

## THIRTY-SECOND DAY

Friday, March 13, 1981

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Guillermo Gorospe, Associate Pastor, St. Philomena's Church, after which the Roll was called showing all Senators present, with the exception of Senator Ushijima who was excused.

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

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

Senator Mizuguchi introduced a group of concerned citizens from the North Shore communities of Wahiawa, Waialua, and Haleiwa with their leaders, Mrs. Susie Peterson and Mrs. Libby Smithe. He said that "they're here this morning to voice their opposition to the siting of an airfield at Poamoho and urging all senators to vote 'no' on the issue."

Senator Anderson introduced 37 members of the Mililani Golden Years Senior Citizens Club.

Senator Yee introduced 12 juniors and seniors from Maryknoll High School, accompanied by their teacher, Mr. Wallace Inglis.

Senator Kuroda introduced 85 sixth grade students from Pearl City Highlands Elementary School, accompanied by their teachers, Mrs. Amy Hironaka, Mr. Michael Dorn, and Mr. Wayne Sakai.

Senator Kuroda also introduced, from Grand Rapids, Michigan, the parents of his son's roommate at Michigan State University, Mr. and Mrs. William Johnson.

Senator Carpenter then introduced his mother, Mrs. Louise Carpenter, and his aunt, Mrs. Sarah Meyer.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 77 to 85) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 77), transmitting

House Bill No. 84, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED," 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. 339, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 339, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOTS," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 79), transmitting House Bill No. 460, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 460, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCEST," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 80), transmitting House Bill No. 549, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 549, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARREST BY POLICE OFFICERS WITHOUT WARRANT," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 81), transmitting House Bill No. 597, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 597, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES

AGAINST PUBLIC ADMINISTRATION," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 82), transmitting House Bill No. 786, which passed Third Reading in the House of Representatives on March 12, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 786, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 83), transmitting House Bill No. 1022, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1022, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 84), transmitting House Bill No. 1511, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY," 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. 1769, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1769, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

#### SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 45), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED

STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET," was offered by Senators Yee, George, Kobayashi, Saiki, Henderson, Kawasaki, Cobb, Machida, Young, Ajifu, Campbell and Uwayne and was read by the Clerk.

By unanimous consent, S.C.R. No. 45 was referred to the Committee on Government Operations and Intergovernmental Relations.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 129 to 131) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 129), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM REVIEW AND EVALUATION OF CERTAIN AGRICULTURAL MATTERS," was offered by Senator Ajifu.

By unanimous consent, S.R. No. 129 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

A resolution (S.R. No. 130), entitled: "SENATE RESOLUTION EXPRESSING POSTHUMOUS GRATITUDE TO TAKAICHI MIYAMOTO FOR HIS CONTRIBUTIONS TOWARDS THE BETTERMENT OF HAWAII AND EXPRESSING CONDOLENCES TO HIS FAMILY," was offered by Senators Machida, Yamasaki, Toyofuku, Ushijima, Anderson, Campbell, O'Connor, Cobb, Ajifu, Mizuguchi, Young, Carpenter, Kobayashi, Henderson, George, Saiki, Cayetano, Kuroda, Holt, Wong, Soares, Yee, Kawasaki, Uwayne and Abercrombie.

On motion by Senator Machida, seconded by Senator Yamasaki and carried, S.R. No. 130 was adopted.

A resolution (S.R. No. 131), entitled: "SENATE RESOLUTION RECOGNIZING THE KOHALA FUTURE FARMERS OF AMERICA AND THEIR ADVISOR, DAVID FUERTES, COMMENDING THESE INDIVIDUALS FOR CONTRIBUTING TO HAWAII'S AGRICULTURE, AND EXTENDING BEST WISHES FOR A SUCCESSFUL AND ENJOYABLE '1981 OPEN MARKET DAY'," was offered by Senator Ushijima.

On motion by Senator Henderson, seconded by Senator Carpenter and carried, S.R. No. 131 was adopted.

#### STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 342) informing the Senate that Senate Concurrent

Resolution No. 44, Senate Resolution Nos. 122 to 128 and Standing Committee Report Nos. 325 to 341 have been printed and are ready for distribution.

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

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 343) recommending that Senate Bill No. 1688, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1688, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE DEBT LIMIT," passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 344) recommending that Senate Bill No. 732 pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 732, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 345) recommending that Senate Bill No. 1426 pass First Reading by title and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1426, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT PROJECTS," passed First Reading by title and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 346) recommending that Senate Bill No. 734 pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee

was adopted and S.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS," passed Second Reading and was recommitted to the Committee on Ways and Means.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 347) recommending that Senate Bill No. 567, 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. 567, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO FAULT INSURANCE."

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 348) recommending that Senate Bill Nos. 1692, 1693, 1697 and 1699 pass First Reading by title and be recommitted to the Committee on Education.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and

S.B. No. 1692, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION";

S.B. No. 1693, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION";

S.B. No. 1697, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION"; and

S.B. No. 1699, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AND VANDALISM IN THE PUBLIC SCHOOLS,"

passed First Reading by title and were recommitted to the Committee on Education.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 349) recommending that Senate Bill No. 332, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 332, 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 Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 332, S.D. 1.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 350) recommending that Senate Bill No. 394, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 394, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY MOTOR VEHICLE PLATES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 394, S.D. 1.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 351) 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 George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN CONTROL SIGNALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In 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 George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 352) recommending that Senate Bill No. 572, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 572, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE VEHICLE REGISTRATION FEE AND WEIGHT TAX," passed Second Reading and was placed on the calendar

for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 572, S.D. 1.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 353) recommending that Senate Bill No. 574, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 574, S.D. 1.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 354) recommending that Senate Bill No. 884 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 884, entitled: "A BILL FOR AN ACT RELATING TO MAXIMUM SPEED LIMIT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 884.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 355) recommending that Senate Bill No. 1985, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1985, 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 Monday, March 16, 1981.

In 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, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 356) recommending that Senate Bill No. 43, 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. 43, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIVING WILLS."

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 357) recommending that Senate Bill No. 74, 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 Cayetano and carried, the report of the Committee was adopted and S.B. No. 74, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 74, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 358) recommending that Senate Bill No. 113 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 113, entitled: "A BILL FOR AN ACT RELATING TO THE CUSTODY AND TREATMENT OF PRISONERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 113.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 359) recommending that Senate Bill No. 138 pass Second Reading and be placed on the

calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 138, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM SENTENCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 138.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 360) recommending that Senate Bill No. 164, 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 Cayetano and carried, the report of the Committee was adopted and S.B. No. 164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 164, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 361) recommending that Senate Bill No. 320 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 320, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC HEALTH AND MORALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 320.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 362) recommending that Senate Bill No. 417 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 417, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 417.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 363) recommending that Senate Bill No. 1000 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1000, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1000.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 364) recommending that Senate Bill No. 1028, 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 Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 1028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1028, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 365) recommending that Senate Bill No. 1072 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1072, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1072.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 366) recommending that Senate Bill No. 2056 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2056, entitled: "A BILL FOR AN ACT RELATING TO NEGLIGENT HOMICIDE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2056.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 367) recommending that Senate Bill No. 530, 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 Uwaine and carried, the report of the Committee was adopted and S.B. No. 530, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 530, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 368) recommending that Senate Bill No. 592 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 592, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF CERTIFICATION OF PRACTICING PSYCHOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 592.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 369) recommending that Senate Bill No. 1335 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the majority of the Committee was adopted and S.B. No. 1335, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND SURVEYORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1335.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 370) recommending that Senate Bill No. 1628, 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 Uwaine and carried, the report of the Committee was adopted and S.B. No. 1628, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPAIRATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 16, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1628, S.D. 1.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 371) recommending that Senate Bill No. 1859 pass First Reading by title and be recommitted to the Committee on Economic Development.

On motion by Senator Henderson,

seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 1859, entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS," passed First Reading by title and was recommitted to the Committee on Economic Development.

At 11:53 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.

## ORDER OF THE DAY

### THIRD READING

Senate Bill No. 28:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 28, 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 (Ushijima).

Senate Bill No. 981, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 981, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1533, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1533, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 330, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, S.B. No. 330, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 562:

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, S.B. No. 562, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1203:

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, S.B. No. 1203, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURES ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Yamasaki). Excused, 1 (Ushijima).

Senate Bill No. 79, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 79, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 593, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 322 (S.B. No. 1730, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 322 be adopted and S.B. No. 1730, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator Abercrombie rose to inquire:

"Will the chairman of Ways and Means yield to a question?"

Senator Yamasaki replied that he would.

Senator Abercrombie then asked:

"Would the chairman respond in the affirmative or negative as to whether leprosy patients are included in this bill in every respect."

Senator Yamasaki replied:

"I believe it's included."

Senator Abercrombie continued:

"That doesn't quite answer my question. I would like to know definitely whether they are or not."

Senator Yamasaki replied:

"Yes it is."

Senator Abercrombie then said:

"Thank you, and it is the intent of the bill to do so."

The Chair replied that that was correct.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 322 was adopted and S.B. No. 1730, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 4, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 4, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES," was recommitted to the Committee on Judiciary.

#### RE-REFERRAL OF HOUSE BILL

The President made the following re-referral of a House bill that was received on Thursday, March 12, 1981:

House Bill      Referred to:

No. 328, H.D. 1      Committee on Consumer Protection and Commerce, then to the Committee on Judiciary



RECOMMITTAL OF  
SENATE BILL

Senate Bill No. 446, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 446, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATIONS," was recommitted to the Committee on Consumer Protection and Commerce.

At this time, Senator Cobb, Chairman of the Committee on Consumer Protection and Commerce, requested a waiver of the 48-hour notice of a Decision-Making Hearing on the following measure:

S.B. No. 1050, S.D. 1, entitled:  
"A BILL FOR AN ACT RELATING  
TO CONDOMINIUM CONVERSIONS,"

and the President granted the waiver.

The Chair then requested that the Senators make themselves available, over this weekend or check in at the Capitol on Saturday and Sunday, to sign various committee reports for the express purpose of decking bills

by Monday to meet the timetable agreed to by the House.

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.

The President then stated:

"Before Senator Cobb makes the motion for adjournment and setting of the time for the Senate to convene, I want to ask everybody, on Monday in particular, to see if they can be here between 8:30 and 10:00 o'clock in the morning so that we may acquire signatures to complete all our committee reports and have them on deck for a later session. There will be two sessions on Monday."

## ADJOURNMENT

At 12:13 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 10:00 o'clock a.m., Monday, March 16, 1981.