

## SIXTIETH DAY

Friday, April 23, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 12:00 o'clock noon, with the President in the Chair.

The Divine Blessing was invoked by the Reverend Tom Rienzi, Deacon, Star of the Sea, after which the Roll was called showing all Senators present with the exception of Senator Yamasaki who was excused.

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

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

Senator Anderson rose and stated:

"Mr. President, we have with us this morning a man who needs no introduction, Mr. Fred Trotter. Fred has been selected the Hawaii Businessman of the Year and he is the fifth recipient of the prestigious O'o Award.

"Fred has been around an awful long time and he's lobbied very, very well. He's been very supportive of many of us in these halls and he, of course, is worthy of this award."

Senator Cayetano then rose and stated:

"Mr. President, Mr. Trotter has so many admirers in both the Senate and the House that Representative Eloise Tungpalan came over today, and since she is not a member of this house, asked that one of us present a lei to Mr. Trotter on her behalf. Senator Young will do so and I just wanted to say that for the record."

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

At this time, Senator Carpenter introduced the vice-chairman of the County Council of the Big Island of Hawaii, Mr. Kalani Spencer Schutte, and the chairman of the Planning Committee of the County Council of the County of Hawaii, Mr. Takashi Domingo.

## MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 324) submitting for consideration

and confirmation to the Western Interstate Commission for Higher Education, the nomination of Charles T. Akama, term to expire December 31, 1985, was referred to the Committee on Higher Education.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 626 to 637) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 626), transmitting House Concurrent Resolution No. 177, which was adopted by the House of Representatives on April 22, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING WAIMEA HIGH AND ELEMENTARY ON THE OBSERVANCE OF ITS CENTENNIAL CELEBRATION," was adopted.

A communication from the House (Hse. Com. No. 627), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 3, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Takamine, Chairman, Andrews, Baker, Kawakami and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 628), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 4, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Toguchi, Chairman, Say, Andrews, Segawa and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 629), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 5, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22,

1982, the Speaker appointed Representatives Segawa, Chairman, Kobayashi, Andrews, Toguchi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 630), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 6, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Andrews, Baker and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 631), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 7, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Andrews, Baker and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 632), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 8, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Andrews, Baker and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 633), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 9, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Tungpalan, Fukunaga, Andrews and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 634), informing the Senate that pursuant to the disagreement

of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 10, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Say, Chairman, Andrews, Nakasato, Kiyabu and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 635), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 11, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Baker, Chairman, Okamura, Andrews, Takamine and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 636), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 12, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Shito, Chairman, Honda, Andrews, Segawa and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 637), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 14, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Aki, Chairman, Segawa, Andrews, Toguchi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1038-82) informing the Senate that Conference Committee Report Nos. 76-82 and 77-82, Standing Committee Report Nos. 1019-81 to 1037-82, Governor's Message No. 324, and Standing Committee Report No. 1039-82 have been printed and distributed to the members of the Senate.

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

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1039-82) recommending that House Concurrent Resolution No. 173 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. 173, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE WAIKIKI WAR MEMORIAL PARK AND NATATORIUM," was adopted.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Standing Committee Report No. 987-82 (Gov. Msg. No. 227):

Senator Cobb moved that Stand. Com. Rep. No. 987-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Lucille W. Chung to the Board of Registration, Island of Hawaii, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 988-82 (Gov. Msg. No. 228):

Senator Cobb moved that Stand. Com. Rep. No. 988-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Gertrude K.P. Frantz to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 989-82 (Gov. Msg. No. 229):

Senator Cobb moved that Stand.

Com. Rep. No. 989-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Joan L. Husted and Teresita U. Okihara to the Commission on the Status of Women, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 990-82 (Gov. Msg. No. 264):

Senator Cobb moved that Stand. Com. Rep. No. 990-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Cora K. Lum to the Hawaii Crime Commission, term to expire January 30, 1984, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 991-82 (Gov. Msg. No. 265):

Senator Cobb moved that Stand. Com. Rep. No. 991-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Amado Ilar Yoro to the Board of Registration, Island of Oahu, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 992-82 (Gov. Msg. No. 295):

Senator Cobb moved that Stand. Com. Rep. No. 992-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the

Senate advise and consent to the nomination of Edward M. Yoshimasu to the Criminal Injuries Compensation Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 993-82 (Gov. Msg. No. 296):

Senator Cobb moved that Stand. Com. Rep. No. 993-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Elsie M. Hirai to the Commission on the Status of Women, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1003-82 (Gov. Msg. No. 132):

Senator Cobb moved that Stand. Com. Rep. No. 1003-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Directors, Aloha Tower Development Corporation, as follows:

Donald M. Kuyper, term to expire December 31, 1982;

Thomas Trask, term to expire December 31, 1984; and

Aaron Levine, term to expire December 31, 1983,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1004-82 (Gov. Msg. No. 133):

Senator Cobb moved that Stand.

Com. Rep. No. 1004-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Raymond Sasaki, Jr., to the Board of Planning and Economic Development, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1005-82 (Gov. Msg. No. 207):

Senator Cobb moved that Stand. Com. Rep. No. 1005-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Moses Kealoha to the Board of Land and Natural Resources, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1006-82 (Gov. Msg. No. 247):

Senator Cobb moved that Stand. Com. Rep. No. 1006-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Lee Gray and Peter Starn to the Board of Planning and Economic Development, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1007-82 (Gov. Msg. No. 308):

Senator Cobb moved that Stand. Com. Rep. No. 1007-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Winona Rubin to the Land Use Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1008-82 (Gov. Msg. No. 308):

Senator Cobb moved that Stand. Com. Rep. No. 1008-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Lawrence Chun to the Land Use Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1009-82 (Gov. Msg. No. 309):

Senator Cobb moved that Stand. Com. Rep. No. 1009-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Frederick P. Whittemore to the Land Use Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1012-82 (Gov. Msg. No. 321):

Senator Cobb moved that Stand. Com. Rep. No. 1012-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of James Carras and Mack H. Hamada to the Hawaii Public Relations Board, terms to expire six years from date of appointment, seconded by Senator

Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1013-82 (Gov. Msg. Nos. 135 and 281):

Senator Cobb moved that Stand. Com. Rep. No. 1013-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of M. Naomi Morita and Robert K. Fujita to the State Foundation on Culture and the Arts, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Dennis T. Toyomura to the State Foundation on Culture and the Arts, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1014-82 (Gov. Msg. Nos. 136 and 209):

Senator Cobb moved that Stand. Com. Rep. No. 1014-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Howard H. Crowell and Mary Lani Rawlins to the King Kamehameha Celebration Commission, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration

Commission as follows:

Edward Naihe, Sr., term to expire December 31, 1982;

Elizabeth L. Cockett, term to expire December 31, 1985;

Antoinette L. Lee, term to expire December 31, 1985; and

Gwendolyn L. Joseph, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1015-82 (Gov. Msg. Nos. 137, 250, 138, 139, 210, and 305):

Senator Cobb moved that Stand. Com. Rep. No. 1015-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Patricia W. Buckman to the Library Advisory Commission, City and County of Honolulu, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Linley Chapman and Marian A. Harris-de-Ochoa to the Library Advisory Commission, City and County of Honolulu, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Daisy U. Smith and Diana Mae Miyaji to the Library Advisory Commission, County of Hawaii, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair

and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Eleanor L.D. Tamura, Margaret R. O'Leary, Lena K. Palama and Kathleen A. Koerte to the Library Advisory Commission, County of Kauai, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Robert A. Gahran and Marvin Tung-Loong to the Library Advisory Commission, County of Kauai, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Alyce B. Haines and Winston S. Miyahira to the Library Advisory Commission, County of Maui, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1016-82 (Gov. Msg. No. 140):

Senator Cobb moved that Stand. Com. Rep. No. 1016-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Ann B. Simpson to the Board of Public Broadcasting, term to expire December 31, 1982, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,

2 (Uwaine and Yamasaki).

Standing Committee Report No. 1017-82 (Gov. Msg. No. 208):

Senator Cobb moved that Stand. Com. Rep. No. 1017-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Doris Taitano, Emiko I. Kudo, Paula A. Guanzon Yano, Lydia C. Enoki and Sharon Mahoe to the Hawaii Education Council, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1018-82 (Gov. Msg. No. 249):

Senator Cobb moved that Stand. Com. Rep. No. 1018-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Elmer F. Cravalho, Francis M. Stillman, Sr., Edward J. Burns, Barbara Daly, Clayton K.K. Naluai, Barbara Meheula, Wayne Ishihara, Herbert E. Wolff, Sandi Eagleson and Domingo Los Banos to the 1984 Hawaii Statehood Silver Jubilee Committee, terms to expire June 30, 1986, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1020-82 (Gov. Msg. No. 226):

Senator Cobb moved that Stand. Com. Rep. No. 1020-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Harry H. Kanada and Theodore J. Goldman, Ph.D., to the Intake Service Center Board, terms to expire December 6, 1982, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1037-82 (Gov. Msg. Nos. 231, 232 and 303):

Senator Cobb moved that Stand. Com. Rep. No. 1037-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Joseph G. Williams to the Board of Taxation Review, Second Taxation District, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Mary H. Wong to the Board of Taxation Review, Fourth Taxation District, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, First Taxation District as follows:

Frank K. Hamada, term to expire December 31, 1982; and

Sharon R. Himeno, term to expire December 31, 1983,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

### THIRD READING

House Bill No. 1971-82, H.D. 1:

By unanimous consent, action on H.B. No. 1971-82, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1558-82, H.D. 2:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1558-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIAL COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

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

#### MATTERS DEFERRED FROM APRIL 21, 1982

#### FINAL READING

Senate Bill No. 536, S.D. 2, H.D. 2:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 536, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 561, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 561, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1447, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 1447, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1925, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 1925, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2183-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2183-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2224-82, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2224-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC 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).

Senate Bill No. 2304-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2304-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2334-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2334-82, H.D. 1, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED 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).

Senate Bill No. 2524-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2524-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2636-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2636-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor). Excused, 1 (Yamasaki).

Senate Bill No. 2913-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2913-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

#### MATTERS DEFERRED FROM APRIL 22, 1982

Standing Committee Report No. 995-82 (S.R. No. 30, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 995-82 be adopted and S.R. No. 30, S.D. 1, be referred to the Committee on Legislative Management, seconded by Senator Anderson.

At this time Senator Campbell rose and stated:

"Mr. President, I rise to speak briefly in favor of Senate Resolution No. 30, S.D. 1, which requests a study of film studios in Hawaii.

"Mr. President, this resolution requests of the Legislative Reference Bureau to conduct a study on the feasibility of film studios being jointly established by our state government and the private sector.

"Mr. President, the resolution, in my judgment, takes a giant step in the direction of providing for this state one of the most viable film industries in this country. We have the climate, the diversity of population and the scenic beauty to make Hawaii the most attractive film making spot in the world. If this resolution passes, it would help hasten the day when this becomes a reality.

"I do want to commend the chairman of the subject matter committee for making some changes in the resolution which have made the resolution more effective and more comprehensive. I urge unanimous support of this resolution.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.R. No. 30, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF FILM STUDIOS IN HAWAII," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1019-82 (S.C.R. No. 48):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1019-82 was adopted and S.C.R. No. 48, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO GRANT RESTITUTION FOR AMERICANS OF JAPANESE ANCESTRY," was adopted.

Standing Committee Report No. 1021-82 (S.R. No. 8, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1021-82 was adopted and S.R. No. 8, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED BAIL REFORM LEGISLATION," was adopted.

Standing Committee Report No. 1022-82 (S.R. No. 139, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1022-82 and S.R. No. 139, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 1023-82 (S.R. No. 86):

On motion by Senator Cobb, seconded

by Senator Anderson and carried, Stand. Com. Rep. No. 1023-82 was adopted and S.R. No. 86, entitled: "SENATE RESOLUTION URGING PURSUIT OF ALL AVAILABLE MEANS TO PUT AN END TO THE CAMPAIGN OF GENOCIDE AGAINST THE BAHAI FAITH IN IRAN," was adopted.

Standing Committee Report No. 1024-82 (S.R. No. 109, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1024-82 was adopted and S.R. No. 109, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE HAWAII CRIMINAL JUSTICE SYSTEM TO ENSURE THE RIGHT TO SPEEDY TRIAL," was adopted.

Standing Committee Report No. 1025-82 (S.R. No. 111, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1025-82 was adopted and S.R. No. 111, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CRIME COMMISSION TO CONDUCT A STUDY ON SPEEDING UP HAWAII'S CRIMINAL JUSTICE PROCEDURES," was adopted.

Standing Committee Report No. 1026-82 (S.R. No. 46, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 1026-82 and S.R. No. 46, S.D. 1, be adopted, seconded by Senator Anderson.

At this time, Senator O'Connor rose and stated:

"Mr. President, Senate Resolution No. 46 and Senate Concurrent Resolution No. 30, having to do with television cameras and broadcasting of court proceedings... I signed the committee reports 'with reservation' because originally they were aimed at only broadcasting sentencing.

"The resolutions before the body take into consideration the results of a committee of attorneys and media people, of which I was pleased to be a member, and which encouraged a period of time in which all proceedings in court would be broadcast either by television or radio. Since this resolution now goes to that point and does encourage that position, I certainly withdraw my reservation which went only to the sentencing provision and will wholeheartedly vote in favor of those two resolutions."

Senator Abercrombie then rose and noted:

"Mr. President, I think that Senator O'Connor should ask for a conflict rule as to whether he can vote inasmuch as this would be his only opportunity, should they start televising courtroom proceedings, to reach the measure of greatness that his brother has already achieved."

Senator Kuroda then rose and stated:

"Mr. President, my vote on these two resolutions is 'no' and I'd like to have that recorded. My thinking is different from Senator O'Connor's."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1026-82 was adopted and S.R. No. 46, S.D. 1, entitled: "SENATE RESOLUTION URGING THE HAWAII SUPREME COURT TO ALLOW THE BROADCASTING OF COURT PROCEEDINGS FOR CRIMINAL CASES," was adopted on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1027-82 (S.C.R. No. 30, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1027-82 was adopted and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII SUPREME COURT TO ALLOW THE BROADCASTING OF COURT PROCEEDINGS FOR CRIMINAL CASES," was adopted on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1028-82 (S.R. No. 133, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1028-82 was adopted and S.R. No. 133, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was adopted.

Standing Committee Report No. 1029-82 (S.C.R. No. 86, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1029-82 was adopted and S.C.R. No. 86, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was adopted.

Standing Committee Report No. 1030-82 (S.C.R. No. 16, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1030-82 was adopted and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDITS OF THE OAHU COMMUNITY CORRECTIONAL CENTER," was adopted.

Standing Committee Report No. 1031-82 (S.C.R. No. 54, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1031-82 was adopted and S.C.R. No. 54, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE AND HOUSE TO CONSIDER THE TELEVISIONING OF IMPORTANT COMMITTEE PUBLIC HEARINGS ON CABLE TELEVISION STATEWIDE," was adopted.

Standing Committee Report No. 1032-82 (S.R. No. 27, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1032-82 was adopted and S.R. No. 27, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ORTHOPEDIC UNIT TO SERVE ORTHOPEDICALLY HANDICAPPED AND OTHER HEALTH-IMPAIRED CHILDREN IN THE CENTRAL OAHU AREA," was adopted.

Standing Committee Report No. 1033-82 (S.C.R. No. 17, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1033-82 was adopted and S.C.R. No. 17, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ORTHOPEDIC UNIT TO SERVE ORTHOPEDICALLY HANDICAPPED AND OTHER HEALTH-IMPAIRED CHILDREN IN THE CENTRAL OAHU AREA," was adopted.

Standing Committee Report No. 1034-82 (S.R. No. 16):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1034-82 was adopted and S.R. No. 16, entitled: "SENATE RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDITS OF THE OAHU COMMUNITY CORRECTIONAL CENTER," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1035-82 (S.R. No. 67, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1035-82 was adopted and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE LEGAL AID SOCIETY OF HAWAII," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1036-82 (S.R. No. 124):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1036-82 was adopted and S.R. No. 124, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE CONCEPT OF CREATING A DEPARTMENT OF CORRECTIONS," was referred to the Committee on Legislative Management.

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

The Senate reconvened at 12:22 o'clock p.m.

#### FINAL READING

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, was deferred to the end of the calendar.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, was deferred to the end of the calendar.

Conference Committee Report No. 6-82 (H.B. No. 2815-82, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 6-82 be adopted and H.B. No. 2815-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading seconded by Senator Anderson.

At this time, Senator O'Connor rose and stated:

"Mr. President, this again, creates another special fund which was not taken out by the conference committee and I'll vote against the bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 6-82 was adopted and H.B. No. 2815-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Campbell and O'Connor). Excused, 2 (Uwaine and Yamasaki).

Conference Committee Report No. 7-82 (H.B. No. 2817-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 7-82 was adopted and H.B. No. 2817-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFF-ROAD VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 8-82 (H.B. No. 2826-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 8-82 was adopted and H.B. No. 2826-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO TRAINING SCHOOL AND HOSPITAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 9-82 (S.B. No. 2550-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 9-82 was adopted and S.B. No. 2550-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 10-82 (H.B. No. 791, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 10-82 was adopted and H.B. No. 791, H.D. 1, S.D. 1, C.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 11-82 (H.B. No. 1988-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 11-82 was adopted and H.B. No. 1988-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Uwaine and Yamasaki).

Conference Committee Report No. 12-82 (H.B. No. 2201-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 12-82 was adopted and H.B. No. 2201-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

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

Conference Committee Report No. 13-82 (H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 13-82 and H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 14-82 (S.B. No. 1697, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 14-82 was adopted and S.B. No. 1697, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 15-82 (S.B. No. 2350-82, H.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 15-82 be adopted and S.B. No. 2350-82, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator Campbell rose and stated:

"Mr. President, I voted against this bill prior to its going to conference and I'd like to ask a question of the chairman of the committee in order to have the basis for my vote at this time."

The question was posed and Senator Abercrombie having answered in the affirmative, Senator Campbell continued:

"Mr. President, I'd like to know from the chairman if this bill has been amended so that parents are not responsible for acts of vandalism by their children."

Senator Abercrombie then replied:

"Has been amended...? Is the question, has the bill been amended so that parents are not responsible?"

Senator Campbell answered in the affirmative and Senator Abercrombie continued:

"No. If you read the committee report, you'll see that."

Senator Campbell then replied:

"Yes, I did read the committee report and I looked at the bill and I didn't quite see that the bill had been changed. Of course, I've been up like you, Senator, till quite early this morning and I may have overlooked it."

"Mr. President, would you please record a 'no' vote for me on this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 15-82 was adopted and S.B. No. 2350-82, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," having been read throughout passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 16-82 (S.B. No. 2353-82, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded

by Senator Anderson and carried, Conf. Com. Rep. No. 16-82 was adopted and S.B. No. 2353-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 17-82 (S.B. No. 2561-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 17-82 was adopted and S.B. No. 2561-82, S.D. 1, H.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, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 18-82 (H.B. No. 2444-82, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 18-82 be adopted and H.B. No. 2444-82, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

At this time, Senator O'Connor rose and stated:

"Mr. President, I am going to vote against this bill as it comes out of the conference committee, because it enlarges the number of doctors...the types of doctors who can declare a person being dead, to include osteopaths. I just don't believe that osteopaths should be included with the doctors of medicine and surgery who are earlier included in a section of the law."

Senator Cayetano then rose and stated:

"Mr. President, I share Senator O'Connor's concerns about who can declare people being dead. We do it all the time in this body."

Senator O'Connor then replied:

"Mr. President, I won't say what the previous speaker is a doctor of."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 18-82 was adopted and H.B. No. 2444-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH,"

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

Ayes, 16. Noes, 8 (Ajifu, Anderson, Campbell, George, Kobayashi, O'Connor, Saiki and Soares). Excused, 1 (Yamasaki).

At 12:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:35 o'clock p.m.

Conference Committee Report No. 19-82 (S.B. No. 2765-82, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 19-82 was adopted and S.B. No. 2765-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 20-82 (H.B. No. 2192-82, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 20-82 be adopted and H.B. No. 2192-82, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

Senator Cobb then rose and stated:

"Mr. President, I'd like to make a Journal entry to correct an error on the bill. On page 3, line 13, the third word, 'provisions' should be read 'provisos' relative to this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 20-82 was adopted and H.B. No. 2192-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 21-82 (H.B. No. 1553, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 21-82 was adopted and H.B. No. 1553, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO MERGERS OR CONSOLIDATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 22-82 (H.B. No. 2890-82, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 22-82 was adopted and H.B. No. 2890-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 23-82 (H.B. No. 1653, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 23-82 was adopted and H.B. No. 1653, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIREMENTS FOR AMENDMENT OF THE DECLARATION AND BYLAWS OF CONDOMINIUM ASSOCIATIONS UNDER THE HORIZONTAL PROPERTY ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 24-82 (H.B. No. 2870-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 24-82 was adopted and H.B. No. 2870-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENSITIVITY-AWARENESS GROUPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor). Excused, 1 (Yamasaki).

Conference Committee Report No. 25-82 (S.B. No. 2531-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 25-82 was adopted and S.B. No. 2531-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 26-82 (H.B. No. 2183-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 26-82 was adopted and H.B. No. 2183-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 27-82 (H.B. No. 2408-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 27-82 was adopted and H.B. No. 2408-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT UNIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 28-82 (H.B. No. 2057-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 28-82 was adopted and H.B. No. 2057-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 29-82 (H.B. No. 2477-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 29-82 was adopted and H.B. No. 2477-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO SOLID WASTE DISPOSAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 30-82 (S.B. No. 2145-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 30-82 was adopted and S.B. No. 2145-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Campbell, O'Connor and Toyofuku). Excused, 1 (Yamasaki).

Conference Committee Report No. 31-82 (H.B. No. 2836-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 31-82 was adopted and H.B. No. 2836-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 32-82 (H.B. No. 2936-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 32-82 was adopted and H.B. No. 2936-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 33-82 (H.B. No. 2813-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 33-82 was adopted and H.B. No. 2813-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout,

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

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

Conference Committee Report No. 34-82 (S.B. No. 2399-82, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 34-82 was adopted and S.B. No. 2399-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 35-82 (S.B. No. 2513-82, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 35-82 was adopted and S.B. No. 2513-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 36-82 (H.B. No. 2313-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 36-82 was adopted and H.B. No. 2313-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 37-82 (H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 37-82 and H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 38-82 (H.B. No. 2559-82, H.D. 1, S.D.

1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 38-82 and H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 39-82 (H.B. No. 2679-82, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 39-82 and H.B. No. 2679-82, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 40-82 (H.B. No. 3119-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 40-82 was adopted and H.B. No. 3119-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 41-82 (H.B. No. 1948-82, H.D. 2, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 41-82 be adopted and H.B. No. 1948-82, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, the President stated:

"Calling the members' attention to Conference Committee Report No. 41-82, the Governor has requested immediate passage of this bill. This is contained in Governor's Message No. 306."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 41-82 was adopted and H.B. No. 1948-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 42-82 (H.B. No. 2511-82, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 42-82 was adopted



and H.B. No. 2511-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE RESOLUTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 43-82 (H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 43-82 and H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 44-82 (H.B. No. 509, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 44-82 be adopted and H.B. No. 509, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator Cobb rose and stated:

"Mr. President, I'd like to make some Journal entry remarks to correct some typographical errors. On page 2, line 19, a manifest error, they omitted the word 'the' from the statutory language; and on page 3, line 22, the word 'not' which was used should have been 'nor'."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 44-82 was adopted and H.B. No. 509, H.D. 1, S.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, 21. Noes, 3 (Abercrombie, Kawasaki and O'Connor). Excused, 1 (Yamasaki).

Conference Committee Report No. 45-82 (H.B. No. 2295-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 45-82 was adopted and H.B. No. 2295-82, H.D. 1, S.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, 24. Noes, none. Excused,

1 (Yamasaki).

Conference Committee Report No. 46-82 (H.B. No. 2778-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 46-82 was adopted and H.B. No. 2778-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 47-82 (H.B. No. 2767-82, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 47-82 was adopted and H.B. No. 2767-82, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor). Excused, 1 (Yamasaki).

Conference Committee Report No. 48-82 (S.B. No. 2346-82, S.D. 2, H.D. 2, C.D. 1):

Senator Kuroda moved that Conf. Com. Rep. No. 48-82 be adopted and S.B. No. 2346-82, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

At this time, Senator Abercrombie rose and stated:

"Mr. President, speaking in favor of the bill for educational fees, I think that if the members will direct their attention to the findings and purpose clause of the bill, they will find a succinct discussion and a summary, if you will, of the entire question of impact aid as it has evolved since we first had to come to grips with it when we found that the Federal Government was not paying impact aid to the State of Hawaii in the amount to which it was entitled and that there was every indication that the impact aid funds would be reduced even further and in fact, even more drastically and a faster rate than we had anticipated.

"We have been engaged in a struggle, first of all, to understand what impact aid was all about; what its implications were for the budget of the Department

of Education and the taxpayers of the state, as well as for those federally connected students and their parents who are entitled by virtue of being stationed in Hawaii or residing on federal property to have made available to them a free public education.

"As you are well aware, Mr. President, we even had to go into a special session at one point and develop a proviso which would enable us as a state to be able to continue our education system with some semblance of a rational basis for financing with respect to paying our teachers. We now find ourselves in a situation where the Federal Government has indicated that it will renege on its obligation to make its payment to us on June 30th, intending instead to postpone the payment until the end of the federal fiscal year on September 30th.

"Thus, the State of Hawaii found itself in a situation of having to provide \$6.1 million of its funds which will deprive the state, of course, of the opportunity of having use of those funds for some 90 days in order to make up the deficit of the Federal Government with respect to its obligation.

"Probably no more clear example could be given as to the chaos that would ensue in the Department of Education and in the financial planning both of the Legislature, the executive and the Department of Education, than the necessity of having to meet to deal with such a situation. And, luckily, we were in session; luckily, we were in a position where we could at least try to cover it. Unfortunately, for our taxpayers, we have to suffer the consequences of the inability of the Federal Government to meet its own obligation.

"Obviously, the postponing of the payment on impact aid was a rather transparent attempt by Mr. Stockman and his cronies in the Federal Administration to cover up the fact that they have a hemorrhaging deficit at the federal level which is going to be much worse than is being admitted by the Federal Government. And, when you consider that impact aid across the United States at the present time is in the neighborhood of almost \$500 million, and when you find that not only our community in Hawaii, but communities all over the country are suffering the same fate of not being paid on time, you can see that the Federal Government is trying to make use of that \$500 million for the 90-day period as one element in trying to forestall the full implications of

the Administration's posture with respect to deficits.

"Now, as a result of that, we can see if we do not have this bill passed, we would be faced in the State of Hawaii with meeting on an emergency basis probably every 90 days to six months, trying to figure out how we're going to pay our teachers. This is intolerable!

"What we have to do is meet the problem head-on, figure out what should be done, and then, take that course of action. Now, from a historical perspective, we were dealing with virgin territory. This is one of the first instances in which we, as a state, have had to confront the idea that the Federal Government would not do what it was obligated to do under law, or that they were contemplating a significant change.

"Therefore, we were tracking in this state, those legal efforts that were being made to try to resolve the situation. The one that was most likely to have a bearing on what we could do in terms of the law here in the State of Hawaii, was in the State of Virginia. The State of Virginia had passed a tuition fee bill. It was being applied in Fairfax County.

"The fee was charged to students in the Fairfax County schools who resided on federal property or federally connected students of the Armed Forces under Act 238, under the public law, Section 238 of Public Law 81-874, commonly known as the Impact Aid Law. This was a regrettable step from the point of view of the people in Virginia as it was when we first proposed it in the State of Hawaii, but it was a necessary step because the Federal Government, in the person of Mr. Caspar Weinberger of the Department of Defense, was denying that they had any responsibility in this area.

"I think it's very important, Mr. President, for the public to understand in the light of all the publicity that has occurred on charging tuition fees that this problem did not originate with the State of Hawaii, but rather with Mr. Weinberger and the Department of Defense, who apparently has a tender, loving, merciful care in his heart for tanks and planes and bombs, but has virtually none for the people who are in the armed services and their children.

"Maybe because he has a limousine to pick him up everyday and his lunch prepared by a special chef and is pampered in every way similar to despots and potentates throughout history, he doesn't

recognize what real people have to do in order to survive and he has no idea what it takes to provide an education in the United States today.

"One might say, for example, when examining his budget that he hasn't had much of an education himself with respect to the priorities that this nation should have. In any event, he refuses to recognize the responsibility of the Department of Defense with respect to military dependents.

"The object of this bill, therefore, as the object of the law in Virginia, was to force the United States Government to admit its responsibilities with respect to these students. A case was scheduled for the Eastern Federal District Court in Virginia on March 3rd, well within the period of time that this Legislature meets. I therefore proposed the bill based on the Virginia bill in the hopes that that trial will proceed; the case would be adjudicated, and we would have on the judicial record the fact that the Federal Government was indeed responsible for these children.

"As it happened, the plaintiffs in the case, the United States Government, paid the defendants in the case--a highly unusual procedure, and I'm sure my learned counsel on my left and in front of me will agree. They paid the amount of money that the Fairfax County School Board was required of them or was requiring of them. They admitted that they had responsibility for the military dependents.

"As a result, we modified our bill to require that the Federal Government take full responsibility with respect to the federal funds involved in impact aid, so that the question of whether or not the students would receive a tuition bill or tuition requirement or whether their parents or guardians would receive it was made moot.

"The bill before you now makes reference to the Federal Government and to the appropriate agency or entity in the Federal Government for the collection of these funds. I hope that puts to rest, once and for all, the question of who should pay with respect to the Federal Government's obligations and impact aid.

"Let me summarize very briefly, then, the procedure by which this would be implemented. We have before us in the bill a process whereby the Board of Education would continue to apply for impact aid as it does now. It would also apply under the same terms and circumstances as it does now. It will find itself with certain dates to

be met as it does now. The principal ones for our concern are January 31, when the impact aid request goes in, and May 31, when the government indicates whether or not it will pay the bill that had been submitted under the impact aid law.

"If the Federal Government does not meet its obligation to the state, at that point, we will institute proceedings with the Commissioner of Education to see to it that the Federal Government assumes full responsibility, fiscally, for the free public education of federally connected students. This is the sum and substance of the bill. This is the sum and substance of what the law, federally, allows us to do. This is the sum and substance of what must be done in the absence of the Federal Government meeting its obligation to its federally connected students.

"Thank you."

Senator Campbell then rose and stated as follows:

"Mr. President, I voted against the Senate version of this bill. I supported the intent of the Senate version of the bill and I would certainly like to applaud the efforts on the part of the chairman of the subject matter committee to address a serious problem...and the problem has really come to head with the New Federalism.

"I voted against the Senate version because of a point which has been very well made by the chairman of the subject matter committee, and I objected to charging tuition to the minors of military families who attend our public schools. And I'm very relieved, as a matter of fact, I didn't want to use the word 'delighted' because this is a rather disappointing situation as it relates to the Federal Government not taking its responsibility to our state when it comes to education of minors of military families...I am relieved to see that the conference committee has amended the bill so that the right direction is taken, and if someone were interested in my remarks in the Journal objecting to the Senate version, I simply indicated that my objections were based on the fact that we should be directing our attention toward the federal authority and not the minors of military families, and since that's been corrected, I'm very happy to support the bill.

"Thank you very much."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 48-82 was adopted and S.B. No. 2346-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO EDUCATIONAL FEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (George). Excused, 4 (Anderson, Cobb, Henderson and Yamasaki).

Conference Committee Report No. 49-82 (H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 49-82 be adopted and H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

At this time, Senator O'Connor rose and stated as follows:

"Mr. President, I wonder if the chairman of the conference committee would yield to a question?"

The Chair posed the question and Senator Ajifu, having answered in the affirmative, Senator O'Connor continued:

"Mr. President, the bill before us defines individual as 'a natural person who is not part of a partnership, corporation, or joint venture which is a potential bidder under this section.' Chapter 171 includes the definition, in the definition section of a person, as 'includes individual, partnership, corporation, and association, except as otherwise defined in this chapter.' When you read the two definitions together, the bill just doesn't make any sense. I would like the chairman to explain how you can put person into this definition, have person defined elsewhere, and have the two come together so that you can make any sense of what this bill is trying to do."

Senator Ajifu then replied:

"Mr. President, I think the last amendment that was made by the Senate was to clarify some of the questions that were raised by the Department of Land and Natural Resources to take care of the corporations. We have put in the amendment providing for the Board of Land and Natural Resources to prescribe the qualifications of the question that you raised as to corporations."

Senator O'Connor then stated:

"I thank the chairman for the answer. It doesn't answer the problem, however.

"I rise now to speak against the bill. This bill just doesn't make sense.

Evidently, the intent of the bill is to try to limit certain kinds of qualified individuals...those people who can be bidders on auctions for farm, agriculture or pasture land. A simple reading of this bill would indicate, in looking at Chapter 171, and trying to relate this section would fit into it, that there are no amendments to this chapter. The chapter definitions don't relate to the content of the bill; and essentially, what it does is discriminate only in an auction situation, for two kinds of land--agriculture or pasture land.

"Chapter 171 contains a long section of defining the various kinds of land which are involved. One is intensive agricultural land; pasture land is included; commercial timber use is included in this section...all kinds of things. Whoever drafted this bill didn't read Chapter 171. I think the intent is probably good, but if we put it in Chapter 171, we're going to screw up Chapter 171 so nobody's going to be able to use it. Basically, that's why I'm going to vote against the bill."

Senator Kawasaki then rose and stated:

"Mr. President, I rise to speak against this bill, primarily because, however good the intentions may have been, the language of this bill requires prequalifications of someone bidding for pastoral and agricultural lease that he has some experience in agricultural activities or education in agriculture. It just seems to me that under the provisions of both the state and federal Constitutions, on the equal rights/equal opportunities concept, perhaps this would not stand a court test by prohibiting people without agricultural background or agricultural education from bidding on these leases. I think it flies in the face of the equal opportunity concept in our Constitutions. It just seems to me that this would not stand up to a court test, and for that reason, I vote against this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 49-82 was adopted and H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes, 12. Noes, 11 (Abercrombie, Cayetano, George, Henderson, Holt, Kawasaki, Mizuguchi, O'Connor, Saiki, Toyofuku and Ushijima). Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 50-82 (H.B. No. 2332-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 50-82 was adopted and H.B. No. 2332-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES FOR AGRICULTURAL USE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 51-82 (H.B. No. 2888-82, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 51-82 be adopted and H.B. No. 2888-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At 1:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:16 o'clock p.m.

At this time, Senator Abercrombie then rose and stated:

"Mr. President, I rise to speak against this bill, but before that, I'd like to ask the chairman of the conference committee a question."

The Chair posed the question, and Senator Cobb, having answered in the affirmative, Senator Abercrombie continued:

"In the language of the committee report as follows: '...retains the legislative delegation of authority to county governments to enact "appropriate zoning" and land use restriction for the control of time share unit, time share plans, and transient vacation rentals,' whether that means with respect to the language in the bill and I quote 'In a hotel where the county explicitly approves such use, in advance, as a non-conforming use,' that this allows the counties to expand time sharing into hotels where they are non-conforming use, if they approve it?'"

Senator Cobb then replied:

"Mr. President, in response to the question, the present law has no prohibition against time sharing in a hotel regardless of the underlying zoning. That was passed in the original law two years ago, primarily because of the problem that existed on hotels on the Kona Coast, where the underlying zoning did not

conform to the use. The restriction contained in this bill, as it went over from the Senate to the House would have restricted hotels outside of zoning altogether. The House did not agree with that position and stated that it should be a matter of county determination.

"At the present time, Mr. President, three of the four counties have zoned or passed zoning ordinances relative to where time sharing is or is not allowed. The thrust of this particular bill will be to specify that instead of being allowed in a hotel without county approval, which is presently the case in which the counties, I think, have made a valid case, that they should have some approval process. It has been to say that if it is to be in a hotel where the underlying zoning has, in fact, been changed since the hotel was built, that it shall be a county determination as to whether or not the use of time sharing in that hotel would or would not be allowed and would or would not constitute a change in the non-conforming use, because when the underlying zoning of a hotel has been changed, the hotel continues to exist as a non-conforming use.

"The requirement contained in this bill will then be to require explicit county approval in advance, before such a non-conforming use could take place. In my own personal view, the change from hotel use to time sharing use is a change in non-conforming use. The House does not share that view. However, the bill will leave that determination of what constitutes a non-conforming use to the county."

Senator Abercrombie then stated:

"If the chairman was a ballet dancer, he could change his name to Nureyev."

"The plain fact of the matter is that this is an invitation for somebody to go buy the City Council now. So, 'in a hotel where the county explicitly approves such use, in advance, as a non-conforming use.' It is a mastery of the manipulation of the English language to state in the committee report that this 'retains the legislative delegation of authority to county governments to enact appropriate zoning and land use restriction.'"

"This house passed a ban on time sharing and over the continuing pronouncements by the chairman about his desire to ban time sharing is just wearing about as thin as it can get.

"Every time it comes out, every time we get the final time sharing bills out, what it is, is that time sharing lawyers have succeeded and the time

sharing bills come forward, and what they do is expand the opportunity for time sharing to help wreck the tourist industry here; to help destroy Waikiki; and undermine the economic viability of the visitor industry and much of the housing market in this state, and undermine the capacity to have any kind of credibility we have with our visitors.

"I just wish that sometime, somebody who's in charge of time sharing with consumer protection could say what they're really doing. They're trying to take care of time shares without appearing to do so.

"Now, we should vote this down. It shouldn't be in here encouraging city councils to get in there with their so-called 'explicit approval of events.' Does anybody think that means anything other than an invitation for them to go ahead and do it? After all the verbal mumbo jumbo that has just taken place...all that dancing around...after all, if they couldn't do it, and if it was already there, you wouldn't need the bill, would you? But that's what we have in front of us.

"Sooner or later, we've got to come to terms with this time sharing business and knock it out; not try to make it easier or make invitations to county councils to go and make it easier for those vipers to come in and try to take us over.

"We should vote it down. We're going to have to recommit the next bill because it's got six pages of errors in it, because the time share lawyers that wrote it won't be able to succeed with it with all the mistakes they made. We didn't have a conference on this bill. You have the House and the Senate on one side and have a conference with the time share lawyers. That's what the conference is all about, and that's all this thing ever is.

"If you're for time sharing, come out and say you're for time sharing. Senator Henderson says he is for time sharing on the Neighbor Islands under certain conditions, and said so. I'm against it! It's not the first time in my life that I've been against or for something. What I can't bear is that in politics, people won't say what they're for or against. I can put up with the greed; I can put up with dishonesty; I can put up with stupidity, even my own, but damn it, I can't bear cowardice!"

Senator Cobb then rose and stated:

"Mr. President, a brief rebuttal in response.

"The present law would not have any county authority involved in a hotel located even outside of the hotel zone. This requires that by whatever means the county chooses, whether it be by ordinance, by public hearing, by certificate of appropriateness. In addition, three times during the conference, your Senate conferees brought up the total ban of time sharing and three times it was rejected by the House. Since then, we have passed a resolution asking the Attorney General of the state to go forward and get a declaratory judgment from a court relative to the constitutionality of a total ban on time sharing."

Senator Kawasaki then rose and stated:

"Mr. President, I too, rise to speak against this bill, but I won't go into a discussion about it. I do want, however, to place on the record my comment that the chairman of the Consumer Protection Committee did, in all sincerity, report out from the Senate, a bill completely banning time sharing. So, it is not like he had not expended some effort to really come out with a bill banning time sharing. It was unfortunate that the bill that emanated from the Senate passed the Senate, went over to the House, and was not accepted by the body there. The chairman here, did attempt to sincerely pass the bill banning time sharing."

Senator O'Connor then rose and stated as follows:

"Mr. President, I will vote against this bill.

"The result of the conference committee is a substantial deviation from the Senate version that we sent into conference. In the Senate version, the provision that Senator Abercrombie earlier talked about, only applied to areas which were already zoned by counties for hotel, transient, vacation rental or resort use. The bill that we have before us allows the counties to approve of the non-conforming use...a new device, I guess, of hotels for time sharing purposes with no relationship to the underlying zoning, as was in the bill that we sent over.

"Further, the bill that we sent over had a specific provision putting in place time sharing in the state; the proviso that no new time share units or time share plans will be created unless explicitly and prominently authorized by a project instrument, and so forth. And that of course, has been removed in conference.

"It appears to me that our position, as earlier taken, was just completely

not achieved in the conference and the result speaks for itself. For that reason, I will vote against the bill."

Senator Cobb then stated:

"Mr. President, the reason that provision was deleted was because we have in the present law now, a requirement of 100% approval of the building owners in order to initiate a time share project, and we didn't want to jeopardize that provision of the 100% requirement."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 51-82 was adopted and H.B. No. 2888-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes. 15. Noes, 7 (Abercrombie, Campbell, Carpenter, Cayetano, Kawasaki, O'Connor and Toyofuku). Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 52-82 (H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 52-82 and H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," were recommitted to the the Committee on Consumer Protection and Commerce.

Conference Committee Report No. 53-82 (S.B. No. 400, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 53-82 was adopted and S.B. No. 400, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Abercrombie, Kawasaki, O'Connor and Young). Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 54-82 (S.B. No. 2388-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 54-82 was adopted and S.B. No. 2388-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been

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

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 55-82 (S.B. No. 2638-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 55-82 was adopted and S.B. No. 2638-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 56-82 (S.B. No. 65, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 56-82 was adopted and S.B. No. 65, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 57-82 (S.B. No. 2147-82, S.D. 2, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 57-82 be adopted and S.B. No. 2147-82, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator Kawasaki rose and stated as follows:

"Mr. President, while I think that reform is needed to penalize the drunken driver, I believe the penalties provided in this bill are a little too stiff for the first time offender who is picked up for drunk driving. I think that if he has no previous record of such conduct, the penalties might be a little more lenient.

"The first time penalty, I think, is a little too stiff, and I just wondered if it would not work hardship on people who have not, in the past, driven in a drunken fashion that would be a

hazard to motorists on the road. This, I think is too heavy a penalty for this bill."

Senator O'Connor then rose and stated:

"Mr. President, I carefully read through this bill. I've seen it advertised as a very tough approach to drunk driving.

"My first comment, . . . and I'm speaking against it, . . . my first comment on the bill is that it changes an existing law which is a misdemeanor under our statute to a petty misdemeanor. If that is being tough, I have difficulty in that approach.

"It incorporates in the statute a series of alternatives for sentencing judges, some of which are presently in use, some of which are not. But, there are no definitions anywhere for the alternatives which are contained in the bill.

"I suggest, first of all, the fact that it goes from a misdemeanor to a petty misdemeanor certainly doesn't make it a very tough bill, but I'm more concerned about the alternative system of sentencing that it provides. For example, a first offense, starting on page 1 . . . you get a 'fourteen-hour minimum alcohol abuse rehabilitation program' and simultaneously, on the top of page 2 of the bill, the judge may either take two of 'seventy-two hours of community service work; thirty-day suspension of license; or forty-eight hours of imprisonment.'

"Why not just come right up front and say what the sentence should be. I don't understand this alternative method of sentencing. Further, it goes on with a whole series of other things, the sum of which, without definition, is a very vague situation.

"The thing that concerns me most about this bill is that I am informed, and I believe it so indicates, that the penalties provided in this bill begin now and for the future. They have no retrospective effect. Therefore, it is my understanding that the penalties under this section, as amended, will apply in the future and anyone who has been convicted of drunk driving in the past will not fall under the specific provisions of this bill.

"If that be the situation, and I believe it to be from a straight reading of this bill, then in essence, we have created a complete fallacy by passing this bill. Worse, there is a cut-off provision, and the cut-off provision is four years. You get past four years, then any prior

convictions are disregarded entirely. I think for all the reasons I've pointed out, Mr. President, and particularly the reason where we've gone from a misdemeanor to a petty misdemeanor in the enactment of this thing, essentially, we have before us a bill which is a lot weaker than the present bill, even if administered as the Advertiser story the past week has pointed out, and is a bill that certainly should not be heralded as a tough drunk driving bill. The toughness of it is sort of like a marshmallow."

Senator George then rose and stated:

"I think all of us who read the original Senate version realize that we are dealing with a very different situation. It is necessary to make some compromises if you want to have a bill at all; you can't expect to have things your own way. In calling the bill a marshmallow, I think, the difference between what we have now and what this bill would provide for is that it provides an inevitable punishment, sanctions, which must be undertaken.

"Our present statute provides the availability of tough sentences which, unfortunately, are almost never invoked. The fact is that with the provisions of this bill, something is going to happen and something rather unpleasant is going to happen to even the first one convicted of drunk driving.

"It is interesting to me, Mr. President, that of the two previous speakers, one finds the bill too tough; and the other finds it a marshmallow. I prefer to think of it as some place in between where a judge is given the opportunity to tailor a mandatory sentence, to tailor among mandatory provisions something that suits the circumstance of each one who comes up with an infraction of the statute.

"I think it's a good bill. I would like very much to see all of you vote for it."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 57-82 was adopted and S.B. No. 2147-82, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 7 (Cayetano, Holt, Kawasaki, Machida, O'Connor, Toyofuku and Ushijima). Excused, 2 (Yamasaki and Yee).

Conference Committee Report No. 58-



82 (S.B. No. 2467-82, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 58-82 be adopted and S.B. No. 2467-82, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator O'Connor rose and stated:

"Mr. President, could I address a question to the chairman of the committee?"

The question was posed and Senator Carpenter having answered in the affirmative, Senator O'Connor continued:

"What do the words mean, '...or who has waived indictment,' in the first section of the bill?"

Senator Carpenter responded:

"Mr. President, in responding to the question, the word that was previously used there was 'complaint.' My understanding is that an individual who waives indictment is an individual who accepts a complaint. So, basically, we've taken the word 'complaint' and substituted the language which seems to be more palatable to the House for the individual who has waived indictment, and inserted those words in its place."

Senator O'Connor then stated:

"I am not much of a student of what happens to a criminal when he is indicted, but it is my understanding that you waive the reading of the indictment, maybe, but you're still indicted; you're still arraigned, and the process proceeds in that fashion. I do not know how you can waive indictment in a criminal proceeding. I think that those words are basically meaningless and might change this important section of the law into nothingness. I'm going to vote against this bill."

Senator Cayetano then rose and stated:

"Mr. President, as I read the bill, waiving indictment means just that. I believe that would result in charges being brought by what we call information. Maybe Senator O'Connor is talking about waiving arraignment which cannot be done."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 58-82 was adopted and S.B. No. 2467-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," having been read throughout, passed Final

Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (O'Connor). Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 59-82 (H.B. No. 2348-82, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 59-82 was adopted and H.B. No. 2348-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL AND GEM DEALERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 60-82 (H.B. No. 2377-82, H.D. 1, S.D. 1, C.D. 1):

Senator Kuroda moved that Conf. Com. Rep. No. 60-82 be adopted and H.B. No. 2377-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator O'Connor rose and stated:

"Mr. President, I'd like the record to incorporate the comments that I made earlier when this bill was before us for the purposes of my district and its representation."

The President then replied:

"So ordered."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 60-82 was adopted and H.B. No. 2377-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RIGHT TO FARM ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 5 (Anderson, Cayetano, Cobb, O'Connor and Saiki). Excused, 3 (Uwaine, Yamasaki and Yee).

At this time Senator Anderson rose and stated:

"Mr. President, a point of order, may I go back to page 18, Conference Committee Report No. 50-82 at the top of that page. I had a phone call and left the room, and it died 12 to 11."

I'd like the Journal to reflect that I was a 'no' vote."

The President then replied:

"I think, at this point it would be moot because the bill failed to muster the required votes for passage."

Senator Abercrombie then rose and stated:

"Mr. President, a point of clarification. I hope the chairman of the Agriculture Committee understands that with friends like that his bill was in bad shape."

The President then replied:

"He does. He'll be hunting for votes for reconsideration somewhere between now and tomorrow, or even next week."

Conference Committee Report No. 61-82 (H.B. No. 2606-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 61-82 was adopted and H.B. No. 2606-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS, FURLOUGH, EMPLOYMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 62-82 (S.B. No. 2454-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 62-82 was adopted and S.B. No. 2454-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 63-82 (H.B. No. 2407-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 63-82 was adopted and H.B. No. 2407-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," having been read throughout, passed Final Reading on the following showing

of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 64-82 (H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 64-82 be adopted and H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator O'Connor rose and stated as follows:

"Mr. President, I am going to vote 'no' on this bill. I oppose it. This is the bill which creates sanctions for encroachment upon public lands. This is a matter which has been debated in this body again and again, and people keep trying to have these large fines imposed on a daily basis for a simple encroachment on public land.

"I direct the members' attention to page 3 of this bill. It says: 'Any person causing an encroachment upon public land shall be subject to a fine of not more than \$500 per day and shall be liable for administrative costs incurred by the department and for payment of damages.'

"Mr. President, I again urge the members to think about what this means. If a person has his boundary line negligently upon the property of the state, he is encroaching for this purpose. If people's children have built a tree house or if you've extended the back of your lot up a hillside into state land, you're encroaching. And, we have a fine here of \$500 a day--a mandatory fine.

"Mr. President, I think that the people who worked on this bill didn't think through all the problems that are going to exist with property owners who are adjacent to state land. I have quite a few in my district and I'm concerned about them. This mandatory fine, such a huge fine, which can run over years...what if a person encroaches for ten years...we have several of those situations...\$500 a day? Mr. President, I urge everybody to vote against this bill."

Senator Kawasaki then rose and stated:

"Mr. President, I rise to speak against this bill. I fully concur with the good Senator from the Seventh District. I think the arguments he just made were made a week and a half ago and I

did make comments consonant with that view.

"I think that because of our concerns the language 'shall' is perhaps not desirable. I believe that the chairman of the Economic Development Committee had recommitment the bill and then changed the language to read 'may.'

"This bill passed the Senate, went over to the House, and came back exactly the way it originally was, defective. So, I believe the proper disposition of this bill is just to let it lie quietly or defeat it completely."

Senator Henderson then rose and stated:

"Mr. President, I addressed the concern of the Senate by changing 'shall' to 'may' and we put it up for vote to send it over to the House. They all voted the same way, so I didn't think they were really concerned about it.

"Furthermore, I think that whoever is encroaching, the language of this law will use good judgment and I'm sure that they will not impose a fine of \$500 a day for a tree house encroaching on state land.

"Thank you."

Senator O'Connor then replied:

"Mr. President, the previous speaker did change 'shall' to 'may' but he left the fine of \$500 a day. With the word 'shall' placed back in there, a judge sitting on one of these cases doesn't have any choice; he has to fine something a day--a day. And, that shall be a significant amount of money if the time period is long--and those time periods for encroachment on public lands can be long. There's no reason in the world for this type of punishment for encroachment on public land."

Senator Henderson then stated:

"Mr. President, the law says 'up to \$500.'"

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 64-82 was adopted and H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes, 12. Noes, 11 (Anderson, Campbell, Cayetano, Holt, Kawasaki,

Machida, Mizuguchi, O'Connor, Toyofuku, Saiki and Ushijima). Excused, 2 (Yamasaki and Yee).

Conference Committee Report No. 65-82 (H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65-82 and H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 66-82 (H.B. No. 2318-82, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 66-82 was adopted and H.B. No. 2318-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 67-82 (H.B. No. 2177-82, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 67-82 be adopted and H.B. No. 2177-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator O'Connor rose and stated:

"Mr. President, I just want to point out to the conference committee chairman that the sanction in this bill is the way it should have been in the other bill.

"Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 67-82 was adopted and H.B. No. 2177-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

At 1:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:55 o'clock p.m.

At this time, the President made the following announcement:

"Before proceeding to page 20, the Chair would like to call the members' attention to a matter not on the morning's Order of the Day. There is a request to recommit Conference Committee Report No. 74-82 on Senate Bill No. 2955-82, C.D. 1, back to the conference committee to correct some technical defects. This is the EMS bill which is clocked for tonight at 8:00 p.m. If there are no objections, the Chair so orders the recommitment."

By unanimous consent, Conf. Com. Rep. No. 74-82 and S.B. No. 2955-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," were recommitted to the Committee on Conference.

### THIRD READING

Standing Committee Report No. 862-82 (H.B. No. 2010-82):

By unanimous consent, action on Stand. Com. Rep. No. 862-82 and H.B. No. 2010-82, was deferred to the end of the calendar.

### ADVISE AND CONSENT

Standing Committee Report No. 877-82 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 877-82 and Gov. Msg. No. 283 was deferred to the end of the calendar.

Standing Committee Report No. 878-82 (Gov. Msg. No. 286):

By unanimous consent, action on Stand. Com. Rep. No. 878-82 and Gov. Msg. No. 286 was deferred to the end of the calendar.

Standing Committee Report No. 892-82 (Gov. Msg. No. 159):

By unanimous consent, action on Stand. Com. Rep. No. 892-82 and Gov. Msg. No. 159 was deferred to the end of the calendar.

Standing Committee Report No. 894-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 894-82 and Gov. Msg. No. 290 (Walter R. Steiger to the Board of Regents, University of Hawaii) was deferred to the end of the calendar.

Standing Committee Report No. 895-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 895-82 and Gov. Msg. No. 290 (James F. Gary to the Board of Regents, University of Hawaii) was deferred to the end of the calendar.

Standing Committee Report No. 896-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 896-82 and Gov. Msg. No. 290 (Kenneth N. Kato to the Board of Regents, University of Hawaii) was deferred to the end of the calendar.

At this time, Senator Campbell rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, everything seems to be in place for us to extend this session of the Legislature, and this is the third year in a row. I think somebody on this floor mentioned that the other day. This is the third year in a row that we have failed to meet the 60-day session deadline.

"Mr. President, I'd like to read two paragraphs from an editorial in the Honolulu Advertiser dated March 15, 1982, which has a significant bearing on some of the statements that I will be making in the next two or three minutes. As I think of this editorial, I'm of the opinion that the editor may have been monitoring some of the speeches I have made on this floor at the close of our legislative sessions in the past two or three years. The editorial reads as follows, at least those two paragraphs that I had reference to.

"The title is interesting too. The title is 'Over Hectic Law Making,' and it reads:

'Today's internal deadline at the state Legislature for getting bills out and to the floor has in recent days produced some strain on the people involved, and perhaps on the democratic process. The problem is too many bills to consider at this point and not enough time to do it. The symptoms are overcrowded agenda, packed hearing rooms, weariness, likely mistakes, and far too much time and money wasted by private citizens and public officials who sometimes wait for hours to testify.'

And that's the end of the quotation from the Advertiser.

"Mr. President, the money committees of this Legislature have been in meetings in what I consider marathon sessions for almost a week. These sessions have taken their toll, physically and mentally,

and it's been this precise situation that prompted you, Mr. President, to remark that the conferees were too tired to make vital decisions on the 'big bucks' involved in the money matters. I would rather have the Legislature extend itself for one day until Monday, than force the conferees to keep at it when they are beat.

"Now, Mr. President, with the exception of myself, this is the first time that I have heard an official statement on or off this floor which referred to the fact that around-the-clock sessions with very fatigued negotiators could, in fact, result in mistakes, miscalculations, unexpected and questionable agreements. These in turn result in poor legislation in many instances.

"Yes, this is the third year in a row that we have had to extend our legislative session. The need to extend the session, in my judgment, is a clear message to us legislators. We just don't have enough time to complete the important tasks assigned to us by the people of this state. You can't put a full year's work in a 60-day session, and when we try, we make needless mistakes. In some instances, it results, as I have indicated before, in poor legislation. And, I've said this on this floor before. We need a full-time legislature to address the volume and magnitude of the problems facing Hawaii's people.

"Mr. President, if there is any doubt that this Legislature is overtaxed and overburdened by the 60-day session which is already strained to the breaking point in its attempts to meet present legislative needs could possibly take on the kind of increased load mandated by the proposed transfer of federal funds to the states. So, Mr. President, the current mood then in Washington is to give to the states a large share of the responsibility of addressing our people's needs. It's called the New Federalism. Now, this New Federalism may fail in its present form, but Mr. President, I feel that we must get prepared for its concept in some major form to be with us for a very, very long time to come. The New Federalism package, which the President has submitted to Congress, in my judgment should have a rider which provides the Congress to become a part-time body and all state legislatures to become full-time.

"Mr. President, to me this makes sense. It's a major legislative responsibility to address the need of the people of this country and of our state will shift to the state. It will be impossible to adequately deal with the complexity and the quantity of problems Washington

is placing at the doorstep of our Capitol, if we don't go full-time or a reasonable modification thereof. The present three-month session of the Legislature is obsolete.

"One of the things I've been trying to say is simply this. More and more, Mr. President, we legislators find ourselves having to go around-the-clock the final week of the session in order to make a decent appearance that we have completed our business. What is the result of trying to crowd a full year's work into three months? The majority of the legislators, primarily because of the time pressure to finish on time, are left out of the crucial decision-making process when it counts most. That's when it comes to the final disposition, related to major issues facing our people. The people are shortchanged in the process, as well.

"Let me just pose this question. How many committee meetings, conference committee meetings or regular subject matter committee meetings can a member of this body attend when some of those meetings are held simultaneously? Another, of course, is poor legislation, as I've said in many instances. And the last session is a case in point. We had to extend our session in order to correct mistakes made largely because of hasty actions.

"Now, in closing, Mr. President, may I put this problem in perspective. We are set to adjourn on Monday. We are closing up shop and turning off the engine of the legislative process. We're doing this, Mr. President, in spite of the fact that we have a serious problem facing the people of this state related to pesticide in milk and in other food products. I guess I could spend the next half hour enumerating problems that this Legislature should more adequately address before leaving. Probably the most important issue facing us lawmakers is the fact that we are adjourning before we have a full understanding of the responsibility that the New Federalism is going to impose on us as a state's lawmaking body. Congress, the Conference of Governors and the President are locked in negotiations concerning federal transfer of programs to the state. These negotiations, Mr. President, are far from being completed, but we are adjourning.

"Therefore, Mr. President, I recommend that you appoint an interim committee, and I wish I could say that both houses ought to be involved in this, but I would suggest that you, Mr. President, appoint an interim committee whose job would include, but not be limited to the following:

1. Tracking the progress of the negotiations relative to the transfer of federal funds to the state;
2. Hold public hearings to get input from a broad cross section of our community which will be affected by this massive federal cut; and
3. Charge that committee with the responsibility of making a request for the reconvening of the Legislature if the situation warrants it.

"Mr. President, if this course of action is followed, it is my feeling that the people of this state would have a greater feeling of assurance as we close this legislative session.

"Thank you very much."

At this time, Senator Cayetano rose and stated:

"Mr. President, I would like to make some remarks on personal privilege.

"Mr. President, a few days ago, the Prosecutor of the City and County of Honolulu attacked me and some members of the House. He didn't mention me by name, but in his criticism or his attack, I got the feeling that it was me. He said something about a legislator having a 'Hotel Street haircut,' and I responded. I described Mr. Marsland's style as being McCarthy/McCarthy, part Joe McCarthy, part Charlie McCarthy, and I said that I didn't mind him criticizing me, but I didn't want him picking on my barber Eddie.

"Well, Mr. President, Mr. Marsland has put up the colors again and he responded and I'd like to respond to him. In yesterday's Star Bulletin he said, and I quote:

'Mr. Cayetano has the kind of jockstrap mentality that would raise that kind of comparison. Mr. Cayetano tries to make comparisons when legally speaking he doesn't have the background. I don't believe he has been beyond District Court in trying drunk driving cases.'

"Mr. President, I don't mind Mr. Marsland describing me as having a jockstrap mentality. Having friends like Carpenter, Abercrombie and Kawasaki, I've been described as having worse. But, I'm trying to figure out what he means when he says that I don't have the background to make comparisons. In my remarks about Mr. Marsland, all I said was that his style is part Joe McCarthy and part Charlie McCarthy,

and we all know from history that Joe McCarthy was the nutty one and Charlie McCarthy was the wooden dummy. So, I don't know what he's...you don't need a legal background for that...just a little common sense and background in history and I think you have to be about my age, 42, because some of these younger people around here don't know who Charlie McCarthy is or was.

"But there was another part where he says, 'I don't believe he has been beyond District Court in trying drunk driving cases,' and I'd like to respond to that because that kind of affects my ability to make a living as a lawyer. After having observed Mr. Marsland for some time, I think I would divide the legal community into two classes--Mr. Marsland in one class and all others in the other class.

"Now, with respect to the other class in which Senator O'Connor, Senator Ushijima and Yee are, let me say that I have been admitted to practice before the highest court of our land, the United States Supreme Court. I have had appeals in the U.S. Court of Appeals, Ninth Circuit, our Intermediate Court of Appeals, I might add, since this is a commercial, that I am batting 100%. And, I had an extensive criminal law practice at one time.

"I don't do that any more, primarily because I'm around guys like Kawasaki, Abercrombie and Carpenter. My record in criminal law I thought was pretty good. The Prosecutor states he has a 90% win record, a 10% loss record. Let me say that I think, my record added more to the 10% than the 90%. But with respect to Mr. Marsland, Mr. President, my experience with him has never gone beyond District Court in trying drunk driving cases. You see, about three or four years ago, Mr. Marsland and I were adversaries in District Court. It was a drunk driving case and Mr. Marsland lost. And after he lost, I was astounded by his behavior which is...which follows the way he behaves now. He whined; in fact, it's hard to describe him...I'd describe him as a balloon with a slow leak.

"And he's quite correct with respect to my dealings with him in court--I haven't been beyond District Court in trying drunk driving cases because after that one experience with him I know what his legal ability is and I don't feel it's necessary to go higher. So, that's what I wanted to say about that particular comment.

"I'd like to close, however, by saying

that I did talk to my barber Eddie. He was a bit upset. He pays high rent at Ross Sutherland in Ala Moana Shopping Center and he felt that if Marsland was going to criticize his haircut, why didn't he call it an 'Ala Moana Center haircut' instead of a 'Hotel Street haircut' where the rent is kind of low. Eddie, like myself, is Filipino and gets a bit excited, but I finally calmed him down, and Eddie decided that he'd like to offer an open hand to Mr. Marsland and has offered to give Mr. Marsland, free of charge, his 'Waipahu Special.'

"Now, Mr. President, the 'Waipahu Special,' is a free shave, but unlike the typical shave where the strokes are up, Filipino style, the strokes are horizontal. And, whereas, in the ordinary shave they use a special razor, the open end razor, there is a special razor that we use for this 'Waipahu Special.' I'd like to show it to you--here it is.

"So, if there are any of Mr. Marsland's boys in the audience...they were here yesterday and I introduced them...but I guess they're not here, but if they are, Charlie, Eddie says you have a free shave coming.

"Thank you."

Senator O'Connor then rose and stated:

"Mr. President, I would be derelict if I did not rise on a point of personal privilege concerning a very illustrative photograph which appears in today's Star-Bulletin.

"Now, I don't obviously have the Waipahu wit of Senator Cayetano and I obviously look at things a little differently, but we both laugh the same way.

"Yesterday, there was a party here in the Capitol. Thank God, I wasn't invited. There were others who were invited and this party is graphically described in today's Star-Bulletin by one of the most lascivious pictures that I've had the joy to see in years.

"There were a few prominent faces in the picture. It celebrated, evidently, the forthcoming campaign--I won't use the right word for the campaign, I'll just say campaign to which one of our members is going to subject himself. And in that celebration, evidently, there was a wild and forthright dance celebrating the rites of spring.

"Now, spring is almost over and campaign time is almost upon us, and obviously, that dance probably will be the last one of its kind in the Senator's campaign, I hope, unless

he's going to make it his campaign symbol. Now, that might be wonderful if he did. Maybe we could have a block party in every block and invite the same dancer. Now, that might get a lot of votes, except in Waipahu, because peering at this dancer and prominent in the picture, are several of our members, and by the look upon their faces, obviously, they seem to be enjoying something.

"I'm not sure exactly what they were enjoying--maybe it was the departure of the Senator for whom the party was given; maybe the dance; maybe the campaign forthcoming; but in any event, they were enjoying themselves. Mr. President, I would just take this whole matter as a happy matter, a matter which hopefully touches off a campaign in the right direction. Certainly, any campaign that starts with a dance like that deserves a lot of 'bang' somewhere, and I hope that that campaign and the departing Senator have all of the forthright luck in the future that that dance should afford them.

"With that, I will let someone else comment on this matter because he's going to anyway.

"Thank you."

Senator Abercrombie then rose and stated:

"Mr. President I rise on a point of personal privilege.

"I take grave exception to the characterization. Obviously, everyone knows that the Sunday Advertiser and Star-Bulletin is intending to run that picture again, blown up and with a little caption saying, 'who can you pick out in the picture above?' And obviously, one of the people who will be picked out in that picture, everyone very well knows, is myself.

"Now the difference is...and what I take exception to is I've been characterized as enjoying myself, or perhaps having an expression on my face which could be construed as one of enjoyment or fascination or lewd intensity. That, however, is far from the case, as the lady who was the object of the dance knows very well the look was one of complete chagrin and I was completely upset over the fact that I would have definitely volunteered to do it myself and there was no need to pay anybody to come over and do it when I was ready."

Senator Soares then rose and interjected:

"Mr. President, I would just like

to inform you that I have a public hearing that was supposed to start at 2:00 o'clock and I wish that we would have the other members who desire to speak on personal privilege do it tonight. My guests are waiting for me in the gallery."

Senator Anderson then rose and stated:

"Very briefly, Mr. President, I didn't make it to the party. Unfortunately, I didn't get there till a quarter to seven and I think Senator Abercrombie covered for me, but I think Judge Acoba's jockstrap was there to save the whole situation."

Senator O'Connor then replied:

"Mr. President, I hope that there's going to be a repeat performance tomorrow night for ex-President Ford."

The President then stated:

"Would you believe, Senator O'Connor, the story that the guy went swimming and was looking for somewhere to change?"

Senator O'Connor then responded:

"Yes, Mr. President, only if he was swimming in the Senate sauna."

At this time, Senator Saiki, chairman of the Committee on Higher Education, requested a waiver of the 48-hour notice of a Public Hearing on the following Governor's Message:

Gov. Msg. No. 324, submitting for consideration and confirmation to the Western Interstate Commission for Higher Education, the nomination of Charles T. Akama,

and the President granted the waiver.

At this time, Senator Henderson, chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice of a Public Hearing for the following measures:

S.C.R. No. 3, S.D. 2, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN";

S.C.R. No. 4, S.D. 2, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION FUNCTIONAL PLAN";

S.C.R. No. 5, S.D. 2, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HEALTH

FUNCTIONAL PLAN";

S.C.R. No. 6, S.D. 1, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE WATER RESOURCES DEVELOPMENT FUNCTIONAL PLAN";

S.C.R. No. 7, S.D. 2, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE RECREATION FUNCTIONAL PLAN";

S.C.R. No. 8, S.D. 2, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE CONSERVATION LANDS FUNCTIONAL PLAN";

S.C.R. No. 9, S.D. 2, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HISTORIC PRESERVATION FUNCTIONAL PLAN";

S.C.R. No. 10, S.D. 2, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE TOURISM FUNCTIONAL PLAN";

S.C.R. No. 11, S.D. 1, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE ENERGY FUNCTIONAL PLAN";

S.C.R. No. 12, S.D. 2, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING FUNCTIONAL PLAN"; and

S.C.R. No. 14, S.D. 2, entitled:  
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HIGHER EDUCATION FUNCTIONAL PLAN,"

and the President granted the waiver.

Senator Henderson then rose and stated:

"Mr. President, one more thing, on personal privilege, I think my face was in that picture too and the expression on my face was one of shock. Right after the picture was taken, I left to call the police."

The President then replied:

"I really don't think it was very funny. I wasn't even invited."

At 2:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:29 o'clock p.m.

At 2:30 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess until 8:00 o'clock p.m. or subject to the call of the Chair.



## NIGHT SESSION

The Senate reconvened at 11:30 o'clock p.m. with all Senators present.

At this time the following proclamation was read by the Clerk and was placed on file.

## "PROCLAMATION

WE, Richard S.H. Wong, President of the Senate, and Henry Haalilio Peters, Speaker of the House of Representatives, of the Eleventh Legislature of the State of Hawaii, pursuant to the power vested in us by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which each house is entitled, do hereby extend the Regular Session of 1982 of the Eleventh Legislature of the State of Hawaii for a period of 18 hours beyond the Sixtieth day of the 1982 Regular Session.

DONE at the State Capitol,  
Honolulu, Hawaii, this  
23rd day of April, 1982

/s/ Richard S.H. Wong

RICHARD S.H. WONG  
President of the Senate

/s/ Henry H. Peters

HENRY HAALILIO PETERS  
Speaker of the House  
of Representatives"

## DEPARTMENTAL COMMUNICATION

A communication from the Office of the President, University of Hawaii (Dept. Com. No. 16), acknowledging receipt of Senate Resolution No. 122 urging the Governor to proclaim November 14-20, 1982 as Community Education Week, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 638 to 642) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 638), transmitting House Concurrent Resolution No. 98, which was adopted by the House of Representatives on April 22, 1982, was placed on file.

By unanimous consent, H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A WORLD PEACE CENTER IN HAWAII," was referred to the Committee

on Government Operations and Intergovernmental Relations.

A communication from the House (Hse. Com. No. 639), transmitting House Concurrent Resolution No. 153, H.D. 1, which was adopted by the House of Representatives on April 22, 1982, was placed on file.

By unanimous consent, H.C.R. No. 153, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. CONGRESS TO AUTHORIZE THE EXTENSION THROUGH FY 1985 OF PUBLIC LAW 92-444, THE CENTRAL, WESTERN AND SOUTH PACIFIC FISHERIES DEVELOPMENT ACT AND THE FUNDING AT \$5 MILLION PER YEAR," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 640), returning Senate Concurrent Resolution No. 29, S.D. 1, which was adopted by the House of Representatives on April 22, 1982, was placed on file.

A communication from the House (Hse. Com. No. 641), returning Senate Bill No. 2271-82, which passed Third Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 642), returning Senate Bill No. 2903-82, S.D. 1, which passed Third Reading in the House of Representatives on April 23, 1982, was placed on file.

## SPECIAL COMMITTEE REPORT

Senator Cayetano, for the special committee to investigate the problem of the pesticide heptachlor in milk, presented a report (Spec. Com. Rep. No. 2-82) informing the Senate that the Committee has met, discussed, reviewed and adopted its rules, transmitting a copy for the official record.

By unanimous consent, action on Spec. Com. Rep. No. 2-82 was deferred until Monday, April 26, 1982.

## CONFERENCE COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2955-82, S.D. 2, presented a report (Conf. Com. Rep. No. 78-82) recommending that S.B. No. 2955-82, S.D. 2, H.D. 2, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78-82 and S.B. No. 2955-82, S.D.

2, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2434-82, S.D. 2, presented a report (Conf. Com. Rep. No. 79-82) recommending that S.B. No. 2434-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 79-82 and S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2816-82, S.D. 2, presented a report (Conf. Com. Rep. No. 80-82) recommending that S.B. No. 2816-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 80-82 and S.B. No. 2816-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2978-82, S.D. 1, presented a report (Conf. Com. Rep. No. 81-82) recommending that S.B. No. 2978-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 81-82 and S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3143-82, H.D. 2, presented a report (Conf. Com. Rep. No. 82-82) recommending that H.B. No. 3143-82, H.D. 2, S.D. 1, as amended in

C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 82-82 and H.B. No. 3143-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2312-82, H.D. 1, presented a report (Conf. Com. Rep. No. 83-82) recommending that H.B. No. 2312-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 83-82 and H.B. No. 2312-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2907-82, H.D. 2, presented a report (Conf. Com. Rep. No. 84-82) recommending that H.B. No. 2907-82, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8482 and H.B. No. 2907-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2113-82, H.D. 2, presented a report (Conf. Com. Rep. No. 85-82) recommending that H.B. No. 2113-82, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 85-82 and H.B. No. 2113-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed

by the Senate to House Bill No. 3078-82, H.D. 1, presented a report (Conf. Com. Rep. No. 86-82) recommending that H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 86-82 and H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2829-82, presented a report (Conf. Com. Rep. No. 87-82) recommending that S.B. No. 2829-82, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 87-82 and S.B. No. 2829-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 732, S.D. 1, presented a report (Conf. Com. Rep. No. 88-82) recommending that S.B. No. 732, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 88-82 and S.B. No. 732, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Senator Yamasaki, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2400-82, presented a report (Conf. Com. Rep. No. 89-82) recommending that H.B. No. 2400-82, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 89-82 and H.B. No. 2400-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2070-82, H.D. 1, presented a report (Conf. Com. Rep. No. 90-82) recommending that H.B. No. 2070-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 90-82 and H.B. No. 2070-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1981 TO JUNE 30, 1983," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2759-82, S.D. 1, presented a report (Conf. Com. Rep. No. 91-82) recommending that S.B. No. 2759-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 91-82 and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1040-82) recommending that the Senate advise and consent to the nomination of Raymond M. Hightower to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1983, in accordance with Gov. Msg. No. 222.

By unanimous consent, action on Stand. Com. Rep. No. 1040-82 and Gov. Msg. No. 222, was deferred until Monday, April 26, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1041-82) recommending that the Senate advise and consent to the nomination of Donn A. Carswell to the Advisory Commission on Manpower and Full Employment, term to expire June 30, 1985, in accordance with Gov. Msg. No. 262.

By unanimous consent, action on Stand. Com. Rep. No. 1041-82 and Gov.

Msg. No. 262, was deferred until Monday, April 26, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1042-82) recommending that the Senate advise and consent to the nomination of Rose T. Ohashi to the Board of Social Services, term to expire December 31, 1985, in accordance with Gov. Msg. No. 263.

By unanimous consent, action on Stand. Com. Rep. No. 1042-82 and Gov. Msg. No. 263, was deferred until Monday, April 26, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1043-82) recommending that House Concurrent Resolution No. 103, H.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1043-82 and H.C.R. No. 103, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE ADMINISTRATION AND ADEQUACY OF THE UNEMPLOYMENT COMPENSATION FUND, INCLUDING THE UNEMPLOYMENT TRUST FUND ACCOUNT, AND THE RELATED STATUTORY PROVISIONS," was deferred until Monday, April 26, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1044-82) recommending that the Senate advise and consent to the nomination of Charles T. Akama to the Western Interstate Commission for Higher Education, term to expire December 31, 1985, in accordance with Gov. Msg. No. 324.

By unanimous consent, action on Stand. Com. Rep. No. 1044-82 and Gov. Msg. No. 324, was deferred until Monday, April 26, 1982.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 1045-82) recommending that House Concurrent Resolution No. 102, H.D. 1, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1045-82 and H.C.R. No. 102, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO MAKE A STUDY OF THE RATIONALE FOR THE IMPACT OF IMPOSING TAXES AND FEES UPON PRIVATELY-OWNED UTILITY COMPANIES," was deferred

until Monday, April 26, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1046-82) recommending that the Senate advise and consent to the nomination of John A. Chanin to the Commission to Promote Uniform Legislation, term to expire December 31, 1985, in accordance with Gov. Msg. No. 172.

By unanimous consent, action on Stand. Com. Rep. No. 1046-82 and Gov. Msg. No. 172 was deferred until Monday, April 26, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1047-82) recommending that House Bill No. 2316-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1047-82 and H.B. No. 2316-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Monday, April 26, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1048-82) recommending that House Bill No. 2540-82 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1048-82 and H.B. No. 2540-82, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Monday, April 26, 1982.

## ORDER OF THE DAY

### FINAL READING

Conference Committee Report No. 68-82 (H.B. No. 2230-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 68-82 and H.B. No. 2230-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 69-82 (H.B. No. 2092-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 69-82 and H.B. No. 2092-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 70-82 (S.B. No. 544, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 70-82 and S.B. No. 544, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 71-82 (S.B. No. 1287, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 71-82 and S.B. No. 1287, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 72-82 (S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 72-82 and S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 73-82 (S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 73-82 and S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 75-82 (H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 2):

By unanimous consent, action on Conf. Com. Rep. No. 75-82 and H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Monday, April 26, 1982.

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Bill No. 1971-82, H.D. 1:

By unanimous consent, action on H.B. No. 1971-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," was deferred

until Monday, April 26, 1982.

Standing Committee Report No. 1022-82 (S.R. No. 139, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1022-82 and S.R. No. 139, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM AND OF THE PROCEDURES UTILIZED IN THE PRISON SHAKEDOWN," was deferred until Monday, April 26, 1982.

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Monday, April 26, 1982.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Monday, April 26, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 13-82 (H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 13-82 and H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 37-82 (H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 37-82 and H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 38-82 (H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 38-82 and H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 39-82 (H.B. No. 2679-82, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 39-82 and H.B. No. 2679-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND OTHER RELATED CASES," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 43-82 (H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 43-82 and H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 65-82 (H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65-82 and H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," was deferred until Monday, April 26, 1982.

Standing Committee Report No. 862-82 (H.B. No. 2010-82):

By unanimous consent, action on Stand. Com. Rep. No. 862-82 and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Monday, April 26, 1982.

Standing Committee Report No. 877-82 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 877-82 and Gov. Msg. No. 283 was deferred until Monday, April 26, 1982.

Standing Committee Report No. 878-82 (Gov. Msg. No. 286):

By unanimous consent, action on Stand. Com. Rep. No. 878-82 and Gov. Msg. No. 286 was deferred until Monday, April 26, 1982.

Standing Committee Report No. 892-82 (Gov. Msg. No. 159):

By unanimous consent, action on Stand. Com. Rep. No. 892-82 and Gov. Msg. No. 159 was deferred until Monday, April 26, 1982.

Standing Committee Report No. 894-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 894-82 and Gov. Msg. No. 290 (Walter R. Steiger to the Board of Regents, University of Hawaii) was deferred until Monday, April 26, 1982.

Standing Committee Report No. 895-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 895-82 and Gov. Msg. No. 290 (James F. Gary to the Board of Regents, University of Hawaii) was deferred until Monday, April 26, 1982.

Standing Committee Report No. 896-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 896-82 and Gov. Msg. No. 290 (Kenneth N. Kato to the Board of Regents, University of Hawaii) was deferred until Monday, April 26, 1982.

At 11:40 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson 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 10:00 o'clock a.m., Monday, April 26, 1982.