

FIFTY-NINTH DAY

Thursday, April 23, 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 Reverend James Russow, Pastor of Our Savior Lutheran Church, after which the Roll was called showing all Senators present, with the exception of Senators Anderson and Yamasaki who were excused.

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

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

Senator Saiki presented the following persons and stated:

"Mr. President, it is a very real and rare pleasure for us to have visiting this morning four senators from the American Samoa Legislature, which is referred to as 'Fono.'

"The upper house of the American Samoa Legislature is comprised of high chiefs selected from villages, while members of the lower house are popularly elected.

"It is my pleasure to introduce to you the president of the American Samoa Senate, Senator Pele T, and members, Senator Pele Ivi and Senator Mariota Tuiasosopo.

"On behalf of the President and all of the members of the Senate we welcome you to the Hawaii State Senate. Thank you for coming."

Senator Cayetano then introduced, on behalf of the Senators from the Fourth Senatorial District, 35 students from the Political Science Class of Mililani High School and their teacher Ms. Linda Kekina who are visiting the Capitol and observing the Legislature in action.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 323), transmitting copies of the Annual Report, October 1, 1979 - September 30, 1980, prepared by the Executive Office on Aging, was read by the Clerk and was referred to the Committee on Human Resources.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 25 and 26) were read by the Clerk and were disposed of as follows:

A communication from the Director, Department of Regulatory Agencies (Dept. Com. No. 25), acknowledging receipt of Senate Resolution No. 135 (1981), was placed on file.

A communication from the Director, Department of Regulatory Agencies (Dept. Com. No. 26), acknowledging receipt of Senate Resolution No. 148 (1981), was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 570 to 583) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 570), transmitting House Concurrent Resolution No. 147, H.D. 1, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

By unanimous consent, H.C.R. No. 147, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE ACQUISITION OF THE BIG BEACH AREA OF MAKENA, MAUI, FOR A STATE PARK," was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 571), transmitting House Concurrent Resolution No. 159, H.D. 2, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

By unanimous consent, H.C.R. No. 159, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A LONG-RANGE IMPLEMENTATION PLAN FOR A COMPREHENSIVE DATA SYSTEM FOR CRIMINAL JUSTICE," was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 572), transmitting House Concurrent Resolution No. 198, H.D. 1, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

By unanimous consent, H.C.R. No. 198, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE OPERATIONS OF THE HONOLULU DISTRICT OFFICE OF THE UNITED STATES IMMIGRATION

AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE, BY THE FEDERAL ADVISORY COMMITTEE ON IMMIGRATION AND NATURALIZATION SERVICE," was referred to the Committee on Government Operations and Intergovernmental Relations.

A communication from the House (Hse. Com. No. 573), transmitting House Concurrent Resolution No. 209, H.D. 1, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

By unanimous consent, H.C.R. No. 209, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE FEDERAL BUDGET CUTS THAT WOULD HARM HAWAII'S WORKING PEOPLE," was referred to the Committee on Government Operations and Intergovernmental Relations.

A communication from the House (Hse. Com. No. 574), transmitting House Concurrent Resolution No. 218, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

By unanimous consent, H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE REINSTATEMENT OF FUNDING FOR THE NATIONAL COASTAL ZONE MANAGEMENT PROGRAM," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 575), transmitting House Concurrent Resolution No. 225, H.D. 1, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

By unanimous consent, H.C.R. No. 225, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO PROVIDE FINANCIAL ASSISTANCE TO THE STATE OF HAWAII FOR THE IMPLEMENTATION OF A UNIQUE AND INNOVATIVE HOUSING PROGRAM TO ALLEVIATE THE CRITICAL SHORTAGE OF RENTAL HOUSING IN HAWAII AND WHICH MAY BE A VIABLE MEANS OF RELIEVING THE NATIONAL RENTAL HOUSING CRISIS," was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 576), transmitting House Concurrent Resolution No. 228, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

By unanimous consent, H.C.R. No. 228, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXTENSION AND CONTINUED FUNDING OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA) PUBLIC SERVICE EMPLOYMENT PROGRAM," was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 577), transmitting House Concurrent Resolution No. 230, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

By unanimous consent, H.C.R. No. 230, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF A PROGRAM FOR THE UNEMPLOYED," was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 578), transmitting House Concurrent Resolution No. 236, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

By unanimous consent, H.C.R. No. 236, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STIMULATION AND REVITALIZATION OF THE ECONOMY OF THE COUNTY OF HAWAII," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 579), returning Senate Concurrent Resolution No. 56, which was adopted by the House of Representatives on April 22, 1981, was placed on file.

A communication from the House (Hse. Com. No. 580), returning Senate Bill No. 354, S.D. 1, which passed Third Reading in the House of Representatives on April 22, 1981, was placed on file.

A communication from the House (Hse. Com. No. 581), returning Senate Bill No. 567, S.D. 1, which passed Third Reading in the House of Representatives on April 22, 1981, was placed on file.

A communication from the House (Hse. Com. No. 582), returning Senate Bill No. 1096, S.D. 1, which passed Third Reading in the House of Representatives on April 22, 1981, was placed on file.

A communication from the House (Hse. Com. No. 583), returning Senate Bill No. 1114, S.D. 1, which passed Third Reading in the House of Representatives on April 22, 1981, was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 313 to 324) were read by the Clerk and

were disposed of as follows:

A resolution (S.R. No. 313), entitled: "SENATE RESOLUTION CONGRATULATING THE HILO COUNTY FARM BUREAU FOR BEING NAMED THE 'OUTSTANDING COUNTY FARM BUREAU OF THE YEAR FOR 1980' AND FOR WINNING THIS COVETED ANNUAL AWARD FOR THE THIRD CONSECUTIVE YEAR," was offered by Senators Carpenter, Henderson, Soares, Ushijima, Machida, Mizuguchi, Cobb, George, Kobayashi, Kuroda, Kawasaki, Abercrombie, Young and Holt.

On motion by Senator Carpenter, seconded by Senator Henderson and carried, S.R. No. 313 was adopted.

A resolution (S.R. No. 314), entitled: "SENATE RESOLUTION RECOGNIZING THE 1981 OPENING OF THE SHERATON ROYAL WAIKOLOA IN WEST HAWAII AND EXTENDING BEST WISHES FOR A MOST SUCCESSFUL VENTURE," was offered by Senators Carpenter, Henderson, Soares, Holt, Cobb, Ushijima, Abercrombie, George, Machida, Kuroda, Mizuguchi, Kobayashi, Kawasaki and Young.

On motion by Senator Carpenter, seconded by Senator Henderson and carried, S.R. No. 314 was adopted.

A resolution (S.R. No. 315), entitled: "SENATE RESOLUTION CONGRATULATING AL MANLIGUIS FOR AN OUTSTANDING 25 YEARS OF HIGH SCHOOL BASKETBALL COACHING," was offered by Senators Henderson, Carpenter, Ushijima, Soares, Kobayashi, Kuroda, Saiki, George, Yee, Uwaine, Campbell, Kawasaki, Young, Holt, Toyofuku and Cayetano.

On motion by Senator Henderson, seconded by Senator Carpenter and carried, S.R. No. 315 was adopted.

A resolution (S.R. No. 316), entitled: "SENATE RESOLUTION EXTENDING ALOHA AND BEST WISHES TO QUANTAS AIRWAYS AT ITS ANNUAL MARKETING CONFERENCE IN HONOLULU, APRIL 27-28, 1981," was offered by Senators Kuroda, Cobb, Mizuguchi, Machida, Soares, Young, George, Carpenter, Kobayashi, Henderson, Cayetano, Yamasaki, Anderson, Yee, Abercrombie, Campbell, Saiki, Kawasaki, O'Connor, Wong, Uwaine, Toyofuku, Ushijima, Holt and Ajifu.

On motion by Senator Kuroda, seconded by Senator Cobb and carried, S.R. No. 316 was adopted.

A resolution (S.R. No. 317), entitled: "SENATE RESOLUTION CONGRATULATING

AND THANKING THE MEMBERS OF THE LEGISLATIVE INTERN PROGRAM," was offered by Senators Kobayashi, George, Anderson, Mizuguchi, Henderson, Soares, Young, Cayetano, Saiki, Yee, Uwaine, Kuroda, Campbell, Kawasaki, Ushijima, Toyofuku, O'Connor, Machida, Cobb, Abercrombie, Ajifu and Carpenter.

On motion by Senator Kobayashi, seconded by Senator George and carried, S.R. No. 317 was adopted.

At this time, Senator Kobayashi recognized the group of students participating in the Legislative Intern Program who were sitting in the Senate gallery.

A resolution (S.R. No. 318), entitled: "SENATE RESOLUTION CONGRATULATING THE CONGRESSIONAL MEDAL OF HONOR SOCIETY ON ITS CONVENTION IN HAWAII NOVEMBER 8-12, 1981," was offered by Senators Wong, Soares, Ajifu, Cobb, Cayetano, Campbell, Kuroda, Kobayashi, Carpenter, Young, Kawasaki, Yee, Anderson, Uwaine, Abercrombie, George, Henderson, Saiki, Yamasaki, Mizuguchi and Machida.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 318 was adopted.

At this time, Senator Cobb presented the following honorees and stated as follows:

"Mr. President, on behalf of the Senate and as a Vietnam veteran myself, it's a great honor to introduce three individuals who are recipients of the highest award for valor that this nation can bestow, the Congressional Medal of Honor.

"This medal is awarded only rarely for extreme valor and it's usually a posthumous award, that is, the individual receiving it is killed in action. The criteria for the award is so stringent that very often the award itself, or the deeds done by the individual cannot be verified, but it normally must involve repeated acts of heroism, witnessed and verified on the battlefield --a series of heroic acts under intense enemy fire, most often while the individual soldier has been wounded or otherwise incapacitated.

"Mr. President, the three Medal of Honor recipients who are here today are now stationed in Hawaii. The gentlemen are wearing the blue and white ribbon with the Medal of Honor, signifying their acts of heroism, therefore, protocol precludes us from presenting them with leis.

"You will also note that the recipients are wearing the Purple Heart Award signifying wounds received in action. It was my unfortunate occurrence to receive four Purple Hearts in Vietnam, as well. These individuals not only received the medal, but kept on functioning after they had been wounded, and that is one of the essential criteria for the award of the Medal of Honor.

"Mr. President, it my pleasure and honor to introduce Sergeant John F. Baker, Jr., Staff Sergeant Franklin D. Miller and Sergeant Robert M. Patterson."

Senator Cobb presented the gentlemen with certified copies of the resolution and introduced them to each member of the Senate. Senators George, Saiki and Young handed them leis.

At 11:58 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

A resolution (S.R. No. 319), entitled: "SENATE RESOLUTION HONORING THE PAST CONTRIBUTIONS AND RECENT RETIREMENT OF CLARENCE S. GRAY FROM THE FUNERAL INDUSTRY," was offered by Senators Wong, Kuroda, Young, Kobayashi, George, Soares, Yamasaki, Carpenter, Campbell, Mizuguchi, Cobb, Machida, Toyofuku, O'Connor, Henderson, Ajifu, Cayetano, Kawasaki, Yee, Uwayne, Ushijima, Holt, Anderson, Saiki and Abercrombie.

On motion by Senator Kuroda, seconded by Senator Cobb and carried, S.R. No. 319 was adopted.

A resolution (S.R. No. 320), entitled: "SENATE RESOLUTION HONORING THE PAST CONTRIBUTIONS AND RECENT RETIREMENT OF FRANK CUELHO, SR., FROM THE FUNERAL INDUSTRY," was offered by Senators Wong, Kuroda, Young, Kobayashi, George, Soares, Machida, Mizuguchi, Campbell, Toyofuku, O'Connor, Anderson, Holt, Abercrombie, Yamasaki, Henderson, Carpenter, Cobb, Ajifu, Cayetano, Saiki, Kawasaki, Yee, Uwayne and Ushijima.

On motion by Senator Kuroda, seconded by Senator Cobb and carried, S.R. No. 320 was adopted.

A resolution (S.R. No. 321), entitled: "SENATE RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF THE HAWAII EXTENSION HOMEMAKERS COUNCIL TO THE STATE OF HAWAII," was offered by Senators Anderson, Saiki,

George, Uwayne, Abercrombie and Carpenter.

On motion by Senator Soares, seconded Senator Cobb and carried, S.R. No. 321 was adopted.

A resolution (S.R. No. 322), entitled: "SENATE RESOLUTION CONGRATULATING AND EXTENDING BEST WISHES TO MR. DAVID K. TRASK, JR. IN HIS NEW POSITION AS JUDICIAL PANEL CHAIRMAN OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES IN WASHINGTON, D.C.," was offered by Senators Machida, Toyofuku, Holt, Ushijima, Mizuguchi, O'Connor, Soares, Yee, Cobb, Wong, Anderson, Abercrombie, Campbell, Kuroda, Young, Kobayashi, Uwayne, Yamasaki, Henderson, George and Saiki.

On motion by Senator Machida, seconded by Senator Toyofuku and carried, S.R. No. 322 was adopted.

A resolution (S.R. No. 323), entitled: "SENATE RESOLUTION EXTENDING APPRECIATION TO ESTHER CHAMBERLAND FOR HER CONTRIBUTIONS TO COMMUNITY, BUSINESS, AND EDUCATIONAL ORGANIZATIONS," was offered by Senator Anderson, Saiki, George, Uwayne, Abercrombie and Carpenter.

On motion by Senator Yee, seconded by Senator Soares and carried, S.R. No. 323 was adopted.

A resolution (S.R. No. 324), entitled: "SENATE RESOLUTION RECOGNIZING THE LATE TONY deJETLEY OF HOTEL HANA, MAUI AND EXTENDING CONDOLENCES TO HIS FAMILY AND ASSOCIATES," was offered by Senators Kuroda, Abercrombie, Kawasaki, Carpenter, Young, Wong, Soares, Cobb, Henderson, Kobayashi, Saiki, George, Yee and Toyofuku.

On motion by Senator Kuroda, seconded by Senator Machida and carried, S.R. No. 324 was adopted.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1046) informing the Senate that Senate Resolution Nos. 307 to 312, Conference Committee Report Nos. 47 to 52, and Standing Committee Report Nos. 990 to 1045 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 Cobb, for the Committee on

Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1047) recommending that the Senate advise and consent to the nominations of Victor H. Zuercher, Jr., Francis L. Lock and Karen J. Bardin-Billman, in accordance with Gov. Msg. No. 315.

By unanimous consent, action on Stand. Com. Rep. No. 1047 and Gov. Msg. No. 315 was deferred until Friday, April 24, 1981.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1048) recommending that the Senate advise and consent to the nomination of Patricia N. Kramer to the Board of Cosmetology, in accordance with Gov. Msg. No. 314.

By unanimous consent, action on Stand. Com. Rep. No. 1048 and Gov. Msg. No. 314 was deferred until Friday, April 24, 1981.

Senators Abercrombie and Saiki, for the Committee on Education and the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1049) recommending that Senate Concurrent Resolution No. 71 be adopted.

On motion by Senator Abercrombie, seconded by Senator Saiki and carried, the joint report of the Committees was adopted and S.C.R. No. 71, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE USE OF LAND AND FACILITIES DESIGNATED FOR EDUCATIONAL PURPOSES," was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1050) recommending that Senate Resolution No. 84, as amended in S.D. 1, be adopted.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO NEGOTIATE INTERSTATE COMPACTS FOR THE DISPOSAL OF LOW-LEVEL RADIOACTIVE WASTES," was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1051) recommending that Senate Resolution No. 85, as amended in S.D. 1, be adopted.

On motion by Senator Kobayashi, seconded by Senator George and carried,

the report of the Committee was adopted and S.R. No. 85, S.D. 1, entitled: "SENATE RESOLUTION URGING THE FEDERAL GOVERNMENT TO IDENTIFY AND EVALUATE NUCLEAR WASTE DISPOSAL SITES OFF THE COAST OF THE STATE," was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1052) recommending that Senate Resolution No. 210 be adopted.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.R. No. 210, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXAMINE STATE LAND USE MAUKA OF KAHEKILI HIGHWAY IN KANEHOE," was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1053) recommending that Senate Resolution No. 218 be adopted.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.R. No. 218, entitled: "SENATE RESOLUTION URGING THE ADOPTION OF MEASURES TO REDUCE THE ENVIRONMENTAL IMPACTS OF ACCIDENTAL RELEASES OF RADIOACTIVITY," was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1054) recommending that House Concurrent Resolution No. 158, as amended in S.D. 1, be adopted.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 158, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE OF THE STATE OF HAWAII TO JOIN IN THE PETITION FILED BY AND ON BEHALF OF CITIZENS OF PACIFIC ISLANDS, INTERNATIONAL ORGANIZATIONS AND PACIFIC GOVERNMENTS TO INVESTIGATE THE JAPANESE GOVERNMENT'S PROPOSAL FOR PACIFIC OCEAN NUCLEAR WASTE DUMPING," was adopted.

Senator Young, for the majority of the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1055) recommending that Senate Resolution No. 231, as amended in S.D. 1, be adopted.

On motion by Senator Young, seconded by Senator Holt and carried, the report

of the majority of the Committee was adopted and S.R. No. 231, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO STUDY THE CONSEQUENCES OF EXISTING BLOOD QUANTUM RESTRICTIONS IN THE APPLICATION OF ITS PROGRAMS AND THE PROGRAMS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," was adopted.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1056) recommending that Senate Resolution No. 254, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.R. No. 254, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO HOUSING," was referred to the Committee on Legislative Management.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1057) recommending that Senate Resolution No. 117 be adopted.

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, the report of the Committee was adopted and S.R. No. 117, entitled: "SENATE RESOLUTION REQUESTING A REPORT BY THE CITY AND COUNTY OF HONOLULU ON THE HUNA STREET AND NUUANU PARK PLACE CONTROVERSY," was adopted.

Senators Kobayashi, Henderson and Saiki, for the Committee on Ecology, Environment and Recreation, the Committee on Economic Development and the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1058) recommending that Senate Resolution No. 208, as amended in S.D. 1, be adopted.

On motion by Senator Kobayashi, seconded by Senator Henderson and carried, the joint report of the Committees was adopted and S.R. No. 208, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE WAIKIKI AQUARIUM," was adopted.

Senators Kobayashi and Carpenter, for the Committee on Ecology, Environment and Recreation and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1059) recommending that Senate Resolution No. 211 be adopted.

On motion by Senator Kobayashi,

seconded by Senator Carpenter and carried, the joint report of the Committees was adopted and S.R. No. 211, 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 adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1060) recommending that Senate Resolution No. 246 be referred to the Committee on Legislative Management.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.R. No. 246, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON ECOLOGY, ENVIRONMENT AND RECREATION TO CONDUCT A STUDY DURING THE LEGISLATIVE INTERIM," was referred to the Committee on Legislative Management.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1061) recommending that the Senate advise and consent to the nomination of James Clark to the Hawaii Public Employment Relations Board, in accordance with Gov. Msg. No. 310.

By unanimous consent, Stand. Com. Rep. No. 1061 and Gov. Msg. No. 310 was deferred to Friday, April 24, 1981.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1062) recommending that Senate Concurrent Resolution No. 62, as amended in S.D. 1, be adopted.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.C.R. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT REQUESTING THE PREPARATION OF A WEIGHTED CLASS SIZE FORMULA," was adopted.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1063) recommending that Senate Resolution No. 44 be adopted.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 44, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO BROADEN COURSE OFFERINGS IN VOCATIONAL AGRICULTURE AND TO SUBMIT A REPORT ON THIS SUBJECT," was adopted.

Senator Abercrombie, for the Committee

on Education, presented a report (Stand. Com. Rep. No. 1064) recommending that Senate Resolution No. 176, as amended in S.D. 1, be adopted.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 176, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PREPARATION OF A WEIGHTED CLASS SIZE FORMULA," was adopted.

Senators Abercrombie and Saiki, for the Committee on Education and the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1065) recommending that Senate Resolution No. 224 be referred to the Committee on Legislative Management.

On motion by Senator Abercrombie, seconded by Senator Saiki and carried, the joint report of the Committees was adopted and S.R. No. 224, entitled: "SENATE RESOLUTION RELATING TO THE USE OF LAND AND FACILITIES DESIGNATED FOR EDUCATIONAL PURPOSES," was referred to the Committee on Legislative Management.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1066) recommending that the Senate advise and consent to the following nominations:

Rose P. Kaneapua and Gard N. Kealoha to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 130; and

Leona L. Ryder and Solomon K. Colburn, Jr., to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 228.

By unanimous consent, action on Stand. Com. Rep. No. 1066 and Gov. Msg. Nos. 130 and 228 was deferred until Friday, April 24, 1981.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1067) recommending that the Senate advise and consent to the following nominations:

Edgar S. Himeda to the Library Advisory Commission, City and County of Honolulu, in accordance with Gov. Msg. No. 131;

Yaeko Ono to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 132;

Linda O. Chang, Judy Becker, Deborah Macer Chun, and Susan M. Ichinose to the Library Advisory Commission, City and County of Honolulu, in

accordance with Gov. Msg. No. 229;

Lena K. Palama to the Library Advisory Commission, County of Kauai, in accordance with Gov. Msg. No. 230; and

M. Dee Dudley to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 231.

By unanimous consent, action on Stand. Com. Rep. No. 1067 and Gov. Msg. Nos. 131, 132, 229, 230 and 231 was deferred until Friday, April 24, 1981.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1068) recommending that the Senate advise and consent to the nominations of Franklin S. Odo, Joanne Trotter and David Pearce Penhallow to the State Foundation on Culture and the Arts, in accordance with Gov. Msg. No. 227.

By unanimous consent, action on Stand. Com. Rep. No. 1068 and Gov. Msg. No. 227 was deferred until Friday, April 24, 1981.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1069) recommending that the Senate advise and consent to the nomination of Elaine K. Kono to the Hawaii Public Broadcasting Authority, in accordance with Gov. Msg. No. 232.

By unanimous consent, action on Stand. Com. Rep. No. 1069 and Gov. Msg. No. 232 was deferred until Friday, April 24, 1981.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1070) recommending that the Senate advise and consent to the nomination of Hiroshi Yamashita to the Education Commission of the States, in accordance with Gov. Msg. No. 290.

By unanimous consent, action on Stand. Com. Rep. No. 1070 and Gov. Msg. No. 290 was deferred until Friday, April 24, 1981.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1071) recommending that the Senate advise and consent to the nominations of Chieko Tanimoto, Alfred Evangelista, Robert Sanborn, Verna Mae Delo Santos, Grace Kekaulike Basque and Daisy U. Smith to the Library Advisory Commission, County of Hawaii, in accordance with Gov. Msg. No. 291.

By unanimous consent, action on Stand. Com. Rep. No. 1071 and Gov. Msg. No. 291 was deferred until Friday, April 24, 1981.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1072) recommending that the Senate advise and consent to the nominations of Kiyoto Tsubaki, Sister Brenda Lau and Masako H. Ledward to the Hawaii Education Council, in accordance with Gov. Msg. No. 311.

By unanimous consent, action on Stand. Com. Rep. No. 1072 and Gov. Msg. No. 311 was deferred until Friday, April 24, 1981.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1073) recommending that Senate Resolution No. 223, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 223, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO SPECIAL EDUCATION," was referred to the Committee on Legislative Management.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1074) recommending that the Senate advise and consent to the nominations of Robert L. Shuford, Tom Okuda and Sharon Weiner to the Stadium Authority, in accordance with Gov. Msg. No. 318.

By unanimous consent, action on Stand. Com. Rep. No. 1074 and Gov. Msg. No. 318 was deferred until Friday, April 24, 1981.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1075) recommending that the Senate advise and consent to the following nominations to the Board of Land and Natural Resources:

Thomas S. Yagi, in accordance with Gov. Msg. No. 125; and

James Douglas Keauhou Ing, in accordance with Gov. Msg. No. 223.

By unanimous consent, action on Stand. Com. Rep. No. 1075 and Gov. Msg. Nos. 125 and 223 was deferred until Friday, April 24, 1981.

Senator Henderson, for the Committee

on Economic Development, presented a report (Stand. Com. Rep. No. 1076) recommending that the Senate advise and consent to the following nominations to the Board of Planning and Economic Development:

Lloyd T. Sadamoto, in accordance with Gov. Msg. No. 126; and

Leonard K. Kapahulehua and Robert T. German, in accordance with Gov. Msg. No. 224.

By unanimous consent, action on Stand. Com. Rep. No. 1076 and Gov. Msg. Nos. 126 and 224 was deferred until Friday, April 24, 1981.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1077) recommending that the Senate advise and consent to the nominations of Alike Cooper, Asahi Okamoto, Bill Choy, Frank Goto, Charles Spinney, Louis Agard and Winfred Ho to the Hawaii Fisheries Coordinating Council, in accordance with Gov. Msg. No. 127.

By unanimous consent, action on Stand. Com. Rep. No. 1077 and Gov. Msg. No. 127 was deferred until Friday, April 24, 1981.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1078) recommending that the Senate advise and consent to the nomination of Teofilo Tacbian to the Land Use Commission, in accordance with Gov. Msg. No. 316.

By unanimous consent, action on Stand. Com. Rep. No. 1078 and Gov. Msg. No. 316 was deferred until Friday, April 24, 1981.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1079) recommending that the Senate advise and consent to the nomination of Robert Tamaye to the Land Use Commission, in accordance with Gov. Msg. No. 316.

By unanimous consent, action on Stand. Com. Rep. No. 1079 and Gov. Msg. No. 316 was deferred until Friday, April 24, 1981.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1080) recommending that the Senate advise and consent to the nomination of Everett Cuskaden to the Land Use Commission, in accordance with Gov. Msg. No. 316.

By unanimous consent, action on Stand. Com. Rep. No. 1080 and Gov. Msg. No. 316 was deferred until Friday, April 24, 1981.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1081) recommending that the Senate advise and consent to the nomination of Robert M. Lee to the Boxing Commission, in accordance with Gov. Msg. No. 313.

By unanimous consent, action on Stand. Com. Rep. No. 1081 and Gov. Msg. No. 313 was deferred until Friday, April 24, 1981.

ORDER OF THE DAY

MATTER DEFERRED FROM APRIL 20, 1981

Conference Committee Report No. 2 (H.B. No. 769, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 2 and H.B. No. 769, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE 1984 SILVER JUBILEE OF HAWAII'S STATEHOOD AND MAKING AN APPROPRIATION THEREFOR," was deferred until Friday, April 24, 1981.

FINAL READING

Conference Committee Report No. 3 (S.B. No. 598, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 3 was adopted and S.B. No. 598, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 4 (H.B. No. 1437, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Kawasaki, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 4 was adopted and H.B. No. 1437, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Holt). Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 5 (S.B. No. 113, H.D. 1, C.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 5 was adopted and S.B. No. 113, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CUSTODY AND TREATMENT OF PRISONERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 6 (H.B. No. 204, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 6 was adopted and H.B. No. 204, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Holt and O'Connor). Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 7 (S.B. No. 568, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Carpenter, seconded by Senator George and carried, Conf. Com. Rep. No. 7 was adopted and S.B. No. 568, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Cayetano). Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 8 (H.B. No. 1530, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, Conf. Com. Rep. No. 8 was adopted and H.B. No. 1530, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION AND MARKET DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 9 (S.B. No. 526, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 9 was adopted and S.B. No. 526, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING

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

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 10 (S.B. No. 636, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Uwaine and carried, Conf. Com. Rep. No. 10 was adopted and S.B. No. 636, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 11 (S.B. No. 816, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Uwaine and carried, Conf. Com. Rep. No. 11 was adopted and S.B. No. 816, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIME," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 o'clock p.m.:

Conference Committee Report No. 12 (S.B. No. 271, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 12 and S.B. No. 271, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 13 (H.B. No. 200, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 13 was adopted and H.B. No. 200, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND MORALS," having been

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

Ayes, 21. Noes, 2 (Abercrombie and O'Connor). Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 14 (H.B. No. 212, H.D. 1, S.D. 1, C.D. 1):

Senator Carpenter moved that Conf. Com. Rep. No. 14 be adopted and H.B. No. 212, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kuroda.

At this time, Senator Abercrombie rose to ask if the chairman of the Conference Committee would yield to a question and Senator Carpenter replied in the affirmative.

Senator Abercrombie asked: "Could the chairman explain how the changes made will make convictions, with respect to the definition of what is pornographic, more likely to occur and to withstand judicial challenge?"

Senator Carpenter answered: "Mr. President, the bill basically is in agreement with the United States Supreme Court ruling. The language in the bill essentially is an extension of the language offered in the United States Supreme Court's ruling, in essence, duplicating that language. The bill also sets the contemporary standard to be a statewide standard to be determined by the adjudication process within the State of Hawaii's present resources."

Senator Abercrombie then rose to speak against the measure as follows:

"Mr. President, I oppose the bill on the grounds that to extend to the law the idea of a definition under the general aegis of 'community standard' is to do violence to that in the Constitution which protects due process for the individual. I do not feel that I should be subject, with respect to what has generally been termed pornographic which I take to be in all likelihood a definition which revolves around the dehumanization of the species with respect especially to matters being sexual, I do not deem it due process for myself or any other individual under the Constitution of the United States to have the community set a standard with respect to what I think.

"It's one thing to set a standard as we have just done with respect to the consumption of alcohol and driving

an automobile. It has been noted in discussion that driving an automobile is a privilege granted by the state and, as such, that one's 'rights' with respect to that automobile in respect to the consumption of alcohol are subject to a degree of community sanction. Even that degree of community sanction is subject to widespread discussion and concern as to whether or not the inherent rights of the individual under the Constitution are protected.

"In this particular instance, I do not believe where one is involving oneself with the consumption of literature or the consumption of one's view of a philosophy, whether by virtue of words or pictures, that due process is being observed. It's not that I'm unconcerned with what constitutes a community standard. I think that any reasonable individual takes into account his or her neighbors or fellows in terms of their opinions, good or bad, especially those opinions which reflect upon their philosophy of life or one's moral standards and views. They are subject to discussion in the press; they are subject to discussion, one individual to another and in various groups. But in this country we have always tried to defend the right of the individual to stand against, if you will, the opinions and views of others with respect to philosophy, with respect to the First Amendment and freedom of speech.

"By definition, if you will, in the area of freedom of speech, we have tried to go as far as one can in defending the right of someone to hold views quite the opposite of oneself in the area of speech because to inhibit anyone in this area is to stand the chance of inhibiting oneself at some future time, when perhaps the community is not with you.

"In this particular area of sexual violence or sexual dehumanization we have more than adequate statutes, I believe, in the area of abuse. Take for example the most notorious aspect of what generally is considered in the realm of the pornographic, the abuse of children, so-called child pornography. I held for sometime and I believe that current litigation is making clear that the view that I've held is an adequate one to deal with this area, in fact, a correct one. That rather than concentrating on the so-called pornographic nature of the depiction of the abuse of children sexually, it is more proper, as well as more effective, to cause changes to be brought against people who in fact have contributed or are taking advantage of the sexual abuse of children, and

to charge them with that rather than with pornography, because when you move from the area of notorious with respect to child pornography into extending that to what I may read or not read of what I may view or not view as such, then you've taken away my volition in this area where I would not dispute the right of the state or the community to bring charges against me or anyone else that I participated in acts which have caused the sexual abuse of children to take place. I do not think it is difficult to extend this line of reasoning to the whole area of pornography.

"The historical examination of suppression, censorship, is replete with examples where pornography or obscenity was utilized as a disguise or a guise for a plain censorship of views not being worthy to be held by the individuals or groups who were bringing such charges against other individuals or groups, especially where publications were concerned, either pictorial or verbal.

"I feel that this bill is yet another extension of an attempt to do violence to the First Amendment with respect to freedom of speech and I would urge that my colleagues here consider that we approach the area of pornography from the viewpoint of charging those people who have committed sexual violence, who have committed actions which may clearly be seen to constitute assault to an individual sexually as the way to deal with this matter and to leave those matters of choice of literature, in particular, to the individual, as is required under the Constitution.

"Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 14 was adopted and H.B. No. 212, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Toyofuku). Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 15 (H.B. No. 567, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Carpenter, seconded by Senator Kobayashi and carried, Conf. Com. Rep. No. 15 was adopted and H.B. No. 567, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," having been read throughout, passed Final Reading on the following showing

of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie).
Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 16 (H.B. No. 585, S.D. 1, C.D. 1):

On motion by Senator Carpenter, seconded by Senator Kobayashi and carried, Conf. Com. Rep. No. 16 was adopted and H.B. No. 585, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS ACTING AS GUARDIANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 17 (H.B. No. 770, S.D. 1, C.D. 1):

On motion by Senator Ajifu, seconded by Senator Henderson and carried, Conf. Com. Rep. No. 17 was adopted and H.B. No. 770, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 18 (H.B. No. 50, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 18 and H.B. No. 50, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred to Friday, April 24, 1981.

Conference Committee Report No. 19 (S.B. No. 1476, H.D. 1, C.D. 1):

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 19 was adopted and S.B. No. 1476, H.D. 1, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 20 (H.B. No. 754, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Henderson, seconded by Senator Machida and carried, Conf. Com. Rep. No. 20 was adopted and H.B. No. 754, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISH CATCH REPORTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 21 (S.B. No. 67, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 21 be adopted and S.B. No. 67, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kuroda.

At this time, Senator O'Connor rose to ask if the chairman of the Conference Committee would yield to a question and Senator Cobb replied in the affirmative.

Senator O'Connor then inquired: "Mr. President, first of all, section 9 of this bill attempts to clarify time-share property and to constitute it as real estate under certain sections of the law. Is it the intent of this measure to take time-sharing out of the potential of being security under our Securities Act?"

Senator Cobb answered: "Mr. President, no, there is no determination made by the conferees on either side that we were excluding the consideration that time-sharing, might, in the future, be classified as a security. We did recognize, however, that based on the law we passed last year where we said that the simple division of property shall not affect its status as real property, that it was a logical extension to classify time-sharing sales as real estate."

Senator O'Connor responded: "Do I understand, Mr. President, that the answer to that question to be that the Securities Act will still apply?"

Senator Cobb answered: "Mr. President, if it can be applied, relative to the circumstances of the sale, the answer would be in the affirmative. If the Federal Securities Act would not apply in the circumstances of the sale, the answer would be in the negative."

Senator O'Connor further inquired: "Mr. President, secondly, there are a series of items laid out in this proposed measure having to do with deceptive trade practices. I think there are about 12 of them, referring the matter

to Chapter 480 which is our Antitrust and Deceptive Trade Practices Act. Can I understand, Mr. President, that any time-sharing matter which has existed up to now can be prosecuted under Chapter 480, despite the fact that we may enact this measure today?"

Senator Cobb answered: "That question may well be in litigation before the courts, Mr. President. The intent of this bill is to make that authority clear for the future."

Senator O'Connor then remarked: "I have no further question, Mr. President. I would just like to make a brief statement on this measure."

"I am going to vote in favor of this bill, Mr. President, because, I think, it clarifies some problems and takes care of some of the situations presently existing in time-sharing. However, I am concerned with the lack of clear-cut delineation as to time-sharing as it has existed up to now and my 'aye' vote for this anticipates that if there is any litigation brought under Chapter 480 concerning time-sharing for deceptive trade practices which have existed prior to this time, and I know there have been lots of them, that the passage of this bill should not inhibit that litigation and should not inhibit the use of Chapter 480 up to this time."

"Further, if any time-sharing program runs afoul of our state or Federal Securities Exchange Commission rules or law, I would anticipate that litigation in that area certainly may proceed despite the contents of section 9 of the bill."

Senator Abercrombie added his remarks as follows:

"Mr. President, speaking in favor of this bill, I want to state what might be considered obvious, but, nonetheless, I think for the record needs to be stated, that in voting for the measures contained in this bill, it is by no means to be construed as approval of time-sharing as a practice."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 21 was adopted and S.B. No. 67, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING SALES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 22 (H.B. No. 14, H.D. 1, S.D. 1, C.D.

1):

On motion by Senator Cobb, seconded by Senator Uwayne and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 14, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 23 (H.B. No. 328, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 328, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 24 (H.B. No. 393, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Uwayne and carried, Conf. Com. Rep. No. 24 was adopted and H.B. No. 393, 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, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 25 (H.B. No. 934, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Uwayne and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 934, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING HOME ADMINISTRATORS ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 26 (H.B. No. 1511, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Uwayne and carried, Conf.

Com. Rep. No. 26 was adopted and H.B. No. 1511, H.D. 1, S.D. 2, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 27 (H.B. No. 1769, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 27 be adopted and H.B. No. 1769, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kuroda.

At this time, Senator Henderson requested a ruling of the Chair as to a conflict of interest regarding his affiliation with cemeteries and mortuaries and the Chair ruled that he was not in conflict.

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 27 was adopted and H.B. No. 1769, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 28 (H.B. No. 1022, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator George, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 28 was adopted and H.B. No. 1022, H.D. 1, S.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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 29 (H.B. No. 247, S.D. 2, C.D. 1):

Senator Abercrombie moved that Conf. Com. Rep. No. 29 be adopted and H.B. No. 247, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Henderson.

Senator Kawasaki rose to speak against the measure as follows:

"Mr. President, generally, I support

giving tax exemption to new industries, particularly regarding the manufacture of Hawaiian liquor, but I have some doubts about an arbitrary five-year exemption that we are providing this particular industry. I'd like to allow them the exemption as long as they need it but a blanket five years without showing cause for it might not be the wisest thing. For that reason, I'd like to vote against this bill."

Senator Henderson remarked:

"Mr. President, we have consistently given five-year exemptions, in the initial periods, to these alcohol industries."

Senator Cayetano added his remarks as follows:

"Mr. President, voting with reservations for the bill, my concern is that with respect to new industries, it seems that we have taken a very selective approach. There's really no rationale for us to give one new industry tax exemption status over another. I suggest that when we come into session next year we consider a more comprehensive approach."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 29 was adopted and H.B. No. 247, S.D. 2, 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, 22. Noes, 1 (Kawasaki). Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 30 (H.B. No. 1048, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 30 and H.B. No. 1048, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," was deferred until Friday, April 24, 1981.

Conference Committee Report No. 31 (H.B. No. 1103, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ajifu, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 1103, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCES ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 32 (H.B. No. 1770, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 32 was adopted and H.B. No. 1770, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES RECOVERY FUND LAW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 33 (S.B. No. 1681, S.D. 2, H.D. 1, C.D. 1):

Senator Carpenter moved that Conf. Com. Rep. No. 33 be adopted and S.B. No. 1681, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kuroda.

At this time, Senator O'Connor rose to speak against the measure as follows:

"Mr. President, I'm going to vote against this bill. This bill is an attempt to extend the claims conciliation panel approach which is presently being used for doctors to architects, engineers and surveyors. Litigation involving architects, engineers and surveyors also invariably involves owners, because it is the owner of course that is erecting the building, and contractors. We have found in the use of the panels with doctors that if all parties are not involved in the panel as all parties would be involved in litigation in court, it is impossible to reach a conclusion in any matter.

"In this particular situation, invariably, key parties are not going to be involved the way this bill is drafted and the way it was proposed by the advocates of the architects and engineers. This is going to lead to an immense expense on the part of the state and an immense amount of time spent and very little conclusion reached in a litigation situation that can lead to settlement, which is the basic reason for establishing these panels.

"I'm opposed to setting something up that is not going to have the effect of doing away with additional litigation in court which we should do with this. Therefore, I am going to vote against it and would urge others to do the same."

Senator Abercrombie also rose to speak against the measure as follows:

"Mr. President, speaking against this bill, if I thought that this bill was going to reduce the amount of activity in terms of cost to all parties and reduce the amount of time that would be involved in making a settlement and increase the opportunity to get a fair settlement, then I would vote for it. This is the basis for the panel as far as medical malpractice is concerned. But I do not think that this is going to take place under the circumstances as outlined in the bill.

"Further, I think that it is probably inadvertent, but nonetheless without question in my mind, stacked in favor of the engineers, architects and surveyors. And in particular, I have reservations because I believe while there may be problems for the private sector, individuals and firms who might be involved in contesting this list of professional engineers, architects and surveyors, I haven't the slightest doubt that it is public projects, capital improvement projects that will be involved where the state is concerned and the taxpayers of this state are much more likely to be the losers under this particular setup, and I for one don't want to put any further burden on them than already exists, given the history of many of the public projects that the taxpayers of this state have had to suffer."

Senator Cayetano also rose to speak against the measure and stated:

"Mr. President, I oppose this bill and I would like the Journal to reflect or to incorporate the remarks of Senators Abercrombie and O'Connor as being my own. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 33 was adopted and S.B. No. 1681, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Abercrombie, Cayetano and O'Connor). Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 34 (H.B. No. 32, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Abercrombie, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 34 was adopted and H.B. No. 32, H.D. 1, S.D. 1, C.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 Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 35 (H.B. No. 33, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 35 was adopted and H.B. No. 33, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 36 (S.B. No. 1662, H.D. 2, C.D. 1):

On motion by Senator Abercrombie, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 36 was adopted and S.B. No. 1662, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELIGIOUS HOLY DAYS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 37 (H.B. No. 1680, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 37 and H.B. No. 1680, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," was deferred until Friday, April 24, 1981.

Conference Committee Report No. 38 (S.B. No. 508, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Kobayashi, seconded by Senator Henderson and carried, Conf. Com. Rep. No. 38 was adopted and S.B. No. 508, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII REVISED STATUTES, TITLE 12, CONSERVATION AND RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 39 (H.B. No. 432, S.D. 1, C.D. 1):

On motion by Senator Henderson, seconded by Senator George and carried, Conf. Com. Rep. No. 39 was adopted and H.B. No. 432, S.D. 1, C.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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 40 (H.B. No. 728, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 40 and H.B. No. 728, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Friday, April 24, 1981.

Conference Committee Report No. 41 (S.B. No. 55, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Young, seconded by Senator Holt and carried, Conf. Com. Rep. No. 41 was adopted and S.B. No. 55, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 42 (S.B. No. 1713, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Henderson and carried, Conf. Com. Rep. No. 42 was adopted and S.B. No. 1713, S.D. 1, H.D. 1, C.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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 43 (H.B. No. 1590, H.D. 1, S.D. 2, C.D. 1):

Senator Henderson moved that Conf. Com. Rep. No. 43 be adopted and H.B. No. 1590, H.D. 1, S.D. 2, C.D.

1, having been read throughout, pass Final Reading, seconded by Senator Cobb.

At this time, Senator Kawasaki rose to speak in favor of the measure as follows:

"Mr. President, I urge the unanimous passage of this bill, primarily, because at last now we have closed a loophole that will enable the leasing of submerged lands, like the Keehi Lagoon submerged lands, to private entities for development or other purposes. This now assures that there is, in addition to the Governor's approval, legislative approval required of the leasing and development of all submerged lands. I urge unanimous voting on this measure."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 43 was adopted and H.B. No. 1590, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 44 (S.B. No. 163, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 44 and S.B. No. 163, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEXING THE HAWAII REVISED STATUTES," was deferred until Friday, April 24, 1981.

Conference Committee Report No. 45 (H.B. No. 733, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Saiki and carried, Conf. Com. Rep. No. 45 was adopted and H.B. No. 733, S.D. 1, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 46 (S.B. No. 878, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Campbell, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 46 was adopted and S.B. No. 878, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO COMMERCIAL FISHING VESSELS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

MATTERS DEFERRED FROM APRIL 21, 1981

House Bill No. 1339, H.D. 1:

By unanimous consent, action on H.B. No. 1339, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES," was deferred until Friday, April 24, 1981.

At 12:35 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.

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

Senator Cobb moved that S.B. No. 1050, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Uwaine.

At this time, Senator Abercrombie rose to speak on the measure as follows:

"Mr. President, speaking in favor of this, I just want to note, unfortunately, the bitterness I feel over the situation we find ourselves in agreeing in this bill.

"This bill was intended and does have the effect of giving recognition to those elements in our society, those people in our society, who have great difficulty in finding suitable living quarters. I don't think that there's anything that frightens an individual quite so much, with the possible exception of an utter loss of income to sustain oneself with the fundamentals of life -- food, as there is when one contemplates the loss of shelter. Most particularly, I emphasize this when an individual's in a position of having to rent, and is an elderly and/or handicapped citizen or individual resident alien subject to our constitutional protection.

"Again, I cite most particularly the present state of economic affairs, both in our state and in our country as a whole. Nothing is so fraught with anxiety as having to move, most particularly, when one is living in an apartment situation as a senior citizen.

"This bill was very carefully drafted at the beginning with a very careful

purpose involved to provide a measure of protection for our senior and handicapped citizens. The nature of the problem that I've outlined was recognized by members of the Senate who are not only interested but participate as landlords and developers. They recognized the problem; they recognized the weight of evidence from other states, other cities, other jurisdictions across the country who are also dealing with this problem...and this is not unique to Hawaii...and who have granted the kinds of extensions and in some instances even moving to the point of what is termed life-long leases where condominium conversions are taking place for senior citizens.

"It was my hope, and I know the hope of the chairman of the Consumer Protection Committee that, having achieved a broad consensus among those who are concerned for senior citizens and who at the same time were directing their attention and had expertise in the area of development and condominium conversion and construction, that the provisions that we had outlined here for nine months were a fair and equitable solution, if only temporary, to those problems facing senior citizens.

"It is absolutely beyond me how when this bill moved to the House that we could not achieve a consensus with the House. And I started my remarks by saying that I have to agree to this bill and ask for its passage with more than some degree of bitterness over it, and I would hope that the chairman of the Youth and Elderly Affairs Committee in the opposite House can give some kind of explanation to the people of this state in respect to his attitude.

"I don't think I've stood in this chamber or in the other chamber when I was privileged to serve there and felt it necessary to stand and question the judgment of the leadership of a committee, to question the outcome of a bill after all the discussion back and forth and so on in trying to make a decision. In this particular instance, the arguments raised against it are so unworthy, are so devoid of any kind of logic or reason, are so utterly without compassion or understanding for the situation involved, that it is beyond my capacity to forgive or forget what happened to the bill."

Senator Cobb then remarked: "Mr. President, just one brief comment in passing. There is a political science theory that says the House that is elected every two years is theoretically closer to the people. Unfortunately, in this case, Mr. President, it was most far removed."

The motion was put by the Chair and carried, and S.B. No. 1050, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM CONVERSIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

MATTERS DEFERRED FROM APRIL 22, 1981

Standing Committee Report No. 956
(H.B. No. 753):

By unanimous consent, action on Stand. Com. Rep. No. 956 and H.B. No. 753, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION SYSTEMS RATES AND CHARGES," was deferred until Friday, April 24, 1981.

Standing Committee Report No. 970
(Gov. Msg. No. 161):

By unanimous consent, action on Stand. Com. Rep. No. 970 and Gov. Msg. No. 161 was deferred until Friday, April 24, 1981.

Standing Committee Report No. 991
(Gov. Msg. No. 296):

Senator Young moved that Stand. Com. Rep. No. 991 be received and placed on file, seconded by Senator Holt and carried.

Senator Young then moved that the Senate advise and consent to the nomination of Sheldon S.H. Zane to the Advisory Council for Housing and Construction Industry, term to expire December 31, 1982, seconded by Senator Holt.

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 (Anderson and Yamasaki).

Standing Committee Report No. 992
(Gov. Msg. Nos. 152, 153, 154 and 155):

Senator Young moved that Stand. Com. Rep. No. 992 be received and placed on file, seconded by Senator Holt and carried.

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

Wilbert K. Eguchi to the Hawaii Housing Authority, term to expire December 31, 1984;

Kenneth F. Brown to the Hawaii Community Development Authority, term to expire December 31, 1984;

Stanley Yadao to the Hawaiian Homes Commission, term to expire December 31, 1984; and

Wallace S.J. Ching and James H. Hara to the Advisory Council for Housing and Construction Industry, term to expire December 31, 1984,

seconded by Senator Holt.

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 (Anderson and Yamasaki).

Standing Committee Report No. 993 (Gov. Msg. Nos. 251, 252, 253 and 254):

Senator Young moved that Stand. Com. Rep. No. 993 be received and placed on file, seconded by Senator Holt and carried.

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

Mario Ramil to the Advisory Council for Housing and Construction Industry, term to expire December 31, 1984;

Jose Encarnacion to the Factory Built Housing Advisory Board, term to expire December 31, 1984;

Norman K. Janicki, Jr., Melvin K. Koizumi, and Roy Tanji to the Factory Built Housing Advisory Board, terms to expire December 31, 1984;

George Nitta to the Hawaii Community Development Authority, term to expire December 31, 1984; and

Barbara Hanchett to the Hawaiian Homes Commission, term to expire December 31, 1984,

seconded by Senator Holt.

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 (Anderson and Yamasaki).

Standing Committee Report No. 996 (Gov. Msg. Nos. 168 and 268):

Senator George moved that Stand. Com. Rep. No. 996 be received and

placed on file, seconded by Senator Kawasaki and carried.

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

Gary Matsumura to the State Highway Safety Council, term to expire December 31, 1984; and

Arthur Herman Loebl, Curtis Don Lee, Paul F. Findeisen, Clyde Namuo, Matt Q. Luber and Ernest G. Paschoal to the State Highway Safety Council, terms to expire December 31, 1984,

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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 997 (Gov. Msg. No. 269):

Senator George moved that Stand. Com. Rep. No. 997 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator George then moved that the Senate advise and consent to the nominations of Paul T. Matsumoto and Chew Hoy Lee to the Commission on Transportation, terms to expire December 31, 1984, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 998 (Gov. Msg. Nos. 169 and 301):

Senator George moved that Stand. Com. Rep. No. 998 be received and placed on file, seconded by Senator Kawasaki and carried.

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

Fred C. Evora, M.D., to the Medical Advisory Board, term to expire December 31, 1984; and

Robert L. Smith, M.D., to the Medical Advisory Board, term to expire December 31, 1984,

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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1005 (Gov. Msg. No. 282):

Senator Ajifu moved that Stand. Com. Rep. No. 1005 be received and placed on file, seconded by Senator Kobayashi and carried.

Senator Ajifu then moved that the Senate advise and consent to the nomination of Herbert M. Richards, Jr., to the Governor's Agriculture Coordinating Committee, term to expire December 31, 1984, seconded by Senator Kobayashi.

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 (Anderson and Yamasaki).

Standing Committee Report No. 1006 (Gov. Msg. No. 156):

Senator Uwaine moved that Stand. Com. Rep. No. 1006 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nomination of Franklin Y.K. Sunn as Director of Social Services (and Housing), term to expire December 6, 1982, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1007 (Gov. Msg. No. 157):

Senator Uwaine moved that Stand. Com. Rep. No. 1007 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations of Dorothy C. Hoe, Albert K. Sing, Rena Alao and Morgan B. White to the Advisory Council for Children and Youth, terms to expire December 31, 1984, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1008 (Gov. Msg. No. 158):

Senator Uwaine moved that Stand. Com. Rep. No. 1008 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations of Barbara H. Yokoyama, Masaichi Uemura, Louis Gonsalves, Jr., James T. Nishi and Kimiyo Fujioka to the Policy Advisory Board for Elderly Affairs, terms to expire December 31, 1984, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1009 (Gov. Msg. No. 159):

Senator Uwaine moved that Stand. Com. Rep. No. 1009 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nomination of Bernadette Sakoda to the Hawaii Employment Relations Board, term to expire December 31, 1984, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1010 (Gov. Msg. No. 160):

Senator Uwaine moved that Stand. Com. Rep. No. 1010 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations to the Advisory Commission on Manpower and Full Employment of the following:

Michael C.K. Wong, Tom T. Ikeda, Verlie Ann Malina-Wright, Edward

A. Colozzi and Daniel L. Aquino, terms to expire June 30, 1983; and

Frank Skrivaneck, Tom T. Hiranaga, Lillian A. Yamanaka and Richard O. Aadland, terms to expire June 30, 1984,

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, 23; Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1011 (Gov. Msg. No. 255):

Senator Uwaine moved that Stand. Com. Rep. No. 1011 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations of Rene H. Mansho and Helen H. Burnside to the Advisory Council for Children and Youth, terms to expire December 31, 1984, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1012 (Gov. Msg. No. 256):

Senator Uwaine moved that Stand. Com. Rep. No. 1012 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nomination of Gordon Shibao to the Advisory Council for Children and Youth, term to expire December 31, 1981, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1013 (Gov. Msg. No. 257):

Senator Uwaine moved that Stand. Com. Rep. No. 1013 be received and placed on file, seconded by Senator

Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nomination of Roy L. Roberts to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1984, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1014 (Gov. Msg. No. 258):

Senator Uwaine moved that Stand. Com. Rep. No. 1014 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nomination of Richard T. Subiaga to the Civil Service Commission, term to expire December 31, 1984, was placed on file.

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 (Anderson and Yamasaki).

Standing Committee Report No. 1015 (Gov. Msg. No. 259):

Senator Uwaine moved that Stand. Com. Rep. No. 1015 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations of Odetta K. Fujimori, term to expire December 31, 1982, and Robert M. Fukunaga, term to expire December 31, 1984, to the Hawaii Employment Relations Board, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1016 (Gov. Msg. No. 260):

Senator Uwaine moved that Stand. Com. Rep. No. 1016 be received and placed on file, seconded by Senator

Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations of Iris T. Fukui, term to expire June 30, 1983, Winona Machado, Patricia K. Osgood and Sandy Albano, terms to expire June 30, 1984, to the Advisory Commission on Manpower and Full Employment, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1017 (Gov. Msg. No. 261):

Senator Uwaine moved that Stand. Com. Rep. No. 1017 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations to the Progressive Neighborhoods Program Task Force of the following:

Philip S. Chun, Louise N. Kong and Rolland Smith, terms to expire December 31, 1983; and

Melba K. Huihui, Matilda M. Molina, Ben B. Mayes and Winona E. Rubin, terms to expire December 31, 1984,

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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1018 (Gov. Msg. No. 262):

Senator Uwaine moved that Stand. Com. Rep. No. 1018 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations of Richard Iga, Eugene Kelipio Kalanui and Dorothy G. Finley to the Board of Social Services and Housing, terms to expire December 31, 1984, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1019 (Gov. Msg. No. 263):

Senator Uwaine moved that Stand. Com. Rep. No. 1019 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations to the Board of Vocational Rehabilitation of the following:

Daisy Mae Slagle, term to expire December 31, 1981;

Walter Y. Arakaki, Ronald Nakatsu and Karen A. Taketa, terms to expire December 31, 1984,

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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1020 (Gov. Msg. No. 297):

Senator Uwaine moved that Stand. Com. Rep. No. 1020 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nomination of Donna M. Fujii to the Advisory Council for Children and Youth, term to expire December 31, 1982, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1021 (Gov. Msg. No. 298):

Senator Uwaine moved that Stand. Com. Rep. No. 1021 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Uwaine then moved that the Senate advise and consent to the nominations of Roy E. King and E. Mabry Beard to the Board of Trustees, Hawaii Public Employees Health Fund, terms to expire December 31, 1984, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1024 (Gov. Msg. No. 295):

Senator Saiki moved that Stand. Com. Rep. No. 1024 be received and placed on file, seconded by Senator Cobb and carried.

Senator Saiki then moved that the Senate advise and consent to the nomination of J.W.A. Buyers to the Board of Directors, Research Corporation, University of Hawaii, term to expire December 31, 1982, 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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1025 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 1025 and Gov. Msg. No. 283, nomination of Gerard Jervis to the Board of Regents of the University of Hawaii, was deferred until Friday, April 24, 1981.

Standing Committee Report No. 1026 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 1026 and Gov. Msg. No. 283, nomination of Tim Scott Farr to the Board of Regents of the University of Hawaii, was deferred until Friday, April 24, 1981.

Standing Committee Report No. 1027 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 1027 and Gov. Msg. No. 283, nomination of Stephen Bess to the Board of Regents of the University of Hawaii, was deferred until Friday, April 24, 1981.

Standing Committee Report No. 1028 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 1028 and Gov. Msg. No. 283, nomination of Gregory Dela Cruz to the Board of Regents of the University of Hawaii, was deferred until Friday, April 24, 1981.

Standing Committee Report No. 1029 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 1029 and Gov. Msg. No. 283, nomination of Julia Frohlich, M.D., to the Board of Regents of the University of Hawaii, was deferred until Friday, April 24, 1981.

Standing Committee Report No. 1030 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 2030 and Gov. Msg. No. 283, nomination of Alice Guild to the Board of Regents of the University of Hawaii, was deferred until Friday, April 24, 1982.

Standing Committee Report No. 1031 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 2031 and Gov. Msg. No. 283, nomination of Burt K. Tsuchiya to the Board of Regents of the University of Hawaii, was deferred until Friday, April 24, 1982.

Standing Committee Report No. 1032 (Gov. Msg. No. 304):

Senator Soares moved that Stand. Com. Rep. No. 1032 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Soares then moved that the Senate advise and consent to the nomination of Clyde S. DuPont to the Public Utilities Commission, term to expire December 31, 1985, 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, none. Excused, 2 (Anderson and Yamasaki).

Standing Committee Report No. 1040 (Gov. Msg. Nos. 96, 97, 98, 184, 185 and 186):

Senator Ajifu moved that Stand. Com. Rep. No. 1040 be received and placed on file, seconded by Senator Kobayashi and carried.

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

Sidney G.U. Goo to the Board of Agriculture, term to expire December 31, 1984;

Frederick S. Nonaka to the Advisory

Committee on Agricultural Products,
term to expire December 31, 1984;

Libert Landgraf to the Advisory
Committee on Pesticides, term to
expire December 31, 1984;

Ronald Terry to the Advisory Committee
on Agricultural Products, term to
expire December 31, 1984;

Kenneth Leonhardt, Pete M. Matsuda,
to the Advisory Committee on Flowers
and Foliage, terms to expire December
31, 1984;

Howard Y. Takishita to the Advisory
Committee on Flowers and Foliage,
term to expire December 31, 1981;

Mark D. Merlin to the Advisory
Committee on Pesticides, term to
expire December 31, 1982; and

William M. Komoda, Eugene M.
Yamane, Mordecai H. Hudson, Jr.,
Fred Degiorgio, Fred Greenwood
and Tom Poy, to the Advisory Committee
on Pesticides, terms to expire December
31, 1984,

seconded by Senator Kobayashi.

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 (Anderson and Yamasaki).

Standing Committee Report No. 1042
(Gov. Msg. Nos. 118, 119, 120, 121,
122, 123, 124, 215, 217, 218, 219,
220, 221, 222, 287, 288, 289 and 317):

Senator Kobayashi moved that Stand.
Com. Rep. No. 1042 be received and
placed on file, seconded by Senator
George and carried.

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

Kenneth M. Nagata to the Animal
Species Advisory Commission, term
to expire December 31, 1984;

Noboru Iwami, Miles Y. Honda and
Wayne P. Law to the Environmental
Council, terms to expire December
31, 1984;

Jose E. Soriano and Allan K. Ikawa
to the Fish and Wildlife Advisory
Committee, County of Hawaii, terms
to expire December 31, 1982;

Cornelius Choy to the Fish and Wildlife
Advisory Committee, City and County
of Honolulu, term to expire December

31, 1982;

Ronald E. Kula to the Fish and Wildlife
Advisory Committee, County of Maui,
term to expire December 31, 1982;

Kenneth Y. Kaneshiro to the Natural
Area Reserves System Commission,
term to expire December 31, 1984;

Samuel J. Weimer and James D. Gonsalves
to the Board of Certification of Operating
Personnel in Wastewater Treatment
Plants, terms to expire December
31, 1984;

Cynthia H.H. Thielen, Norman M.
Saito, Kevin Doyle and John Bose
II to the Environmental Council, terms
to expire December 31, 1984;

James B. Watt, term to expire December
31, 1982, and Bruce Heidenfelt, term
to expire December 31, 1981, to
the Fish and Wildlife Advisory Committee,
County of Hawaii;

Bert Akio Kobayashi and Irwin K.
Kawano to the Fish and Wildlife Advisory
Committee, City and County of Honolulu,
terms to expire December 31, 1982;

Frank Perreira, Robert A. Hee and
Michael V. Layosa, Sr., to the Fish
and Wildlife Advisory Committee,
County of Kauai, terms to expire
December 31, 1982;

John Brooks II to the Fish and Wildlife
Advisory Committee, County of Maui,
term to expire December 31, 1982;

William J. Walsh to the Natural
Area Reserves System Commission,
term to expire December 31, 1984;

John J.N. Springer, Jr., to the
Board of Certification of Operating
Personnel in Wastewater Treatment
Plants, term to expire December 31,
1981;

Robert M. Nakamura, term to expire
December 31, 1984, and Elizabeth
Alison Kay, term to expire December
31, 1983, to the Animal Species Advisory
Commission;

C. John Ralph to the Animal Species
Advisory Commission, term to expire
December 31, 1983;

Glenn E. Mason to the Hawaii Historic
Places Review Board, term to expire
December 31, 1984; and

Arthur A. Kohara, Ann B. Simpson,
Roy R. Takemoto and Leonard K.P.
Leong to the Environmental Quality
Commission, terms to expire December
31, 1984,

seconded by Senator George.

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 (Anderson and Yamasaki).

Standing Committee Report No. 1044 (Gov. Msg. Nos. 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 292 and 294):

Senator Cayetano moved that Stand. Com. Rep. No. 1044 be received and placed on file, seconded by Senator Carpenter and carried.

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

Donald F.B. Char, M.D., to the Board of Health, term to expire December 31, 1984;

Robert M. Haraga to the County Hospital Management Advisory Committee, Hawaii County, term to expire December 31, 1984;

Donald D. Doi and Masao Watanabe to the County Hospital Management Advisory Committee, City and County of Honolulu, terms to expire December 31, 1984;

Doris F. Crowell to the County Hospital Management Advisory Committee, Kauai County, term to expire December 31, 1984;

Franklin Sunn to the State Planning Council on Developmental Disabilities, term to expire December 31, 1982;

Bruce Eric West to the State Planning Council on Developmental Disabilities, term to expire December 31, 1983;

Russell H. St. Cook and Robert C. Marvit to the Advisory Commission on Drug Abuse and Controlled Substances, terms to expire December 31, 1984;

Florence A. Huntington and Bert K.B. Lum, Ph.D., to the Drug Product Selection Board, terms to expire December 31, 1984;

James Lumeng, M.D., Vincent S. Aoki, M.D., and James K. Asato to the Drug Product Selection Board, terms to expire December 31, 1983;

Carol A. Parker to the Drug Product Selection Board, term to expire December

31, 1985;

Wayne K. Miyamoto and Robert C. Pittman to the Commission on the Handicapped, terms to expire December 31, 1984;

Ronald W.B. Wyatt, Sister Maureen Keleher, Chester H. Segawa and Masami Nagasako to the Statewide Health Coordinating Council, terms to expire December 31, 1984;

Barbara Dart, Shigeru Kataoka and Susumu Maeda to the Hawaii Council Subarea Health Planning Council, terms to expire December 31, 1984;

Donald I. Dunn, Ronald T. Iwata and Richard V. Stenson to the East Honolulu Subarea Health Planning Council, terms to expire December 31, 1984;

Anna M. Kekumu, Sandra L. Chung and Verna M.K. Keyes to the West Honolulu Subarea Health Planning Council, terms to expire December 31, 1984;

Diane M. Akau, David Parsons and Ingrid M. Cabunoc to the Central Oahu Subarea Health Planning Council, terms to expire December 31, 1984;

Peggy Choy, David Hobbs, M.D., Hubert K. Murakawa and Mary D. Ojerio to the Waianae Coast Subarea Health Planning Council, terms to expire December 31, 1984;

Virginia Burchett and Bernard A.K.S. Ho to the Windward Oahu Subarea Health Planning Council, terms to expire December 31, 1984;

Edward Morita and Violet T.G. Strom to the Kauai County Subarea Health Planning Council, terms to expire December 31, 1984;

Edward H. Kaahui, Charles L. Knobel and Laureen Tanaka-Sanders to the Maui County Subarea Health Planning Council, terms to expire December 31, 1984;

Susan H. Melieste to the Statewide Health Coordinating Council, term to expire December 31, 1984;

Elena Gaborno to the East Honolulu Subarea Health Planning Council, term to expire December 31, 1984;

Yoshi T. Koga to the East Honolulu Subarea Health Planning Council, term to expire December 31, 1982;

Willie Domingo and Alan K.K. Sue to the West Honolulu Subarea Health Planning Council, terms to expire

December 31, 1984;

Donna C. Kekumu to the West Honolulu Subarea Health Planning Council, term to expire December 31, 1982;

Donna Y. Kishi to the Central Oahu Subarea Health Planning Council, term to expire December 31, 1981;

Patrick R. Cullen, Noberto Baysa, M.D., and Myrtle K. Jay to the Central Oahu Subarea Health Planning Council, terms to expire December 31, 1984;

David H. Luehr to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1983;

John Tomlinson Eichnor, Phyllis "Momi" Stephenson and Bernabe "Benny" Quitevas to the Windward Oahu Subarea Health Planning Council, terms to expire December 31, 1984;

Colette Keliipuleole to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1982;

Dixie Dean Padello to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1983;

Louis Helen Aloha Manuel, Maryknoll Kalahikiola Spotkaeff and Yvonne M. Angut to the Waianae Coast Subarea Health Planning Council, terms to expire December 31, 1984;

John English to the Kauai County Subarea Health Planning Council, term to expire December 31, 1982;

Richard Johnston to the Kauai County Subarea Health Planning Council, term to expire December 31, 1983;

Mark A. Wentworth and Rev. Kenneth W. Smith to the Kauai County Subarea Health Planning Council, terms to expire December 31, 1983;

Rev. Justo R. Andres to the Maui County Subarea Health Planning Council, term to expire December 31, 1982;

Rachael Kamakana and Carol M. York to the Maui County Subarea Health Planning Council, terms to expire December 31, 1984;

Christian Peter Larsen to the Commission on the Handicapped, term to expire December 31, 1981;

Jeffrey David Nunn to the Commission on the Handicapped, term to expire December 31, 1982;

Charlotte L. Townsend to the Commission on the Handicapped, term to expire December 31, 1983;

Coletta Whitcomb and Susanna Cheung to the Commission on the Handicapped, terms to expire December 31, 1981;

Chester Segawa and Russell D. Hicks, M.D., to the Advisory Commission on Drug Abuse and Controlled Substances, terms to expire December 31, 1981;

Yoshiichi Tanaka to the Advisory Commission on Drug Abuse and Controlled Substances, term to expire December 31, 1983;

Thomas Oliver, Howard Medeiros and Hisao Nakamura to the Advisory Commission on Drug Abuse and Controlled Substances, terms to expire December 31, 1984;

Warren Y. Toriano to the County Hospital Management Advisory Committee, Hawaii County Hospital System, term to expire December 31, 1984;

Jack H. Houtz to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, term to expire December 31, 1983;

Eugene Napua Tiwanak to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, term to expire December 31, 1984;

Norman Akita to the County Hospital Management Advisory Committee, Kauai County Hospital System, term to expire December 31, 1981;

Myrna Anne Kai to the County Hospital Management Advisory Committee, Kauai County Hospital System, term to expire December 31, 1984;

Bertram Weeks, M.D., and Michael Richard Savona, M.D., to the County Hospital Management Advisory Committee, Maui County Hospital System, terms to expire December 31, 1984;

Ruth I. Johnson to the County Hospital Management Advisory Committee, Maui County Hospital System, term to expire December 31, 1981;

Andrew P. Sackett to the Board of Health, term to expire December 31, 1981;

Robert Berry to the Board of Health, term to expire December 31, 1984;

Beverly Jean Withington to the Hawaii

County Subarea Health Planning Council, term to expire December 31, 1982; and

Garold Enloe and Neal K. Nakashima to the Hawaii County Subarea Health Planning Council, terms to expire December 31, 1984,

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, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

MATTER DEFERRED FROM
EARLIER ON THE CALENDAR

Conference Committee Report No. 12 (S.B. No. 271, S.D. 1, H.D. 1, C.D. 1):

Senator Kuroda moved that Conf. Com. Rep. No. 12 be adopted and S.B. No. 271, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Mizuguchi.

At this time, Senator Kuroda rose to speak in favor of the measure as follows:

"Mr. President, I would like to speak in support of this bill.

"This is a bill that provides limitation to the liability that the hotels will have by including in the guest rooms security boxes. In Hawaii some hotels have already voluntarily included security boxes in rooms.

"Your Committee on Tourism requests all Senators to share any experience, good or bad, regarding any security

measures employed by hotels wherever you travel because we'd like to monitor the effectiveness of this measure in Hawaii, and any information that you may have that you'll share with us when you travel will assist us in further deliberations in the future.

"I hope all Senators will vote for this bill."

The motion was put by the Chair and Conf. Com. Rep. No. 12 was adopted and S.B. No. 271, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTELS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

At this time, Senator Saiki rose to make the following announcement:

"Mr. President, I thought that the members of the Senate would like to know that Dr. Fujio Matsuda came through his open-heart surgery this morning in very fine fashion. The surgery was completed by 9:30 this morning and Mrs. Matsuda was able to visit with him. I'm sure all of us here in the Senate wish him a very speedy recovery."

At 12:48 o'clock p.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate stood in recess for the purpose of receiving Conference Committee Reports and any other communications.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Friday, April 24, 1981.