had to take ads in newspapers against individual senators or individual representatives and to have to come down here and almost beg for some kind of assistance. They can't understand, Mr. President, while we have a \$165 million anticipated surplus give or take why they didn't

get their rebate; why they didn't get the tax reform package from the Senate... they almost didn't get their bonus.

"If we continue this kind of a process, the same thing that happened to California can happen here. You can't have the people's money in the state treasury when they're starving out there and they can't meet their obligations and their bills. They can't understand that, Mr. President.

"I would hope, and I repeat it again, that next year if you are at that podium, before you put together your presentation, that you have some bouncing dialogue with the Minority and the Majority on goals and directions so that when you speak from that podium, Mr. President, you don't speak for Senator Wong but you speak on behalf of the Senate so that if and when a conference does merge with the House we're one body, rather than all independents, hoping in fact on some issues the House would win over the Senate because our bills were there and not here.

"I hope that if you return you take heed to some of the self-imposed timetables, the question of 'pork'... whether or not they got the message that 'pork' is going to be phased-out or should be phased-out. This should all be done on a more businesslike manner and discussed early in the session so people can adjust and not promise their constituency in the 60 days hence, only to find that somebody says no 'pork.'

"These kinds of policy decisions, Mr. President, should be made by the leadership in this body in conjunction with the one across the hall and then move forward to resolve some of these things.

"We're again going to meet in the campaign trail, I assure you. Everybody, good luck!

"In closing, we extend our thanks to the staffs of the various committees and the people in the printshop who I'm sure had to put up with an awful lot."

The Chair then responded as follows:

"Just one response to the distinguished Minority Floor Leader.

"On a long journey, the most important step is the first one. This body has taken a first step to try to address the idea of fiscal responsibility. Although the outcome may not be in keeping with all of our ideas, I believe that the Senate, and I'm proud to say that I am a member and president of the Senate, has taken

that first giant step.

"And, hopefully, when the individuals return to this very distinguished body next year that we will continue on and take the next second giant step.

"For me a victory or a defeat on the number of measures that I suggested earlier in the session is immaterial. These were just some of the concerns that I and other senators had. I felt these must be said to provide a direction, a plan, a course of action.

"I hope that when I appear here in the Senate next year that the members will feel free to support a second giant step in line with what I consider to be the challenge of the 80's. If all of us are not aware of it, it's that the general public will have a great deal to say as to how a legislative body operates. The days of controlled politics, machine politics, have gone and are gone forever. May they rest in peace.

"The challenges of the 80's will be before everyone of us who are on the campaign trail to explain our actions here. I am confident that after each individual seeking reelection takes his story to the constituency that he will be back here in the Senate next year.

"With that thought in mind, again, I would like to wish all of you a successful political campaign, whether you come from one side of the hall or the other. What makes for democracy is the highest degree of participation. I am certain that the Minority will, in its efforts next year, become much more vocal in their opposition as they should be, representing as they do the Minority position in the Senate. I expect it and I welcome it.

"To all of you, Aloha and have a good afternoon."

SENATE RESOLUTION

A resolution (S.R. No. 386), entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE", was jointly offered by Senators Mizuguchi and Anderson and was read by the Clerk.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 386 was adopted.

In accordance therewith, the President appointed Senators Mizuguchi, Kuroda and Yee to a Special Committee to inform the Governor and the House of Representatives that the Senate stands ready to adjourn Sine Die.

At 11:50 o'clock a.m., the Senate

stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

Senator Mizuguchi, for the Special Committee, reported verbally that he has informed the Governor and the House of Representatives that the Senate is ready to adjourn Sine Die.

The President then discharged the Special Committee with thanks.

ADJOURNMENT

Senator Mizuguchi moved that the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, adjourn Sine Die, seconded by Senator Anderson and carried.

At 12:00 o'clock noon, the President rapped his gavel and declared the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, adjourned Sine Die.

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Gov. Msg. No. 310 transmitting a report prepared by the Department of Accounting and General Services in coordination with the University of Hawaii in response to House Resolution No. 115 (1980) which requested a report on the University of Hawaii's facility planning and construction program.

Gov. Msg. No. 311 transmitting a report prepared by the Department of Regulatory Agencies in response to House Resolution No. 73, H.D. 1 (1980) which requested a progress report on the implementation of the residential energy conservation utility program mandated by the National Energy Conservation Policy Act of 1978.

Gov. Msg. No. 312 informing the Senate that on April 25, 1980, the Acting Governor signed the following bills into law:

Senate Bill No. 1834-80 as Act 43, entitled: "RELATING TO ANNULMENT OF A MARRIAGE";

Senate Bill No. 2007-80 as Act 44, entitled: "RELATING TO VENDING FROM STATE HIGHWAYS";

Senate Bill No. 2070-80 as Act 45, entitled: "RELATING TO NO-FAULT INSURANCE";

Senate Bill No. 2081-80 as Act 46, entitled: "RELATING TO INSURANCE";

Senate Bill No. 2186-80 as Act 47, entitled: "RELATING TO NUMBER PLATES";

Senate Bill No. 2208-80 as Act 48, entitled: "RELATING TO PUBLIC LANDS";

Senate Bill No. 2232-80 as Act 49, entitled: "RELATING TO AIRPORT PARKING CONTROL";

Senate Bill No. 2277-80 as Act 50, entitled: "RELATING TO THE JUDICIARY";

Senate Bill No. 2358-80 as Act 51, entitled: "RELATING TO AUDIT AND ACCOUNTING";

Senate Bill No. 2419-80 as Act 52, entitled: "RELATING TO FAMILY COURTS";

Senate Bill No. 2682-80 as Act 53, entitled: "RELATING TO PUBLIC ACCOUNTANCY"; and

Senate Bill No. 2938-80 as Act 54, entitled: "RELATING TO HIGHWAY SAFETY".

Gov. Msg. No. 313 transmitting a report prepared by the Public Utilities Commission in response to House Resolution No. 73, H.D. 1 (1980) which requested a progress report on the implementation of the residential energy conservation utility program mandated by the National Energy Conservation Policy Act of 1978.

Gov. Msg. No. 314 transmitting a report prepared by the Departments of Health, Education and Accounting and General Services in response to House Resolution No. 358 and House Concurrent Resolution No. 110 (1980) which requested a report on the State's efforts to remedy the problem of asbestos-containing materials in the public schools and related health risks.

Gov. Msg. No. 315 transmitting the Annual Report for the State Department of Labor and Industrial Relations prepared as required by HRS Sections 371-7 and 26-20.

Gov. Msg. No. 316 transmitting the 1979 Annual Report prepared by the Commission on Population and the Hawaiian Future.

Gov. Msg. No. 317 informing the Senate that on May 17, 1980, he signed the following bills into law:

Senate Bill No. 1835-80 as Act 55, entitled: "RELATING TO TERMINATION OF PARENTAL RIGHTS";

Senate Bill No. 1836-80 as Act 56, entitled: "RELATING TO ADOPTION";

Senate Bill No. 1951-80 as Act 57, entitled: "RELATING TO INTOXICATING LIQUOR";

House Bill No. 366 as Act 58, entitled: "RELATING TO INITIAL APPOINTMENTS";

House Bill No. 584 as Act 59, entitled: "RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH";

House Bill No. 1422 as Act 60, entitled: "RELATING TO QUORUM OF REAL ESTATE COMMISSION";

House Bill No. 1607 as Act 61, entitled: "RELATING TO PUBLIC EMPLOYEES' HEALTH FUND";

House Bill No. 1880-80 as Act 62, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 1961-80 as Act 63,
entitled: "RELATING TO VACATION
OF PUBLIC OFFICERS AND EMPLOYEES";

House Bill No. 2472-80 as Act 64,
entitled: "RELATING TO THE BUDGET";

House Bill No. 2535-80 as Act 65,
entitled: "RELATING TO DISCLOSURE
BY FUEL IMPORTERS, MANUFACTURERS,
DISTRIBUTORS, AND EXPORTERS";

House Bill No. 2537-80 as Act 66,
entitled: "RELATING TO EVICTION";

House Bill No. 2590-80 as Act 67,
entitled: "RELATING TO THE ADMINIS-
TRATIVE PROCEDURE ACT";

House Bill No. 2661-80 as Act 68,
entitled: "RELATING TO THE HAWAII
HOUSING AUTHORITY";

House Bill No. 2668-80 as Act 69,
entitled: "RELATING TO TRADE
REGULATION";

House Bill No. 2674-80 as Act 70,
entitled: "RELATING TO CIVIL
REMEDIES AND DEFENSES AND SPECIAL
PROCEEDINGS, LIMITATION OF
ACTION";

House Bill No. 2698-80 as Act 71,
entitled: "RELATING TO THE UNIVERSITY
OF HAWAII";

House Bill No. 2703-80 as Act 72,
entitled: "RELATING TO THE UNIVERSITY
OF HAWAII";

House Bill No. 2789-80 as Act 73,
entitled: "RELATING TO NO-FAULT
INSURANCE";

House Bill No. 2842-80 as Act 74,
entitled: "RELATING TO FISH AND
GAME"; and

House Bill No. 3048-80 as Act 75,
entitled: "RELATING TO HEALTH
PLANNING".

Gov. Msg. No. 318 informing the
Senate that on May 21, 1980, he signed
the following bills into law:

Senate Bill No. 1346 as Act 76, entitled:
"RELATING TO THE STATEWIDE
TRAFFIC CODE";

Senate Bill No. 1897-80 as Act 77,
entitled: "RELATING TO PUBLIC
UTILITIES";

Senate Bill No. 1899-80 as Act 78,
entitled: "RELATING TO THE TAXATION
OF NON-FOSSIL FUEL GENERATED
ELECTRICITY";

Senate Bill No. 1991-80 as Act 79,

entitled: "RELATING TO UNIFORM
SECURITIES ACT (MODIFIED)";

Senate Bill No. 2000-80 as Act 80,
entitled: "RELATING TO CORRECTIONS";

Senate Bill No. 2002-80 as Act 81,
entitled: "RELATING TO LOST AND
FOUND MONEY OR PROPERTY AT
AIRPORTS";

Senate Bill No. 2005-80 as Act 82,
entitled: "RELATING TO THE JUNKYARD
CONTROL ACT";

Senate Bill No. 2111-80 as Act 83,
entitled: "RELATING TO PUBLIC EMPLOY-
MENT";

Senate Bill No. 2191-80 as Act 84,
entitled: "RELATING TO MOTOR VEHICLE
SAFETY RESPONSIBILITY ACT";

Senate Bill No. 2197-80 as Act 85,
entitled: "RELATING TO CORRECTIONAL
INDUSTRIES";

Senate Bill No. 2214-80 as Act 86, entitled:
"RELATING TO INSURANCE";

Senate Bill No. 2280-80 as Act 87,
entitled: "RELATING TO THE STATE
CODE OF ETHICS";

Senate Bill No. 3003-80 as Act 88,
entitled: "RELATING TO MEDICAL
TORTS";

House Bill No. 1979-80 as Act 89, entitled:
"RELATING TO SCHOOL ENTRY EXAMINA-
TION";

House Bill No. 1981-80 as Act 90, entitled:
"RELATING TO RECORDING FEES
IN THE STATE BUREAU OF CONVEYANCES";

House Bill No. 1989-80 as Act 91,
entitled: "RELATING TO PRACTICING
PSYCHOLOGISTS";

House Bill No. 1992-80 as Act 92, entitled:
"RELATING TO DEPARTMENT OF REGULATORY
AGENCIES";

House Bill No. 2061-80 as Act 93,
entitled: "RELATING TO THE JUDICIARY";
and

House Bill No. 2063-80 as Act 94, entitled:
"RELATING TO THE JUDICIARY".

Gov. Msg. No. 319 informing the Senate
that on May 22, 1980, he signed the
following bills into law:

Senate Bill No. 2225-80 as Act 95,
entitled: "RELATING TO THE PUBLIC
EMPLOYEES HEALTH FUND";

Senate Bill No. 2278-80 as Act 96,
entitled: "RELATING TO THE JUDICIARY";

Senate Bill No. 2286-80 as Act 97,
entitled: "RELATING TO EMPLOYMENT
PROGRAMS";

Senate Bill No. 2357-80 as Act 98,
entitled: "RELATING TO STATE
INSURANCE ADMINISTRATION";

Senate Bill No. 2359-80 as Act 99,
entitled: "RELATING TO DISASTER
RELIEF";

Senate Bill No. 2439-80 as Act 100,
entitled: "RELATING TO WORKERS'
COMPENSATION";

Senate Bill No. 2473-80 as Act 101,
entitled: "RELATING TO THE EXECUTIVE
BUDGET ACT";

Senate Bill No. 2514-80 as Act 102,
entitled: "RELATING TO CONTRACTORS";

Senate Bill No. 2676-80 as Act 103,
entitled: "RELATING TO MOTOR
VEHICLE INSURANCE";

Senate Bill No. 2770-80 as Act 104,
entitled: "RELATING TO TOURISM";

Senate Bill No. 2870-80 as Act 105,
entitled: "RELATING TO ARRESTS
BY POLICE OFFICERS WITHOUT
WARRANT";

Senate Bill No. 2881-80 as Act 106,
entitled: "RELATING TO SPOUSE
ABUSE";

Senate Bill No. 3098-80 as Act 107,
entitled: "RELATING TO RESIDENTIAL
LEASEHOLD CONVERSION";

House Bill No. 713 as Act 108, entitled:
"RELATING TO BANKS";

House Bill No. 714 as Act 109, entitled:
"RELATING TO SAVINGS AND LOAN
ASSOCIATIONS";

House Bill No. 2086-80 as Act 110,
entitled: "RELATING TO PILOTAGE";

House Bill No. 2372-80 as Act 111,
entitled: "RELATING TO SELECTIVE
EMPLOYMENT AND THE CIVIL SERVICE";

House Bill No. 2388-80 as Act 112,
entitled: "RELATING TO DISTRICT
SCHOOL ADVISORY COUNCILS"; and

House Bill No. 2454-80 as Act 113,
entitled: "RELATING TO POLITICAL
SUBDIVISION POLLUTION CONTROL
BONDS".

Gov. Msg. No. 320 informing the
Senate that on May 24, 1980, he signed
the following bills into law:

Senate Bill No. 1441 as Act 114,

entitled: "RELATING TO INDUSTRIAL
LOAN COMPANIES";

House Bill No. 2062-80 as Act 115, entitled:
"RELATING TO THE JUDICIARY";

House Bill No. 2073-80 as Act 116,
entitled: "RELATING TO VOCATIONAL
REHABILITATION";

House Bill No. 2181-80 as Act 117, entitled:
"RELATING TO EMPLOYMENT SECURITY";

House Bill No. 2318-80 as Act 118,
entitled: "RELATING TO DENTAL
HYGIENISTS";

House Bill No. 2319-80 as Act 119,
entitled: "RELATING TO THE BOARD
OF VETERINARY EXAMINERS";

House Bill No. 2361-80 as Act 120, entitled:
"RELATING TO PUBLIC ASSISTANCE";

House Bill No. 2362-80 as Act 121,
entitled: "RELATING TO DOMICILIARY
CARE";

House Bill No. 2448-80 as Act 122,
entitled: "RELATING TO SEXUAL
ABUSE";

House Bill No. 2458-80 as Act 123,
entitled: "RELATING TO PROCEDURE
WHEN TITLE OF VEHICLE TRANSFERRED;
DELIVERY OF CERTIFICATE MANDATORY";

House Bill No. 2555-80 as Act 124,
entitled: "RELATING TO DEALERS
OF SOLAR ENERGY DEVICES";

House Bill No. 2572-80 as Act 125,
entitled: "RELATING TO THE PEST
CONTROL OPERATORS LAW"; and

House Bill No. 2897-80 as Act 126,
entitled: "RELATING TO SPECIAL
FACILITY REVENUE BONDS".

Gov. Msg. No. 321 informing the
Senate that on May 27, 1980, he signed
the following bills into law:

Senate Bill No. 871 as Act 127, entitled:
"RELATING TO LAND TRANSPORTATION";

Senate Bill No. 2202-80 as Act 128,
entitled: "RELATING TO THE LICENSING
OF RADIATION THERAPY TECHNOLOGISTS";

Senate Bill No. 3012-80 as Act 129,
entitled: "RELATING TO REGISTRATION
OF LOBBYISTS";

House Bill No. 1976-80 as Act 130,
entitled: "RELATING TO THE HAWAII
ADMINISTRATIVE PROCEDURE ACT";

House Bill No. 2066-80 as Act 131,
entitled: "RELATING TO THE WATER
CARRIER LAW";

House Bill No. 2328-80 as Act 132,
entitled: "RELATING TO HARBORS";

House Bill No. 2334-80 as Act 133,
entitled: "RELATING TO MOTOR
VEHICLES";

House Bill No. 2633-80 as Act 134,
entitled: "RELATING TO THE JOB
SHARING PILOT PROJECT IN THE
DEPARTMENT OF EDUCATION";

House Bill No. 2666-80 as Act 135,
entitled: "RELATING TO RETAIL
INSTALLMENT SALES";

House Bill No. 2809-80 as Act 136,
entitled: "RELATING TO CONDUCT
OF ELECTIONS";

House Bill No. 2810-80 as Act 137,
entitled: "RELATING TO ELECTION
REGISTRATION";

House Bill No. 2816-80 as Act 138,
entitled: "RELATING TO ELECTIONS";

House Bill No. 2845-80 as Act 139,
entitled: "RELATING TO PRIMARY
ELECTIONS";

House Bill No. 2850-80 as Act 140,
entitled: "RELATING TO THE UNIFORM
CONTROLLED SUBSTANCES ACT";
and

House Bill No. 3046-80 as Act 141,
entitled: "RELATING TO CERTIFICATE
OF REGISTRATION; CERTIFICATE
OF OWNERSHIP; CONTAINERS".

Gov. Msg. No. 322 informing the
Senate that on May 28, 1980, he signed
the following bills into law:

Senate Bill No. 118 as Act 142, entitled:
"RELATING TO PROFESSIONAL AND
OCCUPATIONAL BOARDS AND COMMIS-
SIONS";

Senate Bill No. 209 as Act 143, entitled:
"RELATING TO NO-FAULT INSURANCE";

Senate Bill No. 1370 as Act 144,
entitled: "RELATING TO THE COMPEN-
SATION LAW";

Senate Bill No. 1838-80 as Act 145,
entitled: "RELATING TO THE HAWAII
CRIME COMMISSION";

Senate Bill No. 2006-80 as Act 146,
entitled: "RELATING TO STATE
HIGHWAYS";

Senate Bill No. 2157-80 as Act 147,
entitled: "RELATING TO THE UNIFORM
CONTROLLED SUBSTANCES ACT";

Senate Bill No. 2457-80 as Act 148,
entitled: "RELATING TO DOGS:

LICENSES AND REGULATIONS; LICENSE
FEE CONTROLLED BY ORDINANCE";

Senate Bill No. 2512-80 as Act 149,
entitled: "RELATING TO PUBLIC PUR-
CHASING AND CONTRACTING";

Senate Bill No. 2862-80 as Act 150,
entitled: "RELATING TO OBSTRUCTING
PUBLIC ADMINISTRATION";

House Bill No. 1993-80 as Act 151, entitled:
"RELATING TO THE COLLECTION
AGENCY LAW";

House Bill No. 2137-80 as Act 152, entitled:
"RELATING TO TAXATION";

House Bill No. 2175-80 as Act 153,
entitled: "RELATING TO NAMES";

House Bill No. 2185-80 as Act 154,
entitled: "RELATING TO RECORDING
FEES IN THE OFFICE OF THE ASSISTANT
REGISTRAR OF THE LAND COURT
OF THE STATE BUREAU OF CONVEYANCES";

House Bill No. 2195-80 as Act 155,
entitled: "RELATING TO AERONAUTICS";

House Bill No. 2258-80 as Act 156,
entitled: "RELATING TO SUSPENSION
OF SENTENCE AND PROBATION";

House Bill No. 2292-80 as Act 157,
entitled: "RELATING TO SCHOOL
ATTENDANCE";

House Bill No. 2322-80 as Act 158,
entitled: "RELATING TO THE BOARD
OF PRIVATE DETECTIVES AND GUARDS";

House Bill No. 2540-80 as Act 159,
entitled: "RELATING TO TAXATION";

House Bill No. 2733-80 as Act 160,
entitled: "RELATING TO COUNTY
LICENSES";

House Bill No. 2853-80 as Act 161,
entitled: "RELATING TO HARBORS";
and

House Bill No. 3045-80 as Act 162,
entitled: "RELATING TO PROCEDURE
WHEN TITLE OF VEHICLE TRANSFERRED;
DELIVERY OF CERTIFICATE MANDATORY".

Gov. Msg. No. 323 informing the
Senate that on May 29, 1980, he signed
the following bills into law:

Senate Bill No. 43 as Act 163, entitled:
"RELATING TO STATE BOUNDARIES
(CONSTITUTIONAL AMENDMENTS
OF ARTICLE XV, SECTION 1)";

Senate Bill No. 1827-80 as Act 164,
entitled: "RELATING TO THE HAWAII
RULES OF EVIDENCE";

Senate Bill No. 1831-80 as Act 165,
entitled: "RELATING TO CRIMES";

Senate Bill No. 1832-80 as Act 166,
entitled: "RELATING TO CAREER
CRIMINALS";

Senate Bill No. 1944-80 as Act 167,
entitled: "RELATING TO THE JUDICIARY";

Senate Bill No. 1988-80 as Act 168,
entitled: "RELATING TO THE USE
OF SICK LEAVE CREDITS WITH WORKERS'
COMPENSATION BENEFITS";

Senate Bill No. 2071-80 as Act 169,
entitled: "RELATING TO THE SMALL
CLAIMS COURT";

Senate Bill No. 2120-80 as Act 170,
entitled: "RELATING TO MINORS";

Senate Bill No. 2581-80 as Act 171,
entitled: "RELATING TO LEASED
OR RENTED PERSONAL PROPERTY";

Senate Bill No. 2784-80 as Act 172,
entitled: "RELATING TO MOTOR
AND OTHER VEHICLES";

Senate Bill No. 3145-80 as Act 173,
entitled: "RELATING TO TRADE
REGULATION";

House Bill No. 422 as Act 174, entitled:
"RELATING TO THE HAWAII PENAL
CODE";

House Bill No. 1762-80 as Act 175,
entitled: "RELATING TO THE COMPEN-
SATION OF CERTAIN PERSONS UNDER
THE CRIMINAL INJURIES COMPENSATION
ACT AND PROVIDING APPROPRIATIONS
THEREFOR";

House Bill No. 1829-80 as Act 176,
entitled: "RELATING TO THE BANK
EXAMINER";

House Bill No. 1945-80 as Act 177,
entitled: "RELATING TO SOLAR
ENERGY DEVICES";

House Bill No. 1975-80 as Act 178,
entitled: "RELATING TO THE HAWAII
MEAT INSPECTION ACT";

House Bill No. 1977-80 as Act 179,
entitled: "RELATING TO ENVIRONMEN-
TAL QUALITY";

House Bill No. 2183-80 as Act 180,
entitled: "RELATING TO FOREST
AND WATER RESERVE ZONES";

House Bill No. 2191-80 as Act 181,
entitled: "RELATING TO OWNERSHIP
AND POSSESSION OF FIREARMS";

House Bill No. 2263-80 as Act 182,
entitled: "RELATING TO LIMITED

PARTNERSHIPS";

House Bill No. 2795-80 as Act 183,
entitled: "RELATING TO NURSING
HOME ADMINISTRATORS";

House Bill No. 2822-80 as Act 184,
entitled: "ESTABLISHING A UNIVERSITY
OF HAWAII SYSTEMWIDE STUDENT
ACTIVITIES REVOLVING FUND"; and

House Bill No. 2892-80 as Act 185,
entitled: "RELATING TO THE HAWAII
BANK ACT OF 1931".

Gov. Msg. No. 324 informing the
Senate that on May 30, 1980, he signed
the following bills into law:

Senate Bill No. 1516 as Act 186,
entitled: "RELATING TO TIME SHARING";

Senate Bill No. 2134-80 as Act 187,
entitled: "RELATING TO FOOD,
DRUGS, AND COSMETICS";

House Bill No. 1782-80 as Act 188,
entitled: "RELATING TO INTEREST
AND USURY";

House Bill No. 1784-80 as Act 189,
entitled: "RELATING TO HORIZONTAL
PROPERTY REGIMES";

House Bill No. 2629-80 as Act 190,
entitled: "RELATING TO HOUSING";
and

House Bill No. 2889-80 as Act 191,
entitled: "RELATING TO AUTHORIZING
COMPENSATION OF WITNESSES BY
THE DIRECTOR OF THE OFFICE
OF CONSUMER PROTECTION".

Gov. Msg. No. 325 informing the
Senate that on May 31, 1980, he signed
the following bills into law:

House Bill No. 1060 as Act 192, entitled:
"RELATING TO TUITION WAIVERS";

House Bill No. 1801-80 as Act 193,
entitled: "RELATING TO POLICE";

House Bill No. 1806-80 as Act 194,
entitled: "RELATING TO THE HAWAII
INSURANCE LAW";

House Bill No. 1821-80 as Act 195,
entitled: "RELATING TO BAIL BONDS";

House Bill No. 1871-80 as Act 196,
entitled: "RELATING TO INDUSTRIAL
LOAN COMPANIES";

House Bill No. 1925-80 as Act 197,
entitled: "RELATING TO INDUSTRIAL
LOAN COMPANIES";

House Bill No. 2265-80 as Act 198,
entitled: "RELATING TO STRIKING

NAMES OF DISQUALIFIED VOTERS FROM THE REGISTER"; and

House Bill No. 2367-80 as Act 199, entitled: "RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR".

Gov. Msg. No. 326 informing the Senate that on June 5, 1980, he signed the following bills into law:

House Bill No. 2443-80 as Act 200, entitled: "RELATING TO STATE CHARTERED CREDIT UNIONS"; and

House Bill No. 2646-80 as Act 201, entitled: "RELATING TO LAW ENFORCEMENT".

Gov. Msg. No. 327 informing the Senate that on June 6, 1980, he signed the following bills into law:

Senate Bill No. 870 as Act 202, entitled: "RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM";

Senate Bill No. 1003 as Act 203, entitled: "RELATING TO COUNTY ZONING";

Senate Bill No. 2155-80 as Act 204, entitled: "RELATING TO INTAKE SERVICE CENTERS";

House Bill No. 1606 as Act 205, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 1684 as Act 206, entitled: "RELATING TO PUBLIC ASSISTANCE";

House Bill No. 1873-80 as Act 207, entitled: "RELATING TO JUVENILES";

House Bill No. 1991-80 as Act 208, entitled: "RELATING TO MASSAGE";

House Bill No. 2059-80 as Act 209, entitled: "RELATING TO GRAND JURY";

House Bill No. 2064-80 as Act 210, entitled: "RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

House Bill No. 2074-80 as Act 211, entitled: "RELATING TO SIGNING AND FILING OF RETURNS FOR TAXATION PURPOSES";

House Bill No. 2135-80 as Act 212, entitled: "RELATING TO COPIES OF TAX RETURNS";

House Bill No. 2577-80 as Act 213, entitled: "RELATING TO TAXATION";

House Bill No. 2669-80 as Act 214, entitled: "RELATING TO EDUCATION"; and

House Bill No. 2720-80 as Act 215, entitled: "MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.".

Gov. Msg. No. 328 informing the Senate that on June 7, 1980, he signed the following bills into law:

Senate Bill No. 2156-80 as Act 216, entitled: "RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT";

Senate Bill No. 2302-80 as Act 217, entitled: "RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION";

Senate Bill No. 2501-80 as Act 218, entitled: "RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS: PENALTIES FOR VIOLATIONS";

Senate Bill No. 2520-80 as Act 219, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

Senate Bill No. 2634-80 as Act 220, entitled: "RELATING TO ENERGY SAVING TRANSPORTATION MODES";

Senate Bill No. 2665-80 as Act 221, entitled: "RELATING TO MENTAL HEALTH";

Senate Bill No. 2744-80 as Act 222, entitled: "RELATING TO THE INSANITY DEFENSE";

Senate Bill No. 2877-80 as Act 223, entitled: "RELATING TO SEXUAL OFFENSES";

Senate Bill No. 2914-80 as Act 224, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 55 as Act 225, entitled: "RELATING TO THE HAWAII STATE PLANNING ACT";

House Bill No. 501 as Act 226, entitled: "RELATING TO PERSONAL RECORDS";

House Bill No. 1313 as Act 227, entitled: "RELATING TO ADULT FAMILY BOARDING HOMES";

House Bill No. 1361 as Act 228, entitled: "RELATING TO EXCISE TAX CREDITS";

House Bill No. 1429 as Act 229, entitled: "RELATING TO DEPOSITS OF PUBLIC FUNDS";

House Bill No. 1772-80 as Act 230,

entitled: "RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED";

House Bill No. 1864-80 as Act 231, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 1911-80 as Act 232, entitled: "RELATING TO STATUTORY REVISION; AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, AND CORRECTING REFERENCES";

House Bill No. 1915-80 as Act 233, entitled: "RELATING TO FIREARMS AND AMMUNITION";

House Bill No. 1986-80 as Act 234, entitled: "RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT";

House Bill No. 2131-80 as Act 235, entitled: "RELATING TO TAXATION";

House Bill No. 2133-80 as Act 236, entitled: "RELATING TO TAXATION";

House Bill No. 2134-80 as Act 237, entitled: "RELATING TO TAXATION";

House Bill No. 2219-80 as Act 238, entitled: "RELATING TO TAXATION";

House Bill No. 2286-80 as Act 239, entitled: "RELATING TO DEVELOPMENTAL DISABILITIES";

House Bill No. 2532-80 as Act 240, entitled: "AUTHORIZING THE PLACEMENT OF THE SCULPTURE 'THE SPIRIT OF LILIUOKALANI' AT THE STATE CAPITOL COMPLEX";

House Bill No. 2552-80 as Act 241, entitled: "RELATING TO EXEMPTIONS";

House Bill No. 2558-80 as Act 242, entitled: "RELATING TO BAIL";

House Bill No. 2660-80 as Act 243, entitled: "RELATING TO HOUSING";

House Bill No. 2752-80 as Act 244, entitled: "RELATING TO THE INITIAL APPOINTMENT OF CIVIL SERVICE EMPLOYEES"; and

House Bill No. 2773-80 as Act 245, entitled: "RELATING TO BONDS".

Gov. Msg. No. 329 informing the Senate that on June 10, 1980, the Acting Governor signed the following bills into law:

Senate Bill No. 3146-80 as Act 246,

entitled: "RELATING TO CAMPAIGN SPENDING";

House Bill No. 2161-80 as Act 247, entitled: "RELATING TO ELECTIONS"; and

House Bill No. 2162-80 as Act 248, entitled: "RELATING TO ABSENTEE VOTING".

Gov. Msg. No. 330 informing the Senate that on June 13, 1980, he signed the following bills into law:

House Bill No. 159 as Act 249, entitled: "RELATING TO DENTISTRY";

House Bill No. 1494 as Act 250, entitled: "RELATING TO PUBLIC EMPLOYMENT";

House Bill No. 1655 as Act 251, entitled: "RELATING TO DENTISTRY";

House Bill No. 2168-80 as Act 252, entitled: "RELATING TO COLLECTIVE BARGAINING";

House Bill No. 2634-80 as Act 253, entitled: "RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES";

Senate Bill No. 2977-80 as Act 254, entitled: "RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES COVERED BY CHAPTER 77, HAWAII REVISED STATUTES";

House Bill No. 25 as Act 255, entitled: "RELATING TO HEALTH CARE";

House Bill No. 687 as Act 256, entitled: "RELATING TO INTOXICATING LIQUOR";

House Bill No. 1610 as Act 257, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 1964-80 as Act 258, entitled: "RELATING TO THE PUBLIC EMPLOYEE COMPENSATION LAW";

House Bill No. 1985-80 as Act 259, entitled: "RELATING TO CORPORATIONS";

House Bill No. 2058-80 as Act 260, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 2071-80 as Act 261, entitled: "RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS";

House Bill No. 2091-80 as Act 262, entitled: "RELATING TO FAMILY COURT PROCEEDINGS";

House Bill No. 2166-80 as Act 263, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 2167-80 as Act 264,
entitled: "RELATING TO ELECTIONS";

House Bill No. 2172-80 as Act 265,
entitled: "RELATING TO PLANT
AND NONDOMESTIC ANIMAL QUARANTINE";

House Bill No. 2241-80 as Act 266,
entitled: "RELATING TO SPOUSE
ABUSE";

House Bill No. 2259-80 as Act 267,
entitled: "RELATING TO CRIMES";

House Bill No. 2324-80 as Act 268,
entitled: "RELATING TO RESTRAINING
ORDERS";

House Bill No. 2357-80 as Act 269,
entitled: "RELATING TO CRIMINAL
HISTORY RECORD INFORMATION";
and

House Bill No. 2359-80 as Act 270,
entitled: "RELATING TO PARTNERSHIPS".

Gov. Msg. No. 331 informing the
Senate that on June 16, 1980, he signed
the following bills into law:

Senate Bill No. 1960-80 as Act 271,
entitled: "RELATING TO NO-FAULT
INSURANCE";

Senate Bill No. 2927-80 as Act 272,
entitled: "RELATING TO MENTAL
HEALTH";

House Bill No. 1853-80 as Act 273,
entitled: "RELATING TO THE OFFICE
OF HAWAIIAN AFFAIRS";

Senate Bill No. 1906-80 as Act 274,
entitled: "RELATING TO GASOLINE";

Senate Bill No. 2531-80 as Act 275,
entitled: "RELATING TO THE STATE
BUDGET";

Senate Bill No. 2536-80 as Act 276,
entitled: "RELATING TO SOCIAL
SERVICES";

Senate Bill No. 2795-80 as Act 277,
entitled: "RELATING TO THE BUDGETARY
PROCESS";

House Bill No. 18 as Act 278, entitled:
"RELATING TO A COUNCIL ON REVENUES";

House Bill No. 2193-80 as Act 279,
entitled: "RELATING TO THE TRANSFER
OF ALL FUNCTIONS, POWERS AND
DUTIES INVOLVING THE TAXATION
OF REAL PROPERTY TO THE COUNTIES";

House Bill No. 2368-80 as Act 280,
entitled: "RELATING TO DISCRIMINATORY
PRICING IN SUPPLYING LIQUOR";

House Bill No. 2647-80 as Act 281,

entitled: "RELATING TO MOTOR
VEHICLES";

House Bill No. 2729-80 as Act 282,
entitled: "RELATING TO THE ESTABLISH-
MENT OF THE HAWAII FISHERIES
COORDINATING COUNCIL";

House Bill No. 2826-80 as Act 283,
entitled: "RELATING TO LIABILITY
OF DOG OWNERS";

House Bill No. 2929-80 as Act 284,
entitled: "RELATING TO DISPOSITION
OF DEFENDANTS"; and

House Bill No. 2944-80 as Act 285,
entitled: "RELATING TO EMERGENCY
MEDICAL SERVICES".

Gov. Msg. No. 332 informing the
Senate that on June 17, 1980, he signed
the following bills into law:

Senate Bill No. 1161 as Act 286,
entitled: "RELATING TO ATTORNEYS'
FEES AND COSTS EXPENSES OF LITIGATION";

House Bill No. 2026-80 as Act 287,
entitled: "RELATING TO EMPLOYMENT
AGENCIES FEES";

House Bill No. 2029-80 as Act 288,
entitled: "RELATING TO THE HAWAII
HOUSING AUTHORITY";

House Bill No. 2151-80 as Act 289,
entitled: "RELATING TO CONTRACTORS";

House Bill No. 2321-80 as Act 290,
entitled: "RELATING TO TRAVEL
AGENCIES";

House Bill No. 2723-80 as Act 291,
entitled: "RELATING TO THE HAWAII
HOUSING AUTHORITY";

Senate Bill No. 2329-80 as Act 292,
entitled: "RELATING TO DEFERRED
ACCEPTANCE OF GUILTY PLEA";

Senate Bill No. 2693-80 as Act 293,
entitled: "RELATING TO HISTORICAL
OBJECTS AND SITES; CULTURE AND
ARTS; AND HISTORY AND THE
HUMANITIES";

House Bill No. 1918-80 as Act 294,
entitled: "RELATING TO THE PENAL
CODE";

House Bill No. 1919-80 as Act 295,
entitled: "RELATING TO YOUNG
ADULT DEFENDANTS";

House Bill No. 2815-80 as Act 296,
entitled: "RELATING TO ENVIRONMENTAL
QUALITY"; and

House Bill No. 3006-80 as Act 297,
entitled: "RELATING TO THE OFFICE

OF CHILDREN AND YOUTH".

Gov. Msg. No. 333 informing the Senate that on June 18, 1980, he signed the following bills into law:

House Bill No. 850 as Act 298, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 2035-80 as Act 299, entitled: "RELATING TO PENSIONERS BONUS";

House Bill No. 1912-80 as Act 300, entitled: "MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1979 TO JUNE 30, 1981";

House Bill No. 1865-80 as Act 301, entitled: "RELATING TO THE JUDICIARY BUDGET";

House Bill No. 1758 as Act 302, entitled: "RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT";

Senate Bill No. 1851-80 as Act 303, entitled: "RELATING TO THE JUVENILE JUSTICE SYSTEM";

House Bill No. 2589-80 as Act 304, entitled: "RELATING TO INTOXICATING LIQUOR";

House Bill No. 2093-80 as Act 305, entitled: "RELATING TO WITNESS FEES";

Senate Bill No. 2869-80 as Act 306, entitled: "RELATING TO COURT EXPENSES"; and

Senate Bill No. 2883-80 as Act 307, entitled: "RELATING TO WITNESSES".

Gov. Msg. No. 334 returning Senate Bill No. 2861-80 without his approval, together with his statement of objections relating to the measure which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 17, 1980

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2861-80

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith Senate Bill No. 2861-80, entitled 'A Bill for an Act Relating to Special License Plates for Representatives of Foreign Governments or Territories.'

The purpose of this bill is to authorize the issuance of special license plates to an official representative of a United States affiliated territory based on a letter, evidencing such representation, signed by the chief executive thereof, as an alternative to the issuance of an exequatur by the United States Department of State.

However, there is an ambiguity regarding the term 'United States affiliated territory.' Neither the bill nor the committee reports contain any information explaining the term. Further, other research has failed to disclose any definition of a 'United States affiliated territory.' Accordingly, there is concern as to the applicability of that provision in the issuance of special license plates.

Moreover, the issuance of special license plates to representatives of foreign governments and territories of the United States is a courtesy extended at no cost to such representatives. The only requirement is that such representatives be 'duly licensed and holding an exequatur issued by the Department of State of the United States of America.' It would appear that this present procedure for the issuance of special license plates to representatives of foreign governments and territories of the United States is fully adequate and no change in such procedure is necessary.

Accordingly, I am returning Senate Bill No. 2861-80 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2861-80, entitled 'A Bill for an Act Relating to Special License Plates for Representatives of Foreign Governments or Territories' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2861-80 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2861-80 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1980.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 335 transmitting his statement of objections to House Bill No. 2496-80 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 17, 1980

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2496-80

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 2496-80, entitled 'A Bill for an Act Relating to Agricultural Parks.'

This bill requires the Board of Land and Natural Resources to secure the approval of the legislature before any designation of agricultural parks may become final and before any development in these parks can commence. It also requires the board to submit to the legislature for review information regarding all proposed designations and development of agricultural parks. Initial designations or proposals for development made after June 30, 1980 are affected by this bill.

It appears that the underlying purpose for this bill is to provide the legislature with a means to review and approve all proposed agricultural park projects at certain points in the preliminary planning stage, as well as before the development stage begins. Unfortunately, the phrases 'proposed designation and development of agricultural parks' and 'first designated or proposed for development' as used in the bill are vague and do not define what specific stages and types of activities

constitute such designations or proposed development. Thus, it is unclear when the board is required to present its plans to the legislature for its review and approval.

This administration is in accord with the legislature's goals to establish a good diversified agriculture program and to preserve agriculturally suitable lands in this state. Furthermore, this administration concurs in the belief that the development of agricultural parks is an important step in the pursuit of these goals. However, the procedures required by this bill are a duplication of presently available appropriations procedures and the enactment of this bill would be counterproductive to the agricultural park goals.

At present, the appropriations procedure provides the legislature with the opportunity to receive information on all agricultural park projects and to evidence its approval or disapproval of the projects by granting, denying, or reducing the funding request. Inasmuch as the legislative review function can be accomplished through the appropriations procedure, this bill becomes a duplication and is therefore unnecessary.

Moreover, as costs are escalating at a very great rate, time is of the essence and this administration is of the opinion that to require the board to resubmit each project for legislative approval at various stages, in addition to the appropriations procedures, would be detrimental to our mutual agricultural park goals.

Hence, I am returning House Bill No. 2496-80 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2496-80, entitled 'A Bill for an Act Relating to Agricultural Parks' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2496-80 is unacceptable to the Governor of the

State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2496-80 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1980.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 336 transmitting his statement of objections to House Bill No. 2680-80 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 18, 1980

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2680-80

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2680-80, entitled, 'A Bill for an Act Relating to Public Records.'

The purpose of this bill is to permit reasonable access to motor vehicle registration records contained in the statewide traffic records system while establishing safeguards to ensure that any information obtained will not be used to invade the privacy of individuals.

Under present law, access to information in the statewide traffic records system is afforded to governmental agencies and a limited number of private individuals. This bill attempts to increase the access to private individuals but restricts such access to only motor vehicle registration information. This restriction, however, will equally apply to governmental agencies and preclude the release of other information contained in the statewide traffic records system. Such restriction will seriously hamper the operation of various governmental agencies that depend upon information

from the statewide traffic records system in executing their duties and functions.

For the foregoing reasons, I am returning House Bill No. 2680-80 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2680-80, entitled, 'A Bill for an Act Relating to Public Records' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2680-80 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2680-80 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1980.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 337 returning Senate Bill No. 2741-80 without his approval, together with his statement of objections relating to the measure which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 18, 1980

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2741-80

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith Senate Bill No. 2741-80, entitled 'A Bill for an Act Relating to Fitness to Proceed.'

The purpose of this bill is to provide for detention of a defendant found unfit to proceed to trial due to physical or mental disease, disorder or defect for a period up to the maximum possible sentence for the most serious offense with which the defendant is charged.

The Administration is in accord with the Legislature's goal to provide maximum protection for the public and insure the safety of our populace. However, the procedures required by this bill violate standards set by the United States Supreme Court to safeguard the equal protection and due process rights of a defendant charged with a crime who is found unfit to proceed to trial.

According to these standards, the filing of criminal charges against a defendant does not justify less procedural and substantive protection against indefinite commitment than that available to all others under customary civil commitment standards. Under the provisions of this bill, a defendant unfit to proceed shall be detained in the custody of the director of health for a minimum of six months, with recommitments of six months. In contrast, a person committed civilly may be held not more than ninety days, with a recommitment period of ninety days. In addition, the standards for commitment under this bill differ substantially from those set forth in our involuntary civil commitment statute (H.R.S. Section 334-60). This bill requires only that the defendant whose commitment is sought be 'unfit to proceed' to trial, whereas our civil commitment statute requires among other things that a person be 'dangerous to himself or others or to property.'

The standards set by the United States Supreme Court also require that a defendant found unfit to proceed be accorded due process, because of the injustice that arises when an unconvicted person is kept in custody to await trial, although it is evident that his physical or mental condition will not permit trial within a reasonable period of time. Thus, it is required that a defendant be held only a reasonable period of time necessary to determine whether or not he will attain the capacity to proceed to trial in the foreseeable future, and then be either civilly committed or released. In contrast, this bill would allow the defendant to be committed for a period potentially equivalent to that he would serve in trial, without

his having been either found guilty by a jury or committed pursuant to an involuntary civil commitment hearing after a finding of dangerousness.

We would suggest that the Legislature consider setting standards for commitment of criminal defendants found unfit to proceed which are substantially similar to those set by our involuntary civil commitment statute, H.R.S. Section 334-6.

Because of the constitutional objections, I am returning Senate Bill No. 2741-80 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2741-80, entitled 'A Bill for an Act Relating to Fitness to Proceed' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2741-80 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2741-80 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1980.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 338 transmitting his statement of objections to House Bill No. 2745-80 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 18, 1980

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2745-80

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2745-80, entitled, 'A Bill for an Act Relating to Milk Control.'

The purpose of this bill is to amend Chapter 157, Hawaii Revised Statutes, to authorize the Board of Agriculture to adopt an economic formula as an alternate method to determine changes in the minimum prices for milk to be paid to producers and producer-distributors. Presently, a public hearing held pursuant to Chapter 91, Hawaii Revised Statutes, is required before the minimum prices for milk are changed. If the alternate method is used, however, the bill requires only a public hearing for the adoption of the economic formula and does not require a public hearing for the subsequent application of the economic formula to determine changes in the minimum prices for milk. Although the adopted economic formula impliedly will be applied by the Board of Agriculture in an open meeting, such a meeting will require only a seventy-two-hour notice pursuant to Section 92-7, Hawaii Revised Statutes, rather than the twenty days' notice required for public hearings by Section 91-3, Hawaii Revised Statutes.

As a matter of policy, I believe that the minimum prices for milk should be changed only after a public hearing is held to determine the costs of the milk producers and producer-distributors and to determine the concerns of the consumers in accordance with the standards specified in Section 157-32, Hawaii Revised Statutes. The longer notice period required for public hearings will allow increased participation by members of the consuming public and will enable a more thorough review of the particular circumstances. I believe that the public interest will best be served by a thorough 'case-by-case' review of the particular circumstances rather than by seemingly 'automatic' price changes made in accordance with a fixed economic formula and at previously specified intervals.

Furthermore, although this bill

has been characterized as 'desirable' because it will allow the Board of Agriculture to adjust prices at more frequent intervals during these times of inflation and 'production cost volatility,' it is my understanding that Chapter 157, Hawaii Revised Statutes, does not now specify any minimum interval between price changes. I, therefore, believe that enactment of the bill is not required to allow the Board of Agriculture to adjust prices at more frequent intervals.

For the foregoing reasons, I find House Bill No. 2745-80 to be objectionable and I am herewith returning the bill without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, Section 16 of Article III of the Constitution of the State of Hawaii requires the Governor to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 2745-80, entitled, 'A Bill for an Act Relating to Milk Control,' considered by the Legislature during the 1980 Regular Session, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2745-80 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2745-80 with my objections.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1980.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 339 transmitting his statement of objections to House Bill No. 2930-80 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 18, 1980

/s/ George R. Ariyoshi

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2930-80GEORGE R. ARIYOSHI
Governor of Hawaii"Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 2930-80, entitled, 'A Bill for an Act Relating to Family Courts.'

The purpose of this bill is to provide for automatic waiver of family court jurisdiction over a juvenile sixteen years of age and older in three situations: the juvenile (1) has had a Class A felony adjudication involving force or violence; (2) has had two or more felony adjudications within the last five years; or (3) has had one or more felony and two or more misdemeanor (theft II or place to keep firearms) adjudications within the last three years.

This Administration is in accord with the Legislature's goals to treat juveniles who are serious repeat offenders as adults and to eliminate undue delays which result from the waiver process. However, the mandatory waiver of family court jurisdiction required by this bill in specific circumstances eliminates the juvenile's due process right to a waiver hearing, a proceeding which has been called 'critically important' by our Supreme Court, and his concomitant rights to effective assistance of counsel and a statement of the court's reasons supporting the waiver decision; it eliminates as well the due process requirement of presentation of substantial evidence to overcome the presumption that the juvenile is entitled to treatment as a juvenile rather than as an adult.

Moreover, the language of the bill, which mandates automatic waiver if the juvenile has had previous 'adjudications' of various kinds, is ambiguous, since the term 'adjudication' means 'the judicial determination of an issue' and does not connote a finding of guilt. This bill would thus subject to automatic waiver those juveniles who have been adjudicated even though their petitions were not sustained -- that is, they were 'acquitted.'

Because of the constitutional objections, I am returning House Bill No. 2930-80 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully,

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2930-80, entitled 'A Bill for an Act Relating to Family Courts' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2930-80 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2930-80 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1980.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 340 informing the Senate that after due consideration and review of the arguments in favor of and against, he had permitted the following measures to become law on July 2, 1980 without his signature:

Senate Bill No. 866 as Act 308, entitled: "RELATING TO AIR TRANSPORTATION"; and

House Bill No. 2672-80 as Act 309, entitled: "RELATING TO THE STUDENT TRANSPORTATION PROGRAM".

Gov. Msg. No. 341 transmitting a report by the Executive Office on Aging entitled, "Annual Report, October 1, 1978 to September 30, 1979."

Gov. Msg. No. 342 transmitting a report entitled, "Feasibility Study - Transport and Use of Agricultural Waste in Land Reclamation", which was prepared by the Department of Agriculture, conducted under authority of Section 81, Act 214, SLH, 1979.

DEPARTMENTAL COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Dept. Com. No. 31 from Fujio Matsuda, President, University of Hawaii, transmitting Business Instruction 2101, and attaching the following collective bargaining contracts:

Attachment A: Agreement between the University of Hawaii Professional Assembly and the University of Hawaii, July 1979 to June 1981 - Unit 7; and

Attachment B: Agreement Between the State of Hawaii, Board of Regents, University of Hawaii and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, July 1979 to June 1981 - Unit 8.

Dept. Com. No. 32 from Durward Long, Chancellor, University of Hawaii at Manoa, acknowledging receipt of the following resolutions:

Senate Resolution No. 344 (1980) which extended congratulations to Professor Donald E. Worster; and

Senate Resolution No. 354 (1980) which honored Professor Robert B. Stauffer of the University of Hawaii, Manoa Campus, on his thirty years of teaching excellence in the Department of Political Science.

Dept. Com. No. 33 from Durward Long, Chancellor, University of Hawaii at Manoa, acknowledging receipt of Senate Resolution No. 280 (1980), which requested that the Board of Regents submit a report on how the University is implementing the recommendations of the Advisory

Committee appointed by President Fujio Matsuda in 1979 to study and recommend improvements in the agricultural education programs at the University of Hawaii and adding that they will consider the committee's recommendations, consult with appropriate groups and submit their report twenty days before the convening of the Regular Session of 1981.

Dept. Com. No. 34 from Wayne Minami, Attorney General, acknowledging receipt of Senate Resolution No. 287 (1980), which requested a seminar on problems facing the medicaid program and the over-all system of medical care services in Hawaii.

Dept. Com. No. 35 from Wayne Minami, Attorney General, acknowledging receipt of Senate Concurrent Resolution No. 58 (1980) which requested the review and study of the formation of a state interagency coordination committee on child abuse and neglect.

Dept. Com. No. 36 from Wayne Minami, Attorney General, acknowledging receipt of Senate Resolution No. 375 (1980), which encouraged and extended warmest aloha to all individuals, groups, and organizations choosing to recognize the years 1980 through 1989 as "Hawaii in the Eighties: Decade of Youth".

Dept. Com. No. 37 from Grace Taira, Chairperson, State Student Conference, Department of Education, transmitting the proceedings of the 1980 State Student Conference.

Dept. Com. No. 38 from Georgiana K. Padeken, Chairman, Hawaiian Homes Commission, transmitting their Annual Report - 1978-79.

MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 16 from Ms. Cherry Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 29 (1980), concerning the need to resist any fiscal year 1980 and fiscal year 1981 reduction in federal funds for handicapped children programs.

Misc. Com. No. 17 from Ms. Cherry Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 156 (1980), which declared the intent of the State of Hawaii to be the site for the construction and operation of the Department of Energy's announced Ocean Thermal Energy Conversion Pilot Plant.

Misc. Com. No. 18 from Ms. Cherry Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 174 (1980), concerning high interest rates and inflation.

Misc. Com. No. 19 from David M. Peters, Executive Assistant to the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 276 (1980) which requested the Federal Food and Drug Administration to conduct a study on the effects of monosodium glutamate (msg) on the users.

Misc. Com. No. 20 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 156 (1980) which declared the intent of the State of Hawaii to be the site for the construction and operation of the Department of Energy's announced Ocean Thermal Energy Conversion Pilot Plant.

Misc. Com. No. 21 from Ms. Cherry Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 276 (1980), which requested the Federal Food and Drug Administration to conduct a study on the effects of monosodium glutamate (msg) on the users.

Misc. Com. No. 22 from the Honorable William Proxmire, Chairman of

the United States Senate Committee on Banking, Housing and Urban Affairs, acknowledging receipt of Senate Resolution No. 174 (1980), concerning high interest rates and inflation.

Misc. Com. No. 23 from Ms. Cherry Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 235 (1980) which expressed the support of the Senate for a bikeway between Waimea and Kekaha, Kauai.

Misc. Com. No. 24 from Harmon Kallman, Acting Director of the Office of Public Affairs, United States Department of the Interior, acknowledging receipt of Senate Resolution No. 356 (1980) which extended congratulations to Dr. Otto Degener as the recipient of the Willdenow Medal.

Misc. Com. No. 25 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 174 (1980) which requested Hawaii's United States Congressional delegation to study the impact and problems created by high interest rates and to introduce corrective legislation to lower interest rates, noting that he shares this concern and will keep in contact with information obtained and the prospects for corrective legislation.

Misc. Com. No. 26 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 235 (1980) which expressed the support of the Senate for a bikeway between Waimea and Kekaha, Kauai.

Misc. Com. No. 27 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 29 (1980) concerning the need to resist any fiscal year 1980 and fiscal year 1981 reduction in federal funds for handicapped children programs and noting that he had forwarded a copy of the resolution to Senator Warren Magnuson, Chairman of the Committee on Appropriations.

Misc. Com. No. 28 from David M. Peters, Executive Assistant to the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 266 (1980) which supported actions by Nevada and other western states to gain equality with other states in land management control and ownership.

Misc. Com. No. 29 from Ms. Cherry

Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 266 (1980), which supported actions by Nevada and other western states to gain equality with other states in land management control and ownership.

Misc. Com. No. 30 from Ms. Cherry Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 179 (1980) which requested the Army Corps of Engineers to conduct a study on the feasibility of establishing a small boat harbor near Laupahoe Point on the Big Island of Hawaii.

Misc. Com. No. 31 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 179 (1980) which requested the Army Corps of Engineers to conduct a study on the feasibility of establishing a small boat harbor near Laupahoe Point on the Big Island of Hawaii.

Misc. Com. No. 32 from Ms. Cherry Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 306 (1980) which requested additional revenue sharing funds for education.

Misc. Com. No. 33 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 235 (1980) concerning the proposed Waimea-Kekaha Bikeway project and adding that he had sent an inquiry to the U.S. Department of Transportation and will inform the Senate of their response.

Misc. Com. No. 34 from Lt. Col. Kenneth E. Sprague, Corps of Engineer, Department of the Army, transmitting a copy of their Reconnaissance Report which states their recommendation that there is no federal interest in making navigation improvements at Laupahoe Point, said report conducted in response to Senate Resolution No. 179 (1980).

Misc. Com. No. 35 from David M. Peters, Executive Assistant to the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Concurrent Resolution No. 4 (1980) which ratified a proposed amendment to the Constitution of the United States providing for representation of the District of Columbia in Congress; and Senate Resolution No. 143 (1980) which respectfully urged Hawaii's

delegation to the Congress of the United States to sponsor and actively support the passage of legislation relating to edible fresh ginger-spice roots, Zingiber Officinale.

Misc. Com. No. 36 from Nona Beamer of the Kamehameha Schools/Bernice Pauahi Bishop Estate acknowledging receipt of Senate Resolution No. 366 (1980) which recognized and extended congratulations to the Hawaii International Year of the Child (IYC) Steering Committee for making Hawaii's 1979 International Year of the Child an outstanding success.

Misc. Com. No. 37 from Paul A. Volcker, Chairman of the Board of Governors of the Federal Reserve System, acknowledging receipt of Senate Resolution No. 174 (1980) concerning high interest rates and inflation and noting that the Federal Reserve is following these matters very carefully.

Misc. Com. No. 38 from Bruce Beetham, MP Rangitikei Leader, New Zealand Social Credit Political League, acknowledging receipt of Senate Resolution No. 376 (1980) which honored him.

Misc. Com. No. 39 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 306 (1980) which requested additional revenue sharing funds for education and noting his views on this matter.

Misc. Com. No. 40 from Ms. Cherry Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 143 (1980) which urged Hawaii's delegation to the U.S. Congress to sponsor and actively support legislation relating to edible fresh ginger-spice roots.

Misc. Com. No. 41 from Ms. Cherry Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Concurrent Resolution No. 4 (1980) which ratified a proposed amendment to the Constitution of the United States relative to voting rights for the District of Columbia.

Misc. Com. No. 42 from the Honorable Daniel K. Inouye, United States Senator, transmitting a copy of a communication which he received from the Department of Agriculture in response to his inquiry on Senate Resolution No. 219 (1980) concerning an amendment of the Agricultural Marketing Agreement Act of 1937, as amended, to authorize Federal marketing orders for fresh ginger root, and establishment of import regulations for fresh ginger root based on current Hawaiian grade standards.

Misc. Com. No. 43 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 143 (1980) which urges Hawaii's delegation to the U.S. Congress to sponsor and actively support legislation relating to edible fresh ginger-spice roots and noting he has sent an inquiry to the U.S. Department of Agriculture and will inform the Senate of their response.

Misc. Com. No. 44 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 174 (1980) which called upon the Hawaii Congressional delegation to study the impact and problems created by high interest rates and to introduce corrective legislation to lower interest rates, and conveying his views on the matter.

Misc. Com. No. 45 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 156 (1980) concerning the Department of Energy's announced Ocean Thermal Energy Conversion (OTEC) pilot plant and noting that he has made an inquiry with Secretary of Energy expressing his strong support for construction and operation of the plant in Hawaii.

Misc. Com. No. 46 from Maurice J. Katz, Acting Director of the Office of Solar Power Applications, Conservation and Solar Energy, Department of Energy, acknowledging receipt of Senate Resolution No. 156 (1980) regarding the Department of Energy's announced Ocean Thermal Energy Conversion (OTEC) pilot plant, and adding their congratulations for the continued support of the State of Hawaii in the solar energy programs of the Department of Energy.

Misc. Com. No. 47 from Ernest J. Galdi, Director, Office of the Federal Register, General Services Administration, acknowledging receipt of Senate Concurrent Resolution No. 4 (1980) which ratified a proposed amendment to the Constitution of the United States relative to voting rights for the District of Columbia.

Misc. Com. No. 48 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Concurrent Resolution No. 4 (1980) which resolved that the Hawaii State Legislature has ratified the proposed amendment to the Constitution to provide for representation of the District of Columbia in Congress and expressing

his views on this matter.

Misc. Com. No. 49 from Alexander Bolton, Vice President, Matson Navigation Company, acknowledging receipt of Senate Resolution No. 102 (1980) which requested the Governor's Agricultural Coordination Committee to explore all possible alternatives in attempting to provide direct transportation of agricultural commodities from Hawaii County to California and enclosing a copy of a letter directed to Senator Gerald Machida, Chairman of the Committee, stating that they stand ready to meet with the Committee at its pleasure.

Misc. Com. No. 50 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 276 (1980) requesting the Federal Food and Drug Administration to conduct a study on the effects of monosodium glutamate (msg) on the users and noting that he had directed an inquiry to the Department of Health and Human Services and that as soon as a response is received, he will forward same.

Misc. Com. No. 51 from the Honorable Daniel K. Inouye, United States Senator, transmitting a response that he had received from the Army Corps of Engineers regarding a small boat refuge harbor at Laupahoehoe (Senate Resolution No. 179 - 1980).

Misc. Com. No. 52 from J. Leslie Ehringer, Vice President, Marketing & Sales, Pennsylvania Commuter Airlines, Inc., acknowledging receipt of Senate Resolution No. 195 (1980) which recognized his efforts to promote the islands.

Misc. Com. No. 53 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 266 (1980) which supported actions by Nevada and other western states to gain equality with other states in land management, control and ownership, and noting that he had made inquiry with the Department of Interior and will inform the Senate of their response.

Misc. Com. No. 54 from the Honorable Daniel K. Inouye, United States Senator, transmitting a communication which he had received from the Assistant Secretary of the Department of Energy relative to the support in Hawaii for OTEC (Senate Resolution No. 156 - 1980) and adding that he is pushing forward on this and is hopeful that his bill, S.2492, will soon be ready for floor action.

Misc. Com. No. 55 from the Honorable Daniel K. Inouye, United States Senator, transmitting a copy of the response he received from Mr. Morris C. Reinhardt, Director of the Office of Engineering, Federal Highway Administration, U.S. Department of Transportation, concerning the State's

request for assistance in obtaining funding for the Waimea-Kekaha Bikeway project (Senate Resolution No. 235 - 1980).

Misc. Com. No. 56 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 306 (1980) which resolved that Hawaii's Congressional delegation be requested to seek additional revenue sharing funds for education, and noting his views on the matter.

Misc. Com. No. 57 from Mildred L. Tyssowski, Director, Bureau of Program Operations, Department of Health and Human Services, acknowledging receipt of Senate Resolution No. 287 (1980) which requested their assistance in conducting a Medicaid Management Seminar in Hawaii, and transmitting their response directed to Mr. Andrew I. T. Chang, Director of the Department of Social Services and Housing, State of Hawaii.

Misc. Com. No. 58 from Major General Norman J. Anderson, USMC (Ret.), Executive Director/Secretary, MacArthur Memorial Foundation, acknowledging receipt of and expressing appreciation from Mrs. Douglas MacArthur for Senate Concurrent Resolution No. 60 (1980) which commemorated the 100th anniversary of the birth of her late husband General of the Army Douglas MacArthur.

Misc. Com. No. 59 from Eugene Eidenberg, Assistant to the President for Intergovernmental Affairs, The White House, acknowledging receipt of Senate Resolution No. 284 (1980) which requested that 1981 be designated as the International Year of the Pacific, and responding that the decision to establish an International Year of

the Pacific must be made by the U.S. Congress and not the White House, and assuring that if Congress votes to establish an International Year of the Pacific, they will do all they can to promote it.

Misc. Com. No. 60 from the Honorable Spark M. Matsunaga, United States Senator, transmitting a copy of the letter from Gary R. Catron, Assistant to the Secretary and Director of Congressional and Legislative Affairs, Department of the Interior, in response to his inquiry on Senate Resolution No. 266 (1980), supporting actions by Nevada and other western states to gain equality with other states in land management, control and ownership; copy of a speech by Secretary of the Interior Cecil D. Anrus; and also enclosing a copy of an Issue Brief on this subject from the Library of Congress.

Misc. Com. No. 61 from the Honorable Spark M. Matsunaga, United States Senator, transmitting a copy of the letter from Mr. Robert C. Wetherell, Jr., Associate Commissioner for Legislative Affairs, Food and Drug Administration (FDA), Department of Health and Human Services, in response to his inquiry based on Senate Resolution No. 276 (1980), which requested the Federal Food and Drug Administration to conduct a study on the effects of monosodium glutamate (MSG) on the users and also enclosing a copy of "Evaluation of the Health Aspects of Certain Glutamates as Food Ingredients: 1980 Supplemental Review and Evaluation," prepared by Life Sciences Research Office, Federation of American Societies for Experimental Biology.

Misc. Com. No. 62 from the Honorable Spark M. Matsunaga, United States Senator, transmitting a copy of a letter from Assistant Secretary Thomas E. Stelson in response to his inquiry concerning the Department of Energy's Ocean Thermal Energy Conversion (OTEC) pilot plant.

RULES OF THE SENATE

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RULES OF THE SENATE
of the
TENTH LEGISLATURE OF THE STATE OF HAWAII

The following Rules shall be the Rules of the Senate of the Tenth Legislature of the State of Hawaii.

PART I. ORGANIZATION, OFFICERS AND EMPLOYEES

Rule 1. Organization

When the Senate convenes, the President or the Vice-President, in the absence of the President, shall call the Senate to order and appoint a Committee of three whose duty it shall be to immediately examine the credentials of the members-elect of the Senate. If from the Committee report, it shall appear that a majority of the credentials are in order, the Senate shall proceed to organize and shall appoint a Committee of three to wait upon a justice of the Supreme Court or a Circuit Court judge to administer the oath of office required by the Constitution. Such proceedings need not be on the day of convening in the Senate. In the absence of the President or Vice-President the Senate may elect a temporary Presiding Officer by a majority vote of the members of the Senate.

Rule 2. Officers and Employees

(1) The officers of the Senate shall consist of a: President, Vice-President, Clerk, Assistant Clerk and Sergeant-at-Arms, each of whom shall be elected by a majority vote of the members of the Senate.

(2) The President and Vice-President shall hold their respective offices in accordance with Title 3, Hawaii Revised Statutes. Other officers and employees shall hold their respective offices and positions at the pleasure of the Senate, but a majority vote of the members of the Senate shall be required to terminate the office held by any officer of the Senate.

(3) The Senate may, by a majority vote, authorize positions from time to time as may be deemed necessary.

Rule 3. The President

It shall be the duty of the President:

(1) To open the meetings of the Senate by taking the Chair and calling upon the Chaplain to perform his duties.

(2) When a quorum is present, to call for the reading of the Journal of the preceding day.

(3) To maintain order in the Senate Chamber and to require proper decorum on the part of the members.

(4) To announce the business before the Senate in the order prescribed by the Rules.

(5) To receive and submit all matters properly brought before the Senate by the members, to call for votes upon the same and announce the results.

(6) To receive all communications and present them to the Senate.

(7) To appoint all committees unless otherwise determined by the Senate.

(8) To authenticate by his signature all acts and doings of the Senate which require authentication.

- (9) To make known rules of order when so requested and, subject to an appeal to the Senate, to decide all questions of order.
- (10) To issue his warrant, when so directed by the Senate, to carry into effect its orders in the arrest of offenders, the summoning of witnesses, or other orders of the Senate.
- (11) To decide and announce the result of any vote taken.
- (12) To do and perform such other duties as are required by law or by these rules or such as may properly pertain to such office.
- (13) To clear the Senate Chamber of all persons, except its members and designated persons if there is a disturbance or disorderly conduct, or on motion duly adopted.
- (14) To control and have direction of the rooms, desks, passages, stairways, corridors, balconies, in and about the building set apart for the use of the Senate and all public property of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to visitors and reporters. He may admit stenographers or other reporters, wishing to take down the debates, and assign them such places to effect their object as shall not interfere with the convenience of the Senate.
- (15) To establish final dates for action on legislation, including, though not limited to the final date for introducing bills after the nineteenth legislative day and prior to the mandatory recess pursuant to Article III, Section 12, of the Constitution, the final date for third reading of Senate bills, the final date for third reading of House bills, the final date for approving conference committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The President shall coordinate the date for introducing bills and may coordinate with the Speaker of the House to establish the other final dates.

Rule 4. The Vice-President

The Vice-President shall exercise all the duties and powers of the President in his absence.

Rule 5. President Pro Tempore

- (1) In case the President and Vice-President shall be absent at the hour to which the Senate had adjourned, the eldest member present shall preside until a President pro tempore be chosen.
- (2) The President pro tempore shall be invested with all of the powers and shall perform all the duties of the President. Whenever the President pro tempore is required to sign a bill or other instrument, the Clerk shall attach to such bill or other instrument a certificate stating that such President pro tempore was duly elected and is authorized to so sign.

Rule 6. The Clerk

- (1) The Clerk shall have charge of all records of the Senate and shall be responsible for the same. At no time shall he permit original documents to be withdrawn from his keeping unless ordered by the Senate.
- (2) He shall make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the Senate. Such memoranda shall state the nature of the matter and the name of the introducer, and the date and day of the session on which the Senate considered the matter. The memoranda, together with other matters ordered to be placed therein, shall constitute the Journal, a copy of which shall be placed on the desk of each member on the following session day. The Journal of each day shall be read the following day, immediately after the Chaplain retires. When such Journal is approved by vote of the Senate, it shall be entered by the Clerk in a book entitled "Journal of the Senate. Session of . ." (Giving the Year).
- (3) Unless otherwise directed by the Senate, he shall read all bills, resolutions and other matters (if so required) to the Senate.
- (4) He shall forward at once all letters, messages, communications and other matters to the proper parties.

(5) He shall immediately deliver to the Chairman of the appropriate committee all petitions, resolutions, bills or other matters duly referred to such committee.

(6) He shall see that all bills and resolutions are properly engrossed and are correct and true as finally acted upon by the Senate.

(7) He shall draw such drafts on the state general fund for expenses of the session as shall be authorized by the Senate and approved by the Committee on Legislative Management.

(8) He shall pay all bills and accounts as shall be approved by the Committee on Legislative Management, or ordered by the Senate, and no others.

(9) He shall be responsible for the acquisition and distribution of all of the property of the Senate.

(10) He shall note all questions of order with the decision thereon and collect the same and append them to the Senate Journal at the close of the session.

(11) He shall do and perform all other clerical duties and functions pertaining to the Office of the Clerk and as the Senate shall from time to time direct. He shall post the order of business in writing in a conspicuous place each day.

Rule 7. Assistant Clerk

The Assistant Clerk shall assist the Clerk in the performance of his duties and attend to such other duties as may be required when so directed by the President.

Rule 8. Chaplain

A Chaplain shall attend each day's sitting of the Senate and open the same with prayers.

Rule 9. Sergeant-at-Arms

It shall be the duty of the Sergeant-at-Arms to attend the Senate on every day of meeting; to maintain order among those present as spectators; to give notice to the Presiding Officer of the attendance of any person with communications or otherwise; to supervise the distribution of incidentals which require distribution among the members; to supervise, subject to the control of the President, the Senate Messengers; to attend upon committees if so requested; to serve all orders to process directed by the President or Senate; to make all required arrests of members or other persons, and to retain the same in custody; to have the charge and responsibility for the postal requirements of the Senate; and generally to execute all of the requirements of the President of the Senate.

Rule 10. Responsibility of Officers and Employees

The employees shall perform such duties as may be assigned by the President or prescribed by the Senate.

All officers and employees of the Senate shall be directly answerable to the President, and shall obey and perform all of his orders and directions, subject to revision by the Senate. If required by the President, any officer or employee shall give a bond for the faithful performance of his duties.

An oath of office shall be administered to each officer.

Rule 11. Pay of Members, Officers and Employees

(1) Until otherwise provided by law, each member of the Senate, upon being elected or appointed to office, shall receive as compensation for his services \$12,000 a year, payable in equal monthly amounts, during the term for which he was elected or appointed.

(2) The officers, except the President and Vice-President, and the employees shall receive compensation as the Senate shall fix by resolution.

PART II. COMMITTEES

Rule 12. Committees: Types and Composition

(1) Standing Committees: The membership of each Standing Committee and the respective Chairman and Vice-Chairman thereof shall be appointed by the President, subject to action by the Senate. The minority party shall be represented on all standing committees on the basis of proportional representation. The nomination of the minority members to all standing committees shall be made by the minority.

(2) Special Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the specific matter referred.

(3) Conference Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the matter referred.

(4) The Committee of the Whole Senate.

Rule 13. Committee Chairman and Vice-Chairman

The first person named on the Committee shall be Chairman; the second member named shall be Vice-Chairman. The Chairman shall call meetings and preside.

Rule 14. Committees: Control and Excuse from Membership

Committees shall be under the control of and subject to the orders of the Senate, and shall faithfully carry out such orders. Any member may excuse himself from serving on any committee at the time of his appointment, if he is a member of four other committees.

Rule 15. Standing Committees

Standing Committees shall be appointed for each major subject matter area at the opening of the session, or as soon thereafter as possible, to serve during the Tenth legislative session. The major subject matter areas and the Standing Committees therefor shall be as follows:

EDUCATION AND CULTURE

This major subject matter area covers those programs which are intended to promote intellectual development and cultural enrichment of the community. The Standing Committees for this major subject matter area shall be:

- (1) Committee on Education, whose scope shall be those programs relating to lower education, continuing education, public libraries, culture and the arts.
- (2) Committee on Higher Education, whose scope shall be those programs relating to the University of Hawaii and the community colleges.

HEALTH

This major subject matter area covers those programs which are intended to improve the physical and mental health of the people. The Standing Committee for this major subject matter area shall be:

- (3) Committee on Health, whose scope shall be those programs relating to general health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, mental retardation and hospitals.

HUMAN AND ECONOMIC DEVELOPMENT

This major subject matter area covers those programs which are intended to insure adequate income, housing and employment for individuals and families, to encourage the

development and growth of industry, to promote improved employment conditions for government employees and to promote, enhance, and conserve energy and energy-related natural resources. The Standing Committees for this major subject matter area shall be:

- (4) Committee on Human Resources, whose scope shall be those programs relating to employment opportunities, financial assistance, vocational rehabilitation, labor-management relations, social welfare services; and, to those programs relating to public employment concerning employee pay and benefits, employee recruitment, classification and training, career development, employee performance, employment conditions, standards of conduct for public employees, and collective bargaining.
- (5) Committee on Economic Development, whose scope shall be those programs relating to land and water resources, promotion, enhancement, and conservation of energy-related natural resources, marine resource development, industrial and product promotion, new industry development, and financial and technical assistance to business.
- (6) Committee on Agriculture, whose scope shall be those programs relating to agriculture.
- (7) Committee on Tourism, whose scope shall be those programs relating to tourism.
- (8) Committee on Housing and Hawaiian Homes, whose scope shall be those programs relating to housing and Hawaiian Homes.

HUMAN RIGHTS AND JUSTICE

This major subject matter area covers those programs which are intended to safeguard individual and property rights, protect consumers from fraudulent and deceptive practices, promote public safety, and improve the conduct of business affairs. The Standing Committees for this major subject matter area shall be:

- (9) Committee on Judiciary, whose scope shall be those programs relating to courts, crime prevention and control, criminal code revisions, correction and rehabilitation, the rules of the Senate, judicial and legal questions, constitutional matters, programs of the Attorney General and of the Judiciary (except programs directly related to the Revisor of Statutes), individual rights and civil liberties, public defense and other pertinent matters referred to it by the Senate. In the event of a contest, it shall investigate and report upon the certificates of election of members. The committee shall consider all petitions and other matters relating to elections and returns referred to it by the Senate and report thereon.
- (10) Committee on Consumer Protection and Commerce, whose scope shall be those programs relating to the protection of the consuming public, business and trade regulation, regulation of financial institutions, insurance regulation, and professional and occupational regulation.
- (11) Committee on Public Utilities, whose scope shall be those programs relating to the regulation of public utilities.

ECOLOGY, ENVIRONMENT AND RECREATION

This major subject matter area covers those programs which are intended to promote conditions which enhance ecological balance, safeguard the environment, conserve natural resources and to provide recreational opportunities. The Standing Committee for this major subject matter area shall be:

- (12) Committee on Ecology, Environment and Recreation, whose scope shall be those programs relating to environment quality control, environmental health, outdoor recreation, State parks and historic sites development and protection.

GOVERNMENT OPERATIONS AND EFFICIENCY

This major subject matter area covers those programs which are intended to promote government efficiency. The Standing Committee for this major subject matter area shall be:

- (13) Committee on Government Efficiency, whose scope shall be those programs relating to government personal property management, archives, and government communications and the promotion of efficiency and economy in government.

TRANSPORTATION

This major subject matter area covers those programs which are intended to facilitate the physical movement of people and goods into and from the State and from place to place within the State. The Standing Committee for this major subject matter area shall be:

- (14) Committee on Transportation, whose scope shall be those programs relating to air, water and surface transportation.

FINANCIAL PLANNING AND MANAGEMENT

This major subject matter area covers those programs which are intended to produce the efficient, effective, economical and equitable acquisition and utilization of financial resources. The Standing Committee for this major subject matter area shall be:

- (15) Committee on Ways and Means, whose scope shall be those programs relating to overall State financing policies, including taxation and other revenues and cash and debt management, and statewide implementation of planning, programming, budgeting and evaluation.

INTERGOVERNMENTAL RELATIONS

This major subject matter area covers those programs which are intended to promote effective cooperation and coordination among the various levels of government. The Standing Committee for this major subject matter area shall be:

- (16) Committee on Intergovernmental Relations, whose scope shall be those programs relating to military and civil defense, relations among the federal, state and county governments and matters of primary concern to particular counties.

LEGISLATIVE SUPPORT

This major subject matter area covers those programs which are intended to provide to the legislature effective support for the accomplishment of legislative objectives and to promote understanding of the legislative process. The Standing Committee for this major subject matter area shall be:

- (17) Committee on Legislative Management, whose scope shall be those programs relating to the establishment and operations of legislative support agencies, such as the Office of the Legislative Auditor, the Ombudsman and the Legislative Reference Bureau.

Rule 16. Standing Committees: General Responsibility

It shall be the duty of each standing committee to conduct systematic review of those portions of the State budget, program and financial plans, and variance reports dealing with, and to consider all laws, bills, resolutions, petitions, reports and other matters relating to, those programs over which the committee has responsibility.

It shall examine such portions of the executive budget, the General Appropriations Bill and the Supplemental Appropriations Bill relating to the programs over which it has responsibility, and it shall recommend the programs and the levels of program expenditure to be included in the General Appropriations Bill or Supplemental Appropriations Bill. The level of expenditure, in the aggregate, for any program area shall be consistent with the expenditure allocation established for that program area by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.

On other bills referred to it by the President, the committee shall determine objectives, make program recommendations and, where appropriate, make expenditure recommendations. On bills that have been referred by the President to more than one committee, subsequent referral committees shall make no substantive change without prior written notice of

such change to the first referral committee and consultation and coordination with that committee, via its chairman, prior to the transmittal of the amended bill and committee report to the Clerk of the Senate for floor action. For those bills which require appropriations, the committee shall make expenditure recommendations consistent with the expenditure allocations established for the bills by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate, after consultation and coordination with the chairman of the subject matter committee.

It shall also be the duty of each standing committee to review the implementation of those programs over which the committee has responsibility. In its review, it shall determine the extent to which program objectives are being accomplished and legislative policies executed, recommend the study of program issues and the conduct of program analysis. It shall recommend amendments to appropriation acts and such policies as may be appropriate to improve the planning, programming, budgeting, implementation and evaluation of programs to the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.

Rule 17. Committee on Ways and Means: Special Responsibility

It shall be the duty of the Committee on Ways and Means, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas. The committee shall inform each standing committee of the allocations made to each program area over which the standing committee is responsible for budget and program review. The Committee on Ways and Means shall receive the program expenditure recommendations of the standing committee and shall review the recommendations to determine that, in the aggregate, the expenditure recommendations are consistent with the allocations made to the program area. In determining the allocation to be made to a program area and in reviewing the recommendations of the standing committee, the Committee on Ways and Means shall invite the participation of the chairman of the standing committee responsible for the program area. After review of the recommendations of the standing committees, the Committee on Ways and Means shall be responsible for preparing the General Appropriations Bill or the Supplemental Appropriations Bill in a form appropriate for consideration by the Senate.

It shall be the duty of the Committee on Ways and Means to inform the Committee on Intergovernmental Relations of the amount and type of financial resources available for the General Improvements Bill, which shall include capital improvement appropriations other than those included in the General Appropriations Bill or Supplemental Appropriations Bill. It shall review the recommendations of the Committee on Intergovernmental Relations to determine that the recommendations are consistent with the resources available, and it shall prepare the General Improvements Bill in a form appropriate for consideration by the Senate.

In all other bills requiring appropriations, it shall be the duty of the Committee on Ways and Means to inform the standing committee responsible for the program area to which the appropriation relates of the amount and type of financial resources available, and it shall review the expenditure recommendation of the standing committee to determine that the recommendation is consistent with the resources available. In determining the amount and type of resources available for a bill requiring an appropriation and in reviewing the expenditure recommendation of the standing committee, the Committee on Ways and Means shall invite the participation of the chairman of the standing committee responsible for the program area to which the appropriation relates.

Rule 18. Committee on Intergovernmental Relations: Special Responsibility

It shall be the duty of the Committee on Intergovernmental Relations to consider and recommend to the Committee on Ways and Means the General Improvements Bill, which shall include capital improvement appropriations other than those included in the General Appropriations Bill or Supplemental Appropriations Bill.

Rule 19. Committee on Legislative Management: Special Responsibility

It shall be the duty of the Committee on Legislative Management to oversee the administrative operations of the Senate, including the supervision of accounting and printing services.

The committee shall make recommendations on the expenses to be included in the appropriation

bills providing for the expenses of the legislature, and it shall control the expenses of the Senate in accordance with the appropriation acts providing for such expenses. It shall audit and settle all accounts which may be charged to the expenses of the Senate, and it shall audit the accounts of the members. No bills shall be incurred without the order of the committee, and it shall not be lawful for any bill to be paid until the same shall have been audited by the committee. It shall from time to time direct the Clerk to draw drafts on the treasury for the payment of expenses of the Senate. The committee shall report weekly to the Senate on the status of Senate funds.

It shall also be the duty of the committee to review, as may be appropriate, the organization and process of the Senate and to make recommendations to promote greater efficiency and effectiveness.

Rule 20. Meetings of Committees

Meetings, including decision-making sessions, of Standing Committees shall be public provided that meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals or where there is a legal question concerning a bill. Notice of such meetings and decision-making sessions shall be publicly posted at least 48 hours prior to such meetings provided that the notice may be waived with the approval of the President upon good cause shown.

No committee shall sit during the time when the Senate is actually in session without first securing the approval of the President, except Conference Committees which may sit at any time.

As practicable, committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and shall in coordination with other committees of the House or Senate, endeavor to hold joint meetings and public hearings on matters of mutual interest.

The meetings of the conference committee shall be conducted as agreed upon by the members of the conference committee. Conference committee meetings and decision-making sessions shall be public. Public notice of conference committee meetings shall be given to the extent practicable.

Rule 21. Committee Reports

(1) The Standing Committees shall report from time to time upon all matters referred to them.

(2) Special Committees shall report upon matters referred to them within the time permitted in the appointment of the special committee unless further time is given by vote of the Senate.

(3) A Conference Committee shall not report upon the matter referred unless a majority of the members appointed by the President have concurred in the report.

Rule 22. Committees: Factfinding and Content of Reports

(1) Whenever any matter shall be referred to a committee it shall be the duty of the committee to make diligent inquiry into all of the facts and circumstances connected with the matter. If necessary, witnesses shall be summoned or subpoenaed and examined under oath; documents and records shall be searched or subpoenaed, and everything shall be done to bring all facts pertaining to said matter before the Senate. The President may exercise such powers authorized under Chapter 21 of the Hawaii Revised Statutes, relating to the issuance of subpoenas, and the President, committee chairmen and other duly delegated members of the Senate may exercise such powers authorized under Chapter 21 aforesaid, relating to the administering of oaths, and the compelling of witnesses who have been subpoenaed to testify. All committee meetings held on matters referred to it by the Senate shall be open to the public unless otherwise ordered by the Senate or otherwise provided by these Rules.

(2) The report of the Committee shall state findings of fact and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(3) A report upon a bill shall state clearly the amendments, if any, proposed. If a

substitute bill, for one or more referred to the Committee shall be reported, such substitute bill shall agree with the subject of the bill or bills returned to the Senate.

(4) Whenever a Committee fails to agree, the majority shall report and it shall be the report of the Committee. The minority may report or simply write upon the report of the majority the words "I (or we) do not concur," signing the same. The final vote of each member of a Committee upon any matter referred to it shall be recorded in the records of the Committee.

Rule 23. Committee of the Whole

(1) The Senate may from time to time resolve itself into a Committee of the Whole. Whenever any matter shall be referred to such Committee upon the adoption of a motion to that effect, the President shall call some member to take the Chair (unless the Senate shall nominate a chairman), which being done, the Senate shall then be in Committee.

(2) The Clerk of the Senate shall act as Clerk of the Committee of the Whole without extra compensation, and shall make a careful record of the proceedings, which shall be filed as one of the records of the Senate.

(3) The Committee may, on motion, rise and ask leave to sit at any future time.

(4) When a bill shall be referred to the Committee of the Whole, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be the last but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the Committee, and so reported. When a bill is ordered into Committee of the Whole, such order may dispense with the reading of the whole bill before considering it section by section.

(5) In Committee of the Whole, the rules of procedure in the Senate shall be observed except that any member may speak more than once on the same subject, but no person shall speak a second or further time until others desiring to speak shall have had an opportunity, nor shall the motion for the previous question be allowed. A time limit for debate may be fixed by vote.

PART III. SESSIONS; ATTENDANCE; NOMINATIONS

Rule 24. Meetings

(1) The Senate shall meet for the transaction of public business every day, except Saturdays, Sundays, legal holidays, and such other days as the Senate shall by motion or resolution duly adopted and entered in the Journal, designate.

(2) The regular hour of meetings of the Senate is established at ten o'clock a.m. but the hour of meeting, recess, and adjournment for any day may be such as the Senate shall, by motion, decide from time to time.

Rule 25. Attendance

No member shall absent himself from the sessions of the Senate unless he has leave, or unless he is sick and unable to attend.

Rule 26. Extension of Session

Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to extend any session of the Legislature. The petition shall read:

"To the President of the Senate and the
Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives
of the _____ Legislature of the State of Hawaii, respectfully request an

extension of _____ days of the _____ session of _____ of the _____ Legislature of the State of Hawaii."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President and the Speaker of the House of Representatives shall jointly issue a proclamation extending the session for the number of days sought in the petition.

Rule 27. Recessed Session

Any session of the Legislature may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled and shall be recessed pursuant to Article III, Section 10, of the Constitution.

Rule 28. Special Sessions

Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to call a special session of the Legislature. The petition shall read:

"To the President of the Senate and the
Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the _____ Legislature of the State of Hawaii, respectfully request that a special session of the _____ Legislature of the State of Hawaii be convened at _____."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President of the Senate and the Speaker of the House of Representatives shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

Rule 29. Adjournments

Meetings may be adjourned at any time. Unless otherwise specified in the motion, every adjournment shall be considered as being to the established hour of meeting on the following business day; but no adjournment shall be for more than three days, or sine die, without the consent of the House of Representatives.

Rule 30. Motion to Adjourn

A motion to adjourn is always in order, and shall be decided without debate. One motion to adjourn shall not follow another without intervening business.

A motion to adjourn without naming any time shall always be held as an adjournment to the regular hour of meeting of the next business day.

Rule 31. Quorum

For the transaction of business, a majority of the number of members to which the Senate is entitled shall constitute a quorum, of which quorum a majority vote shall suffice, but the final passage of a bill shall require the vote of the majority of the members of the Senate. A smaller number than a quorum may adjourn from day to day and compel the attendance of absent members. For the purpose of compelling the attendance of absent members, a majority of the members present may, by resolution, direct the Sergeant-at-Arms to place the members who are absent under arrest and to return them to the Senate. Any warrant pursuant to such a resolution shall be issued in the name of the Senate and shall be signed by the member then presiding. For the purpose of ascertaining whether

there is a quorum present, the President shall count the members present.

Rule 32. Executive Session

(1) If the Senate considers it necessary to act confidentially upon any communication from the Governor or upon any nomination or other matter, it may go into executive session.

(2) When any member desires to make known any matter to the Senate which he deems should be confidential and private, he shall communicate his desire to the President who shall decide whether the Senate shall go into executive session. The Senate may decide whether the matter communicated shall be kept secret.

Rule 33. Clearing of the Senate

(1) When acting upon confidential business in executive session, the Senate Chambers shall be cleared of all persons except the members of the Senate and such other persons as the presiding officer with the consent of the Senate shall deem necessary.

(2) The members, officers and employees shall keep the secrets of the Senate and any other person whose presence is permitted in executive session shall be sworn to secrecy.

(3) All confidential communications made to the Senate, and remarks, votes and proceedings thereon, shall be kept strictly secret by the members, officers and employees, as well as by such other persons as have been detained or permitted to attend upon the consideration of such matters, until the Senate, by resolution, takes off such seal of secrecy, or unless such matter be later considered in open session.

Rule 34. Nominations

(1) When nominations, except those of judges, shall be made by the Governor to the Senate, they shall, unless otherwise ordered, be referred to appropriate standing committees; and the final question on every nomination shall be "Will the Senate advise and consent to this nomination?" which question shall not be put sooner than twenty-four hours from the time when the nomination is received, nor on the day in which it may be reported by a committee, unless by unanimous consent. Public hearings shall be held for all nominees prior to confirmation.

(2) The fact of a nomination, or its rejection or confirmation, need not be kept secret, but when the Senate or any committee thereof shall deem it necessary for good cause, all remarks, proceedings and votes thereon shall be kept secret.

(3) Nominations of judges shall be pursuant to Article VI, Section 3, of the State Constitution.

Rule 35. Meeting at Place Other than Capitol

Whenever, for any reason, the Governor shall convene the Senate at any place other than the Capitol, it shall attend together with all of its officers at the time and place ordered.

PART IV. ORDER OF BUSINESS

Rule 36. Order of Business: General

After prayer, roll call and the reading of the Journal, the President shall call for business in the following order:

- (1) Messages from the Governor.
- (2) Reports and Communications from the state officers.
- (3) Communications, bills, resolutions and other matters from the House of Representatives.
- (4) Concurrent and Senate Resolutions and introduction of Bills.
- (5) Reports of Conference and Joint Committees.

- (6) Reports of Committee on Legislative Management.
- (7) Reports of other Standing Committees.
- (8) Unfinished business, upon which the Senate was engaged at the time of its last adjournment.
- (9) The Order of the Day.
- (10) Petitions, Memorials and Miscellaneous Communications.
- (11) Any miscellaneous business on the President's table.

Rule 37. Order of Business: Special

The Senate may, by previous motion, direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order, or that it shall take any other position lower down on the calendar.

Rule 38. Order of Business: Committee Reports and Gubernatorial Messages

Reports from Conference or Joint Committees, and from the Committee on Legislative Management, shall be in order at all times after the second order of business, and, upon motion, messages from the Governor or from the House of Representatives may be received at any time. Without unanimous consent such messages or reports shall not however be in order for discussion when received, but shall be placed on the calendar as unfinished business.

Rule 39. Order of Business: Order of the Day

After the first seven orders of business (set forth in Rule 36), it shall be in order, pending consideration thereof, to move that the Senate proceed to dispose of the unfinished business or to the Order of the Day. If such motion be decided in the affirmative, such consideration shall immediately be taken up.

Rule 40. Order of Business: Unfinished Business

The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the Order of the Day. Until the former is disposed of, no motion for any other business shall be received without special leave of the Senate.

Rule 41. Order of Business: Questions on Priority

All questions relating to the priority of business to be acted upon shall be decided without debate.

PART V. BILLS; RESOLUTIONS

Rule 42. Bills: Introduction

Any bill may be introduced on the report of a committee or by any member.

All bills shall be introduced under the order of resolutions.

Bills which shall carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets

and any new matter added to the section or subsection shall be underscored. However, a Supplemental Appropriations Bill need not conform to this rule or an amending bill where the intent and effect of an amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, sub-paragraphs, clauses, or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.

No floor amendment to a bill shall be voted upon unless a copy of such amendment shall have been presented to the Clerk who shall prepare and distribute copies of the amendment to each member of the Senate present.

Rule 43. Bills: Referral to Committee

(1) All bills shall, upon introduction, be numbered by the Clerk in numerical sequence, shall bear an identification as a Senate Bill, shall, unless they are short form bills, pass First Reading and shall be referred to the Committee on Legislative Management.

(2) Upon receiving the report of the Committee on Legislative Management that the same has been printed, each such Bill shall be referred by the President to one or more appropriate Standing Committees for consideration.

(3) Each Standing Committee shall consider the bills referred to it as expeditiously as may be possible.

(4) Bills introduced in Short Form.

(a) If a majority of the Committee to which a short form bill has been referred determines that such bill should receive the further consideration of the same Committee or another Committee in the same or in an amended form, it shall report that fact to the Senate, together with its recommendation that either: (1) the bill pass First Reading by title and be referred again to the same or another Committee for further consideration, or (2) the bill in an amended form pass First Reading by title, be printed and be referred again to the same or another Committee for further consideration.

(b) The form of the Committee report, upon reporting such a bill to the Senate recommending its passage on First Reading without amendment and for referral again to a Committee for further consideration shall be substantially as follows:

Your Committee on _____, to which was referred S.B. ____ entitled _____ begs leave to report that your Committee has considered said Bill and recommends that it pass First Reading by title and be referred to the Committee on _____ for further consideration.

(c) The form of the Committee report, upon reporting such a bill to the Senate recommending passage on First Reading in an amended form and for referral again to a Committee for further consideration shall be substantially as follows:

Your Committee on _____, to which was referred S.B. ____ entitled _____ begs leave to report that your Committee has considered said Bill and recommends that it pass First Reading by title, in the amended form attached hereto, be printed and be referred to the Committee on _____ for further consideration.

Rule 44. Bills: Required Readings

No bill shall pass the Senate unless it shall have passed three readings in the Senate on separate days. The President shall give notice in each instance whether it be the first, second, or third reading.

Rule 45. Bills: First Reading

(1) The first reading of a bill shall be for information. If opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such question, except the introducer of the bill, who may close the debate.

(2) If the question to reject be negative, the bill shall go to its second reading without question.

Rule 46. Bills: Second Reading

A bill upon its second reading, may be read by its title only. It shall then be subject to a motion to commit. If it is not referred to a Standing Committee, or to a Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the Chairman of such Committee. When the bill shall be reported from Committee it shall take its place in the order of business for future consideration.

Rule 47. Bills: Third Reading

(1) No bill shall pass third or final reading in the Senate unless printed copies of the bill in the form to be passed have been made available to the members of the Senate for at least 48 hours. Form to be passed means the form in which a bill is to be (a) passed on third reading in the Senate, (b) concurred to by the Senate after amendments have been made by the House, or (c) passed by the Senate after a Conference Committee has agreed upon it. The 48-hour period for a bill shall commence with the placement of a printed copy of the bill in the form to be passed upon the desk of each member to which the Senate is entitled upon the convening of or during each day's session.

(2) A Bill on its third or final reading may be read by its title only, and the President shall then ask the Senate: "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Upon the final passage of any bill, the Ayes and Noes shall be called. Such passage shall require the affirmative vote of a majority of all the members of the Senate and the Ayes and Noes shall be entered on the Journal.

Rule 48. Bills: Property of Senate

All bills introduced in the Senate shall be deemed the property of the Senate and under its control unless they shall become law, subject however to the right of the House of Representatives to amend or to refuse to agree with the same.

Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the Senate in an odd-numbered session, it shall pass at least one reading in the Senate in the next regular session upon its return to the Senate from the House.

Rule 49. Bills: Recall from Committee

Twenty days after a bill has been referred to a Committee, the same may be recalled from such Committee by the affirmative vote of one-third of the members of the Senate.

Rule 50. Matters Tabled

When a bill or resolution or other matter has been laid upon the table, it shall not thereafter be taken therefrom and be considered or restored to a place upon the calendar of the Senate without the consent of a majority.

Rule 51. Bills: Amendments

All amendments proposed to any bill shall be in writing, unless otherwise ordered by the Senate, and shall be sent to the Clerk's desk to be filed with the bill.

Rule 52. Bills: Certification

When a bill is passed it shall be certified by the Clerk who shall note the day of its passage at the foot thereof.

Rule 53. Bills: Received from House of Representatives

Whenever a bill which has finally passed the House of Representatives shall be certified

to the Senate for its action, such bill shall be read three times before final passage, in accordance with the provision of the rules for the passage of bills introduced in the Senate.

Rule 54. Bills: Transmittal to House of Representatives

When a bill originating in the Senate shall have passed its third reading, or when a bill originating in the House which has been received from the House shall have been amended, or when a carry-over bill from an odd-numbered session originating in the House passes its third reading in the Senate in an even-year session, such bill or such amended bill shall immediately be certified by the President and Clerk and sent to the House of Representatives for its consideration.

Rule 55. Bills: Correction to Errors

When a bill has passed both the Senate and the House of Representatives and an error in it is discovered prior to its having received the approval of the Governor, the same may be returned by Concurrent Resolution to the House last considering the same for proper correction.

Rule 56. Bills: Order of Consideration

(1) Bills which pass the First Reading shall be arranged in the order of their introduction, and a list shall be made in accordance therewith to be called the Second Reading File and when the time arrives for consideration, they may be considered in the order on the file.

(2) Bills which pass the Second Reading shall be arranged in the order of their passage, irrespective of the date of reference to Committee, or of the Committee report, and shall be in order for consideration on Third Reading as arranged. A list shall be made in such order to be called the Third Reading File. Whenever the Third Reading of any bill is set for any particular date, such bill shall be omitted from the Third Reading File.

(3) Resolutions or other matters on which consideration is not had and completed on the date of introduction into the Senate if not ordered for consideration at a stated date, shall be placed upon the general file in the order of consideration with bills.

Rule 57. Bills: Special Order of Consideration

All bills and other matters set for consideration on particular dates, shall be arranged in the order of the several votes making such assignments. A list shall be made of such special orders, and when the time for consideration arrives, such bills and other matters shall be considered in the order of assignment. If an adjournment shall be had before all of such special orders are disposed of, the remainder shall go over and come under the head of unfinished business on the following day, unless otherwise ordered.

Rule 58. Bills: Pre-Filing

The Clerk shall accept bills to be pre-filed within ten days before the commencement of the regular session in the even-numbered year.

PART VI. RESOLUTIONS; MOTIONS

Rule 59. Resolutions and Motions: Form

All resolutions shall be written in ink or typewritten upon letter cap paper, dated and signed by the introducer, otherwise they shall not be considered. Motions and amendments, except as below provided, may be verbal but shall be reduced to writing if requested by the President, and shall be read from the desk if so desired.

Rule 60. Motions: Second Required

No motion shall be received and considered by the Senate until same shall be seconded.

Rule 61. Motions: Disposition

After a motion is stated or read by the President, it shall be deemed to be in the possession of the Senate, and shall be disposed of by vote of the Senate; however, it may be withdrawn by the movant at any time before an amendment has been adopted or before the decision on the motion if not amended.

Rule 62. Motions Applicable to Pending Matters

Whenever any bill or resolution or other matter shall be under discussion, the only motions relative thereto shall be:

- (1) To lay upon the table,
- (2) To postpone to a certain time,
- (3) To postpone indefinitely,
- (4) To commit, and
- (5) To amend,

which motions shall have precedence in the order named.

(1) The first two motions shall be decided without debate and shall be put as soon as made.

(2) When any of said motions shall be decided in the negative, they shall not be revived the same day relative to the main question under discussion. If all are negative as aforesaid, the only remaining question shall be as to the adoption of the bill, resolution or other main question.

Rule 63. Matters Postponed Indefinitely

When a question is postponed indefinitely, the same shall not be acted upon again during the session in which it was introduced.

Rule 64. Motion for Previous Question

The object of the motion for the previous question is to cut off debate. It shall always be in order. It shall require a two-thirds vote to carry it.

Whenever the motion shall be carried, the author of the resolution or introducer of the bill under discussion shall be permitted to close the debate, after which the main question, subject to Rule 61, shall be put. The author or introducer may delegate to another such right to close.

Rule 65. Motion for Reconsideration

(1) When a motion has been once made and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for a reconsideration thereof; but any member who voted with the majority may move to reconsider it on the same or the succeeding day of session, and such motion shall take precedence of all other questions, except a motion to adjourn.

(2) When a motion for reconsideration has been decided by vote, that vote shall not be reconsidered.

(3) When a bill or resolution or other matter upon which a vote has been taken shall have gone out of the possession of the Senate, and shall have been transmitted to the House of Representatives, a motion to reconsider shall be deemed to include a request to the House to return the same. If not complied with by the House, then the vote on the motion to reconsider shall be set aside. If such motion shall pass, the Clerk shall promptly communicate to the House the request for return of the matter to be reconsidered.

PART VII. PETITIONS AND COMMUNICATIONS

Rule 66. Petitions, Memorials, and Miscellaneous Communications

- (1) Any person may petition the Senate. Petitions and other memorials shall be in writing, signed by the Petitioners.
- (2) All petitions, memorials, and other papers addressed to the Senate or to the President and members shall be presented to the Senate by the Clerk.
- (3) A brief statement of the contents of such petitions, memorials, or other papers shall be made orally by the Clerk.
- (4) Every such petition, memorial, or other paper shall be ordered filed or referred to a committee, as of course, by the President, unless such action is objected to by a member at the time such petition, memorial, or other paper is presented.
- (5) No such petition, memorial, or other paper shall be debated on the day it is presented, except with the consent of the Senate.

PART VIII. ORDER; DEBATE; VOTING

Rule 67. Questions of Order

- (1) A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the Senate, such questions shall be decided without debate by the presiding officer, subject to an appeal to the Senate. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.
- (2) Any question of order may be submitted to the Senate for its decision.

Rule 68. Debate: General Limitation

No member shall speak more than twice, unless he be the movant of the matter pending, in which case he shall not be permitted to speak in reply until every member choosing to speak shall have spoken.

Rule 69. Voting: Methods

- There shall be five methods of ascertaining the decision of the Senate upon any matter.
- (1) First, by voice or raising of hands; Second, by rising; Third, by ballot; Fourth, by call of the roll of the members and a record of the Clerk of the vote of each; and Fifth, by unanimous consent.
 - (2) Whenever the Senate is ready to vote on any question, the President shall rise, and after stating the question, shall request all those in favor of the affirmative of the question to vote "Aye." The President shall then call upon all voting in the negative of the question to vote "No." The President shall then announce the result to the Senate.
 - (3) If any member shall doubt the result, as announced, the President shall again state the question and call upon the members to vote by rising in their places, and they shall remain standing until counted, and the result shall be again announced.
 - (4) The method of voting by ballot shall be as customary. The President shall appoint one or more tellers, or direct the Messengers to collect the ballots, which shall be counted by the Clerk, and the results announced by the President. The Senate may, unless otherwise prescribed by these rules, on motion, vote upon any question by ballot.
 - (5) Whenever one-fifth of the members present shall request, the Clerk shall call the roll of the members of the Senate. Each member, when called, shall vote in a clear loud voice, "Aye," if voting in the affirmative, or "No" if voting in the negative. The Clerk shall record each vote and such record shall become a part of the Journal of the Senate. The President shall announce the results as above set forth.
 - (6) With the unanimous consent of the Senate, the President may direct the Clerk to record an "Aye" vote for each member of the Senate. If there is no objection, the Clerk shall so record the vote. If there is objection, the President shall ask for the names of the members voting "No" and order the Clerk to record no votes for them.

Rule 70. Voting: Rights of Members

(1) No member shall, on any account, refrain from voting unless excused by the President. A member may vote "Kanalua" the first time his name is called by the Clerk on any vote, but if he votes "Kanalua" on the next call of his name, his vote shall be recorded as "Aye."

(2) The President may excuse a member who has a monetary interest in the question, or whose right to a seat in the Senate will be affected by the question, or whose official conduct is involved in the question. If a member thinks he or she may have such a personal interest in the question, the member shall rise and disclose the interest to the President. The President then shall rule whether the member has a conflict of interest. If so, the member shall be excused from voting.

(3) Whenever the Ayes and Noes are called, no one, without unanimous consent, shall be permitted to explain his vote.

(4) After the announcement by the President of the result, no one shall be allowed to vote or to change his vote.

PART IX. DECORUM; DISCLOSURES; PUNISHMENT

Rule 71. Punishment of Members

The Senate may punish a member for misconduct, disorderly behavior or neglect of duty by censure, or upon a two-thirds vote of all the members of the Senate, by suspension or expulsion of such member.

The President may appoint a special committee to investigate, hear and report upon the conduct of any member charged by the Senate for misconduct, disorderly behavior or neglect of duty. Any member so charged by the Senate shall be informed in writing of the specific charge or charges made against him and have opportunity to present evidence and be heard in his own defense. Following its investigation and hearing the special committee shall file its report with the President setting forth its findings and recommendations.

In the event the committee recommends censure, suspension, or expulsion, the President shall present the report of the committee to the Senate for its consideration and decision. The Senate may by a majority vote censure a member or, upon a two-thirds vote of all the members of the Senate, suspend or expel a member.

Rule 72. Decorum: Transgression of Rules

If any member transgresses the rules of the Senate, the President, or any member, may call him to order, and, when so called to order, shall immediately sit down. The President shall then decide the question of order without debate, subject to an appeal to the Senate.

The President may call for the sense of the Senate on any question of order.

Rule 73. Decorum: Address

When any member is about to speak, he shall rise from his seat and address himself to "Mr. President." While speaking, he shall confine himself to the question under debate, shall refer to his fellow Senators by title only (e.g., "Senator from the _____ District"; "The Chairman of the Committee on _____"; "The Majority Leader,") and not by name, and shall avoid personalities.

Rule 74. Decorum: Person Called to Order While Speaking

Whenever any person shall be called to order while speaking, he shall be deemed to be in possession of the floor when the question of order is decided and may proceed with the matter under discussion.

Rule 75. Decorum: Presence in Senate

No person shall sit at the desk of the President or Clerk, except by permission of the

President, nor shall any person, other than a member, officer, or permitted employee or person, sit in the main Senate floor area during any of the sessions of the Senate.

Rule 76. Decorum: Conduct in Session

When the President is putting any question or addressing the Senate, no one shall walk out of the room or across the floor. When a member is speaking, no one shall entertain a private discourse, nor shall anyone pass between the member speaking and the Chair.

Rule 77. Decorum: Disorderly Conduct in Session

If, during any session of the Senate, any member shall conduct himself in a disorderly manner the President shall order such member to keep his seat and preserve the peace. If such member shall then persist in his disorderly conduct, the President shall order the Sergeant-at-Arms to remove him from the Senate and he shall not be permitted to take his seat during the remainder of that day's session, except upon satisfactory pledge given by him to the Senate for future good behavior.

For the punishment of any person not a member, the provision of Section 18, Article III, of the Constitution shall govern.

Rule 78. Decorum: Recording of Debate Called to Order

If any Senator is called to order for words spoken in debate, upon his demand or on that of any other Senator, the words objected to shall be taken down in writing and noted by the Clerk, and, if required, shall be read for the information of the Senate.

Rule 79. Decorum: Smoking

No member or other officer shall smoke within the Senate Chamber during any of the meetings of the Senate unless authorized by the President.

Rule 80. Decorum: Solicitation Prohibited

An officer or employee of the Senate shall not solicit subscriptions, for any purpose, from any other officer or employee thereof, nor from any Senator. Nor shall any person be permitted to solicit or receive subscriptions of contributions for any purpose on the floor or in the lobby of the Senate or in any Senate office.

Rule 81. Disclosures

Each member shall file with the Ethics Commission of the State of Hawaii a disclosure of his or her private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in his or her financial interests, and each member shall file with the President a copy of all disclosures made to the Ethics Commission.

If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission and the President, the member shall orally disclose his or her interest to the Senate before voting. The member then shall immediately make the written disclosure required by law and the Rules of the Senate.

Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the Senate floor of any interest so filed.

All disclosures filed with the President shall be available for examination by the public.

Rule 82. Violating Confidence

If any matter covered in Rule 33 or 34 shall be disclosed by any Senator, he shall be liable to censure, or, by a two-thirds vote, to suspension or expulsion from the Senate. If an officer or other person authorized to hear such matter shall disclose the same, such officer shall be dismissed and such other person shall be liable to punishment for contempt comparable to the punishment provided for by Section 18, Article III, of the Constitution.

and in the manner as therein prescribed.

PART X. QUESTIONS TO STATE OFFICERS

Rule 83. Questions to State Officers

Any member of the Senate may ask any question of any State officer relating to his respective department by reducing such questions to writing, over his signature, and reading the same before the Senate, and furnishing the officer with a copy of such written question. Any officer questioned shall reply to such question upon the following day, unless the Senate shall grant him a definite extension of time for replying.

PART XI. AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES

Rule 84. Amendments

(1) No rule of the Senate shall be amended or rescinded nor shall any new rule be adopted, without one day's notice of such change. Any such action shall require a majority vote of the members of the Senate.

(2) Any rule may be suspended for a particular purpose with the unanimous consent of the Senate.

Rule 85. Parliamentary Procedure

The Rules of Parliamentary Procedure as laid down by Cushing, and as interpreted and practiced in the Senate of the United States, where not inconsistent with these Rules shall govern the Senate.