

FIFTIETH DAY

Thursday, April 9, 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 Vice-President in the Chair.

The Divine Blessing was invoked by Reverend Doctor Gerald Gifford, St. Elizabeth Episcopal Church, after which the Roll was called showing all Senators present, with the exception of Senator Wong who was excused.

The President announced that he had read and approved the Journal of the Forty-Ninth Day.

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

Senator Abercrombie introduced a group of students from the McKinley Adult Education Center, accompanied by their teacher, Mrs. Irene Kadowaki.

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.

Senator Anderson rose to make his introduction as follows:

"Mr. President, we passed Senate Resolution No. 204 a few days ago on the culinary show that's being held here now and we have Mr. Richard Kitagawa, Chairman of the Culinary Arts and Suppliers Exposition, which will be held on April 12th at the Hilton Hawaiian Village ballroom.

"Visiting with Mr. Kitagawa are the U.S. Army food service group, the culinary students from Leeward Community College, Kapiolani Community College, Honolulu Community College, and Farrington High School food service program, and representatives of the Professional Cooks of Hawaii, the Chefs de Cuisine organization, and the Hawaii Restaurant Association.

"I am also told, Mr. President, that the members of the Senate are invited to join these people in sampling the cake they have made for this occasion. The tasting will take place in the Senate Democratic caucus room upon adjournment of the session. I am also told that everybody has a \$1.00 donation ticket, which is the entrance fee for the Culinary Arts and Suppliers Expo '81 being held

at the Hilton Hawaiian Village starting on April 12th."

At this time, Senator Anderson presented Mr. Kitagawa with a copy of the resolution.

At 11:46 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.

Senator Holt then introduced 26 students, in grades 9 to 12, from Kamehameha Schools who are members of the Kamehameha Student Council, accompanied by their counselor, Sandy Young.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Administrative Director of the Courts (Dept. Com. No. 20), transmitting copies of The Judiciary's annual report dated July 1, 1979 to June 30, 1980, was read by the Clerk and was referred to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 68 and 69) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 68), entitled: "SENATE CONCURRENT RESOLUTION CONCERNING THE PERFORMANCE OF THE STATE ETHICS COMMISSION AND ITS RULES AND REGULATIONS," was offered by Senators Saiki, Kobayashi, George, Yee, Abercrombie, Carpenter, Young and Cayetano.

By unanimous consent, S.C.R. No. 68 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 69), entitled: "SENATE CONCURRENT RESOLUTION URGING THE ADOPTION OF MEASURES TO REDUCE THE ENVIRONMENTAL IMPACTS OF ACCIDENTAL RELEASES OF RADIOACTIVITY," was offered by Senators Kobayashi, Holt, Uwayne, Kuroda, Yamasaki, Ajifu, Henderson, Ushijima and Soares.

By unanimous consent, S.C.R. No. 69 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 215 to 218) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 215), entitled: "SENATE RESOLUTION CONGRATULATING HENRY ARAKAKI, JR. AND RANDALL ARAKAKI FOR THEIR ACHIEVEMENTS AS MEMBERS OF THE AIEA HIGH SCHOOL SWIM TEAM," was offered by Senators Mizuguchi, Toyofuku, Kuroda, Ajifu, Young, Yamasaki, Ushijima, Yee, Machida, O'Connor, Campbell, Uwayne, Kobayashi, Saiki, Soares, George, Henderson and Cayetano.

On motion by Senator Mizuguchi, seconded by Senator Toyofuku and carried, S.R. No. 215 was adopted.

A resolution (S.R. No. 216), entitled: "SENATE RESOLUTION CONCERNING THE PERFORMANCE OF THE STATE ETHICS COMMISSION AND ITS RULES AND REGULATIONS," was offered by Senators Saiki, Kawasaki, Soares, Kobayashi, Anderson, Ajifu, Uwayne, Carpenter, George, Abercrombie, Kuroda, Yee, Cobb, Henderson, Young and Campbell.

By unanimous consent, S.R. No. 216 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 217), entitled: "SENATE RESOLUTION CONGRATULATING DAVID OSHIRO UPON HIS SELECTION AS THE 'OUTSTANDING YOUNG FARMER OF THE YEAR FOR 1980' BY THE HAWAII FARM BUREAU FEDERATION," was offered by Senators Young, Ajifu, Kuroda, Yee, Cayetano, Campbell, Mizuguchi, Anderson, Machida, Ushijima, Henderson, Kobayashi, George, Uwayne, Carpenter, Soares and Toyofuku.

On motion by Senator Young, seconded by Senator Ajifu and carried, S.R. No. 217 was adopted.

A resolution (S.R. No. 218), entitled: "SENATE RESOLUTION URGING THE ADOPTION OF MEASURES TO REDUCE THE ENVIRONMENTAL IMPACTS OF ACCIDENTAL RELEASES OF RADIO-ACTIVITY," was offered by Senators Kobayashi, Holt, Uwayne, Kuroda, Yamasaki, Ajifu, Henderson, Ushijima and Soares.

By unanimous consent, S.R. No. 218 was referred to the Committee on Ecology, Environment and Recreation.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 921) informing the Senate that Senate Concurrent Resolution No. 67, Senate Resolution Nos. 207 to 214 and Standing Committee Report Nos. 907 to 920

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 George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 922) recommending the Senate Concurrent Resolution No. 46, as amended in S.D. 1, be adopted.

Senator George moved that the report of the Committee be adopted and that S.C.R. No. 46, S.D. 1, be adopted, seconded by Senator Cobb.

Senator Cayetano then rose and stated:

"Mr. President, I favor this resolution, however, in reading the resolution itself, I think the record should be made clear that the 'whereas' clauses in the resolution make certain assumptions which are not entirely correct.

"For example, on page 1, the 'whereas' clause which reads: 'Whereas, the Antitrust Division of the U.S. Department of Justice issued a "business letter"....;' the paragraph is quite lengthy and it goes on to state some other things.

"Let me say that in my opinion the 'whereas' clause and what it states is taken out of context. The U.S. Department of Justice, I think, subsequently clarified the business review letter and I think it became clear, or it's clear to me anyway, that that business review letter was never intended to prohibit the state from taking the kind of action that it took in the House Bill relating to the two duty-free concessionaires at the airport which we recently passed, H.B. No. 1470 (Relating to Transportation).

"I think also, that on page 2 of the resolution, in the fourth 'whereas' clause which states: 'Whereas, at the time concessionaire bids were solicited, the Department of Transportation's pre-bid specification notices informed all potential bidders for concessions that it contemplated issuing delivery permits to off-airport businesses;'

"That 'whereas' clause, taken by itself, would seem to indicate that the Department of Transportation was all but committed to issuing the delivery permits. However, the contract itself states that the Department is contemplating issuing the delivery permits, so the bottom line would be whether or not the issuing of such permits is in the best interest of the state.

"I have similar concerns regarding other 'whereas' clauses which I think make some assumptions of fact which are not entirely correct, and I am going to support this resolution with those reservations in mind."

Senator George rose in response as follows:

"Mr. President, in brief response to the good Senator from the Fourth District, this resolution was not the easiest one we've had to write this session, and I would simply like to say that the 'whereas' clauses have been through a very fine screen, indeed, and have suffered from the blue pencil and eagle-eye perception of both the antitrust people and the Department of the Attorney General, the Department of Transportation, your Committee on Transportation, and every other eye that wanted to look at them.

"This is the best we can do and I believe they are factually, absolutely correct. Any impression that they tilt one way or the other is to be regretted. We had hoped this would not be the case. Thank you."

Senator Cobb then stated:

"One additional observation, Mr. President. The fourth 'whereas' clause on page 2 is a continuing problem in the Department of Transportation. It surfaced during the public hearing we had on the subject bill in question, and that is their contemplating the issue of delivery permits to off-airport businesses.

"It seems to be very clearly a case of overt, orchestrated obfuscation of the worse sort; namely, that they are thinking about doing it but make no commitment one way or the other to do it, and I hope this review that's going to be conducted in the interim will get them off the dime so that they make a decision one way or the other."

Senator O'Connor rose to speak in favor of the measure:

"Mr. President, I'm in favor of this resolution and of Senate Resolution No. 133 and would incorporate these remarks in support of each.

"The content of these resolutions support thoroughly the comments which I made in opposition to the House Bill which we passed on the subject matter of two concessionaires having a monopoly with the state at the airport, and I believe that I therefore would

have incorporated, with my remarks on that House Bill, the content of these resolutions."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 46, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND REPORT ON THE SALE AND DELIVERY OF DUTY-FREE MERCHANDISE AT THE HONOLULU INTERNATIONAL AIRPORT," was adopted.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 923) recommending that Senate Resolution No. 133, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator George, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 133, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY AND REPORT ON THE SALE AND DELIVERY OF DUTY-FREE MERCHANDISE AT THE HONOLULU INTERNATIONAL AIRPORT," was referred to the Committee on Legislative Management.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 8, 1981

Senate Bill No. 466, S.D. 1, H.D. 1:

Senator Yamasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 466, S.D. 1, seconded by Senator Anderson.

Senator Yamasaki explained that "the House merely changed the word 'uncollectible,' in the Senate version of the bill, to read 'dishonored' so the section of the bill on that word reads: 'Assessment and collection of service charges for dishonored items.' This is also corrected on line 11, page 1, of the bill."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 466, 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 the Final Reading of S.B. No. 466, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENTS INTO THE STATE TREASURY."

Senate Bill No. 55, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 55, 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. 67, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 67, 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. 79, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate disagree to the amendments proposed by the House to S.B. No. 79, S.D. 1, and requested a conference on the subject matter thereof, seconded by Senator Uwaine.

Senator Cayetano then stated that he had a question for the chairman.

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.

Senator Cayetano stated that the chairman had cleared up his concerns.

Senator Cobb then explained that "the House gutted one of the definitions of motor vehicle and the previous speaker did have a question affecting this and so do I, as well as the reasons for deleting the definition on motor vehicle, so we're going to conference on this matter to get it straightened out."

The motion was put by the Chair and carried, and the Senate disagreed to the amendments proposed by the House to S.B. No. 79, 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. 113, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and

carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 113, 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. 126, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 126, 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. 163, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 163, 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. 164, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 164, 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.

At 12:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senate Bill No. 253, S.D. 1, H.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 253, 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 the Final Reading of S.B. No. 253, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES."

Senate Bill No. 258, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 258, 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 the Final Reading of S.B. No. 258, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RELOCATION OF PUBLIC UTILITIES."

At this time, Senator Cayetano asked for an explanation of the amendments.

Senator Yamasaki explained that "the House restored the original request of the county for \$10,000 from the figure of \$6,000 which the Senate inserted, and also added the word 'county' in describing the highways on page 1, line 12, to be consistent with the intent of the bill on line 5."

Senate Bill No. 271, S.D. 1, H.D. 1:

On motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate disagreed with the amendments proposed by the House to S.B. No. 271, 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. 330, S.D. 1, H.D. 1:

Senator Ajifu moved that the Senate agree to the amendments proposed by the House to S.B. No. 330, S.D. 1, seconded by Senator Kuroda.

Senator Ajifu explained that "the purpose of this bill is to authorize the counties to make replacement of reserve police officers' uniforms. The amendment changes the word 'shall' to 'may' and has also made other 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. 330, 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 the Final Reading of S.B. No. 330, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS."

Senate Bill No. 332, S.D. 1, H.D. 1:

Senator George moved that the Senate agree to the amendments proposed

by the House to S.B. No. 332, S.D. 1, seconded by Senator Cobb.

Senator George explained that "there have been absolutely no substantive changes made. What happened is that Senate Bill No. 331, which was sent over from the Senate to the House, and 332 have been incorporated into one measure, in as much as they both deal with amendments to the same section."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 332, 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 the Final Reading of S.B. No. 332, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Senate Bill No. 335, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Ajifu and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 335, 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. 356, S.D. 3, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Ajifu and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 356, 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. 399, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 399, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES IDENTIFICATION AND REGULATIONS," was deferred until Friday, April 10, 1981.

Senate Bill No. 422, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 422, 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. 454, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 454, 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. 508, S.D. 1, H.D. 2:

On motion by Senator Kobayashi, seconded by Senator Henderson and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 508, 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. 526, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate disagree to the amendments proposed by the House to S.B. No. 526, S.D. 1, and requested a conference on the subject matter thereof, seconded by Senator Uwaine.

Senator Cobb explained that "the House restored the Board of Massage after having moved to kill it two years in a row. They have a lot of explaining to do in conference."

The motion was put by the Chair and carried, and the Senate disagreed to the amendments proposed by the House to S.B. No. 526, 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. 532, H.D. 2:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 532, and 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. 532, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANIES."

Senate Bill No. 547, S.D. 1, H.D. 1:

Senator Yamasaki moved that the Senate agree to the amendments

proposed by the House to S.B. No. 547, S.D. 1, seconded by Senator Anderson.

Senator Yamasaki explained that "the House, on this bill, in order to conform the Hawaii Tax Laws to Public Law 95-30, in relation to zero-bracketing, made some technical changes. They also added some language to say that the intent of the bill is not to supersede the conformance bill, H.B. No. 794, H.D. 2, which passed, or Senate Bill No. 788, H.D. 1, which provides for exclusion on interest and dividends."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 547, 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 the Final Reading of S.B. No. 547, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION."

Senate Bill No. 557, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 557, 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. 568, S.D. 2, H.D. 2:

On motion by Senator Carpenter, seconded by Senator George and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 568, 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. 572, S.D. 1, H.D. 1:

Senator George moved that the Senate agree to the amendments proposed by the House to S.B. No. 572, S.D. 1, seconded by Senator Cobb.

Senator George explained that "the change made is simply a difference of opinion on how to refer to bracketing."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 572, 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 the Final Reading of S.B. No. 572,

S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE VEHICLE REGISTRATION FEE AND WEIGHT TAX."

Senate Bill No. 598, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 598, 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. 601, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 601, S.D. 1, seconded by Senator Uwaine.

Senator Cobb explained that "the House agreed to continue the Board for its full term and made other minor and technical amendments. We do not choose to disagree with them on these 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. 601, 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 the Final Reading of S.B. No. 601, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS."

Senate Bill No. 636, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 636, 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.

At 12:16 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.

Senate Bill No. 734, S.D. 1, H.D. 1:

Senator Yamasaki moved that the Senate disagree to the amendments proposed by the House to S.B. No. 734, S.D. 1, and requested a conference

on the subject matter thereof, seconded by Senator Anderson.

Senator Cayetano stated:

"Mr. President, this is the so-called 'pork' bill. When we go to conference on this matter, I would hope that the conferees would take into account certain things. For example, it contained 'pork,' if you want to call it that, for hospitals, and yet a few days ago we passed a special purpose revenue bond for hospitals. It contains numerous items for repairs and maintenance. Last session, we gave \$25 million for repairs and maintenance.

"All of these things have to be taken into consideration. I suspect there's a lot of duplication here. I think that we have to wrestle with the basic policy question of whether we want to do this kind of thing in light of the bond authorization limit and the bond debt limit, as imposed upon us by the Constitutional Convention and the subsequent ratification of the proposed amendments by the voters in 1978."

The motion was put by the Chair and carried, and the Senate disagreed to the amendments proposed by the House to S.B. No. 734, 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. 788, H.D. 1:

Senator Yamasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 788, seconded by Senator Anderson.

Senator Yamasaki explained that "the House made some technical changes in the bill. They added a new Section 3, which says that the bill does not supersede Senate Bill No. 547, S.D. 1, and also House Bill No. 794."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 788, and 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. 788, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION."

Senate Bill No. 815, S.D. 2, H.D. 1:

Senator Yamasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 815, S.D. 2,

seconded by Senator Young.

Senator Yamasaki explained that "the House has increased the exemption from \$20 to \$30. The Senate increase was from \$20 to \$50. The House has also increased the adjusted gross income bracket from \$20,000 to \$25,000."

Senator Abercrombie then stated:

"Is the motion, as I understand it, is to agree, is that correct?"

The Chair answered in the affirmative.

Senator Abercrombie then questioned further:

"Now it's to be \$30?"

The Chair again replied in the affirmative.

Senator Abercrombie then asked:

"And we are moving to agree?"

The Chair replied that "that is the motion made by the chairman."

Senator Abercrombie then stated:

"I can't support that. We haven't had any discussion as to why we should drop \$20 from the figure of the Senate and simply set it at \$30 at this stage, without any further discussion with the House.

"This is unacceptable to me and I wonder if the chairman would like to reconsider his position."

At 12:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

Senator Yamasaki then withdrew his motion to agree and Senator Young withdrew her second.

Senator Yamasaki moved that the Senate disagree to the amendments proposed by the House to S.B. No. 815, S.D. 2, and requested a conference on the subject matter thereof, seconded by Senator Anderson.

Senator Abercrombie remarked:

"Are we now going to vote on the motion to disagree?"

The Chair answered in the affirmative.

Senator Abercrombie continued:

"Before we do, I have been informed that I should declare a conflict because I am a renter. I don't think it's a conflict, I think in this instance I've been blinded by necessity."

The Chair ruled that Senator Abercrombie could vote.

The motion was put by the Chair and carried, and the Senate disagreed to the amendments proposed by the House to S.B. No. 815, 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. 816, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 816, 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. 831, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 831, 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. 856, S.D. 2, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 856, 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. 868, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 868, 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. 878, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the Senate disagreed to the amendment proposed by the House to S.B. No. 878, 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. 931, S.D. 2, H.D. 1:

Senator Yamasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 931, S.D. 2, seconded by Senator Saiki.

Senator Yamasaki explained that "the House merely changed the words 'United States Department of Health, Education and Welfare' to 'federal government,' otherwise the bill is the same."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 931, 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 the Final Reading of S.B. No. 931, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST SECONDARY EDUCATION."

Senate Bill No. 1050, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1050, 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. 1145, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1145, 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. 1150, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1150, 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. 1298, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1298, 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. 1324, S.D. 1, H.D. 1:

Senator Young moved that the Senate agree to the amendments proposed by the House to S.B. No. 1324, S.D. 1, seconded by Senator Holt.

Senator Young explained as follows:

"The purpose of this bill is to require the counties to establish 'procedures for notifying applicants of the completeness of land use approval or development permit applications within thirty days after an application is filed.'

"The House made nonsubstantive language changes to the bill on page 2, lines 14 and 15. They deleted 'of notice' and inserted 'to notify' and on page 2, line 18, they added a comma after the word 'county.'"

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1324, 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 the Final Reading of S.B. No. 1324, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ORGANIZATION AND ADMINISTRATION."

Senate Bill No. 1471, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1471, 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. 1476, H.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1476, 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. 1505, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 1505, S.D. 1, seconded by Senator Uwaine.

Senator Cobb explained "that the House made several nonsubstantive changes to this bill but did not affect the thrust of the bill."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1505, 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 the Final Reading of S.B. No. 1505, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE ORGANIZATIONS."

Senate Bill No. 1507, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1507, 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. 1622, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Saiki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1622, 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. 1662, H.D. 2:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1662, 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. 1681, S.D. 2, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1681, 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. 1699, S.D. 1, H.D. 2:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1699, 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. 1713, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1713, 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. 1720, S.D. 1, H.D. 2:

Senator Yamasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 1720, S.D. 1, seconded by Senator Saiki.

Senator Yamasaki explained that "this is a bill on the establishment of a research and training revolving fund. The House has agreed to the \$1 million and also has proposed to require that the University of Hawaii submit an annual report which shall include a breakdown of travel expenses."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1720, 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 the Final Reading of S.B. No. 1720, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Senate Bill No. 1769, S.D. 1, H.D. 1:

On motion by Senator Uwayne, seconded by Senator Abercrombie and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1769, 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 the Final Reading of S.B. No. 1769, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE REPORTS."

Senate Bill No. 1912, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1912, 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. 1936, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 1936, S.D. 1, seconded by Senator Uwayne.

Senator Cobb explained that "House Draft 1 clarifies the intent of the Senate Draft making it clear that class 10 licensees may purchase from both wholesalers and retailers. Other than that, there are only minor technical errors which can be taken care of by the Revisor of Statutes."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1936, 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 the Final Reading of S.B. No. 1936, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR."

Senate Bill No. 1985, S.D. 1, H.D. 1:

Senator George moved that the Senate agree to the amendments proposed by the House to S.B. No. 1985, S.D. 1, seconded by Senator Cobb.

Senator George explained that "the House version changes the word 'less' to the words 'not greater than,' which in this context, appears to be a distinction without a difference."

The motion was put by the Chair and carried and the Senate agreed to the amendments proposed by the House to S.B. No. 1985, 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 the Final Reading of S.B. No. 1985, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."

Senate Bill No. 2068, S.D. 1, H.D. 1:

Senator Carpenter moved that the Senate agree to the amendments proposed by the House to S.B. No. 2068, S.D. 1, seconded by Senator Cayetano.

Senator Carpenter explained that there was only a minor technical change made.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2068, 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 the Final Reading of S.B. No. 2068, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL."

Senate Bill No. 2099, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2099, 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.

RE-REFERRAL OF SENATE RESOLUTIONS

The Chair made the following re-referral of Senate Resolutions offered on Wednesday, April 8, 1981:

Senate Resolution Referred to:

No. 210 Committee on Ecology,
 Environment and Recreation

No. 211 Jointly to the Committee
 on Ecology, Environment and Recreation
 and the Committee on Judiciary

At 12:38 o'clock p.m., the Senate

stood in recess subject to the call of the Chair.

The Senate reconvened at 12:39 o'clock p.m.

The Chair announced that the naming of conferees would begin tomorrow and those Senators interested in serving as conferees should contact the

President's office.

ADJOURNMENT

At 12:40 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 10, 1981.