

FIFTY-SIXTH DAY

Monday, April 18, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Ms. Kathleen Wenke of the Christian Science Society of Wahiawa, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fifty-Fifth Day.

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

Senator Ajifu, on behalf of the Senate, introduced 15 first grade students, including his grandson, John Gibo, who were accompanied by their teachers, Miss Ginger Goldsan and Miss Renee Funai.

Senator Kawasaki then introduced a group of 24 students from Punahou School, accompanied by their teacher, Mr. Kanehe, and parents Mrs. Gelber and Mrs. Kusao.

Senator Kuroda then rose and stated:

"Mr. President and members of the Senate, visiting with us today from Hartford, Connecticut is Colonel Ragnar Peterson and his wife Marge.

"Colonel Peterson is an original member of H Company, 442nd. We had the honor of being able to introduce the Company Commander, Colonel Kiegan, when the 40th anniversary of the 442nd took place in Honolulu, and today, we have the pleasure of entertaining Colonel Ragnar Peterson, the 2nd Platoon Leader, who went through combat with our boys from Hawaii. Since that time, Colonel Peterson and the boys have not had the opportunity to see each other until today."

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 287) transmitting copies of a report prepared by the Energy Division of the Department of Planning and Economic Development, entitled: "Hawaii's Fuel Requirements for Essential Services," February, 1983, was read by the Clerk and was referred to the Committee on Economic

Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 572 to 595), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 572) transmitting House Concurrent Resolution No. 89, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF EXISTING STATE HOSPITAL RATE REVIEW PROGRAMS," was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 573) transmitting House Concurrent Resolution No. 91, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE NECESSITY AND FEASIBILITY OF A COMPREHENSIVE REVIEW OF THE HAWAII INSURANCE LAWS," was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 574) transmitting House Concurrent Resolution No. 95, H.D. 1, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 95, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPROVING AIR CARRIER SERVICE FOR MOVING DIVERSIFIED HAWAII AGRICULTURAL PRODUCTS," was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 575) transmitting House Concurrent Resolution No. 98, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE

UNITED STATES GOVERNMENT TO PROVIDE FEDERAL FUNDING TO THE STATE OF HAWAII FOR IMPROVEMENT OF THE SADDLE ROAD ON THE ISLAND OF HAWAII," was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 576) transmitting House Concurrent Resolution No. 174, H.D. 1, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 174, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL OF THE STATE OF HAWAII, IN THE MATTER OF APPEALING A RECENT FEDERAL COURT DECISION ON THE LAND REFORM ACT, TO RETAIN LEAD COUNSEL FOR THE STATE WITH SIGNIFICANT EXPERIENCE IN PLEADING BEFORE FEDERAL APPELLATE COURTS, INCLUDING THE UNITED STATES SUPREME COURT," was referred jointly to the Committee on Housing and Urban Development and the Committee on Judiciary.

A communication from the House (Hse. Com. No. 577) transmitting House Concurrent Resolution No. 201, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PARTICIPATING COACHES AND STUDENT QUALIFIERS OF THE HAWAII STATE FORENSIC TOURNAMENT," was adopted.

A communication from the House (Hse. Com. No. 578), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 756, and the request for a conference on the subject matter of said amendments, on April 15, 1983, the Speaker appointed Representatives Say, Chairman, Hashimoto, Kiyabu-Saballa, Okamura, Takamine and Dang 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. 579), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 834, S.D. 1, and the request for a conference on the

subject matter of said amendments, on April 15, 1983, the Speaker appointed Representatives Tungpalan and Kiyabu, Co-Chairman, Gaulty, Honda, Kawakami, Levin, Yoshimura and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 580), informing the Senate that on April 15, 1983, the Speaker added Representative Shito as Co-Chairman together with Representatives Say and Kiyabu on the part of the House at the conference on House Bill No. 1018, H.D. 2, S.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 581), informing the Senate that on April 15, 1983, the Speaker added Representative Okamura as Co-Chairman together with Representatives Say and Kiyabu on the part of the House at the conference on Senate Bill No. 903, S.D. 1, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 582), informing the Senate that on April 15, 1983, the Speaker added Representative Kawakami as Co-Chairman together with Representative Tungpalan on the part of the House at the conference on House Bill No. 809, H.D. 1, S.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 583), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1279, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Okamura and Say, Co-Chairman, Crozier, Kawakami, Kiyabu, Kiyabu-Saballa, Nakata and Dang 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. 584), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 994, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Chun, Kawakami, Morgado and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House

(Hse. Com. No. 585), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 937, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Bunda, Chun, Crozier, Graelty, Kawakami, Levin, Morgado, Nakata, Souki, Tam, Wong, Yoshimura, Anderson and Isbell 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. 586), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 834, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Tungpalan, Chairman, Graelty, Honda, Kawakami, Kiyabu, Levin, Yoshimura and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 587), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 711, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Shito, Chairman, Hirono, Lardizabal, Matsuura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 588), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 30, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Kawakami, Chairman, Chun, Levin and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 589), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 4, S.D. 1, and the request for a conference on the subject matter of said amendments, on

April 14, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Bunda, Chun, Crozier, Graelty, Kawakami, Levin, Morgado, Nakata, Souki, Tam, Wong, Yoshimura, Anderson and Isbell 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. 590), informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 338, H.D. 1, and the request for a conference on the subject matter thereof, on April 14, 1983, the Speaker appointed Representatives Hagino, Chairman, Apo, Kiyabu-Saballa, Leong and Dang 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. 591), informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1087, H.D. 2, and the request for a conference on the subject matter thereof, on April 14, 1983, the Speaker appointed Representatives Baker, Chairman, Apo, Ige, Leong and Jones 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. 592), informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 258, H.D. 1, and the request for a conference on the subject matter thereof, on April 15, 1983, the Speaker appointed Representatives Say, Chairman, Crozier, Nakata, Souki and Dang 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. 593), informing the Senate that the amendments proposed by the Senate to House Bill No. 1304, H.D. 2, were agreed to by the House; and H.B. No. 1304, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 15, 1983, was placed on file.

A communication from the House (Hse. Com. No. 594), informing the Senate that the amendments proposed by the Senate to House Bill No. 1580, H.D. 1, were agreed to by the House; and H.B. No. 1580, H.D. 1, S.D. 1,

passed Final Reading in the House of Representatives on April 15, 1983, was placed on file.

A communication from the House (Hse. Com. No. 595), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 3, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 18, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Kawakami and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 119), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE OBSERVANCE OF PROFESSIONAL SECRETARIES WEEK FROM APRIL 24 TO 30, 1983, AND OF PROFESSIONAL SECRETARIES DAY ON APRIL 27, 1983," was offered by Senators Henderson, George, Abercrombie, A. Kobayashi, Uwaine, Soares, Kawasaki, Cobb, Wong, Solomon, Carpenter, Young, B. Kobayashi, Kuroda, Cayetano, Aki, Ajifu, Mizuguchi, Machida, Toguchi, Yamasaki, Holt, Hagino, Chang and Fernandes Salling, and was read by the Clerk.

On motion by Senator Henderson, seconded by Senator George and carried, S.C.R. No. 119 was adopted.

SENATE RESOLUTION

A resolution (S.R. No. 147), entitled: "SENATE RESOLUTION RECOGNIZING THE OBSERVANCE OF PROFESSIONAL SECRETARIES WEEK FROM APRIL 24 TO 30, 1983 AND OF PROFESSIONAL SECRETARIES DAY ON APRIL 27, 1983," was offered by Senators Henderson, George, Abercrombie, A. Kobayashi, Uwaine, Soares, Cayetano, Cobb, Machida, Aki, Kawasaki, Solomon, B. Kobayashi, Young, Kuroda, Wong, Mizuguchi, Carpenter, Ajifu, Toguchi, Yamasaki, Holt, Hagino, Chang and Fernandes Salling, and was read by the Clerk.

On motion by Senator Henderson, seconded by Senator Soares and carried, S.R. No. 147 was adopted.

CONFERENCE COMMITTEE REPORTS

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 274,

H.D. 1, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 274, 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. 1 and H.B. No. 274, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," 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. 278, H.D. 1, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 278, 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. 2 and H.B. No. 278, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," 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. 286, H.D. 2, presented a report (Conf. Com. Rep. No. 3) recommending that H.B. No. 286, 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. 3 and H.B. No. 286, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING," 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. 291, H.D. 1, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 291, 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. 4 and H.B. No. 291, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," 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. 659, presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 659, 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. 5 and H.B. No. 659, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 923) informing the Senate that Conference Committee Report Nos. 1 to 5, Senate Concurrent Resolution No. 119, Senate Resolution No. 147 and Standing Committee Report Nos. 924 to 928 have been printed and have been 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 Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 924) recommending that Senate Resolution No. 32 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 32, entitled: "SENATE RESOLUTION REQUESTING AN IMPROVEMENT OF THE HAWAIIAN EDUCATION PROGRAM," was adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 925) recommending that Senate Concurrent Resolution No. 50 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S SMALL BUSINESS ADVISORY COMMITTEE TO ASSESS THE STATE'S CONTRACTING OF PUBLIC SERVICES FROM THE PRIVATE SECTOR," was

adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 926) recommending that Senate Resolution No. 63 be adopted.

On motion by Senator Cobb, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 63, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR'S SMALL BUSINESS ADVISORY COMMITTEE TO ASSESS THE STATE'S CONTRACTING OF PUBLIC SERVICES FROM THE PRIVATE SECTOR," was adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 927) recommending that Senate Resolution No. 28, as amended in S.D. 1, be referred to the Committee on Human Resources.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 28, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE RIGHTS AND BENEFITS OF FULL-TIME ELECTED AND APPOINTED OFFICERS AND EMPLOYEES OF THE STATE AND COUNTY GOVERNMENTS," was referred to the Committee on Human Resources.

Senator Young for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 928) recommending that Senate Resolution No. 39 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 39, entitled: "SENATE RESOLUTION RELATING TO THE COORDINATION OF SERVICES TO NATIVE HAWAIIANS," was adopted.

MATTERS DEFERRED FROM
APRIL 11, 1983

FINAL READING

Senate Bill No. 6, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 6, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIA-

TIONS THEREFOR," was deferred until Thursday, April 21, 1983.

Senate Bill No. 368, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 368, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," was deferred until Thursday, April 21, 1983.

Senate Bill No. 608, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 608, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," was deferred until Thursday, April 21, 1983.

MATTERS DEFERRED FROM
APRIL 15, 1983

ADVISE AND CONSENT

Standing Committee Report No. 890 (Gov. Msg. No. 241):

By unanimous consent, action on Stand. Com. Rep. No. 890 and Gov. Msg. No. 241 was deferred to the end of the calendar.

THIRD READING

House Bill No. 237:

By unanimous consent, action on H.B. No. 237, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS," was deferred until Tuesday, April 19, 1983.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

THIRD READING

House Bill No. 431, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 431, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 166, H.D. 1:

On motion by Senator Cobb, sec-

onded by Senator Soares and carried, H.B. No. 166, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 277:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 277, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 288:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1201, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1201, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 902 (H.B. No. 601, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 902 and H.B. No. 601, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EQUIPMENT," was deferred until Tuesday, April 19, 1983.

Standing Committee Report No. 903 (H.B. No. 334, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 903 and H.B. NO. 334, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was deferred until Tuesday, April 19, 1983.

House Bill No. 44, H.D. 1:

On motion by Senator Cobb, sec-

onded by Senator Soares and carried, H.B. No. 44, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PLANNING AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 328, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 328, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 546, H.D. 2:

Senator Cobb moved that H.B. No. 546, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Soares.

At this time, Senator Abercrombie rose and stated:

"Mr. President, I'd like to speak in favor of this bill.

"Mr. President, if the members will examine this bill, they will find that the purpose is to raise the compensation of patient employees at Hansen's Disease facilities to minimum wage rates.

"Mr. President, the fact of the matter has been that for many, many years, if not virtually for the entire existence of the Kalaupapa Settlement, there have been many patients who have been capable of being employed and working at a part of full-time basis, despite the disease of leprosy from which they suffer. These people, far from wishing to participate in any charitable enterprise as such, have contributed to the very best of their mental and physical abilities to do the work that needed to be done in the settlement. Unfortunately, simply because they had the disease of leprosy, it was adjudged that they should be paid less than other people for the same kind of work and doing the same amount of work.

"This is clearly discriminatory. It is clearly a carryover from the old days...the old days which unfortunately existed right up until the present time. Therefore, Mr.

President, it is clear with the passage of this bill, we'll have taken a small step toward recognizing the contributions the patients have made to the viability of their own settlement.

"Thank you very much."

Senator Fernandes Salling then stated:

"Mr. President, I too, rise to speak in favor of this bill.

"I'd just like to point out that in the Ways and Means Committee, when this was brought to our attention, the Department also testified that it would be working with the same budget amount, \$50,000, for payment to these patients, which would mean that despite the fact that they would receive an increase of their hourly wages, that perhaps what will happen is that they would be looking at a decrease in working hours. I would like the Department and the members to be aware of this and to please take it into consideration, and not to reduce their working hours. Thank you."

The motion was put by the Chair and carried and H.B. No. 546, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF PATIENTS AT FACILITIES FOR THE TREATMENT OF PERSONS SUFFERING FROM HANSEN'S DISEASE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 911 (H.B. No. 594):

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 594, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 912 (H.B. No. 330):

Senator Cobb moved that Stand. Com. Rep. No. 912 be adopted and H.B. No. 330, having been read throughout, pass Third Reading, seconded by Senator Soares.

At this time, Senator Carpenter

then stated:

"Mr. President, I rise to speak in favor of this measure, but with some reservations. This bill purports to take from a dual jurisdiction, from both the Department of Accounting and General Services and the Department of Transportation, and fix under one department the responsibilities for the improvement of facilities relating to airports and aeronautics in general. The language which is not mentioned in the committee report also adds 'without the approval of county agencies.'

"At the present time, all agencies of the state are at least, inferentially supposed to report to the various counties because of the fact that any development project, such as an airport and the appurtenant facilities, certainly will bear on the water, sewer, police, fire and other municipal services. I'm not exactly sure whether or not problems have accrued in the past, which brings this language to bear in this sense.

"Perhaps, I should point out that this appears to be circumventing the county planning process. It would appear to me that all of the airports with general aviation facilities are basically already in place and to allow, or to have a particular state agency with such a large enterprise, basically circumventing the county process in terms of at least a minimal review, would appear to fly in the face of respecting the county jurisdictions and their planning responsibilities.

"With this caution, Mr. President, I would like to see that, if at all possible, even though the bill passes in its present form, that the state departments do indeed cooperate in the planning efforts with the individual counties. Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, would the chairman of the Transportation Committee yield to a question?"

The question was posed by the Chair and Senator Uwayne, having answered in the negative, Senator Abercrombie continued:

"Perhaps then, the chairman of the Ways and Means Committee would be so good as to respond to a question with respect to the previous speaker's remarks? This has to do with the approval of county agencies."

Senator Yamasaki replied:

"Mr. President, as far as the question that was raised regarding the approval of the counties, I believe that as far as design and planning, under the State Plan, the guidelines of the counties would be adhered to by the state agencies, although the Harbors Division already has this authority, and same authority is sought for the airports."

Senator Abercrombie then queried:

"Is it my understanding, Mr. President, that is the law or is that a hope?"

Senator Yamasaki then replied:

"I believe the State Plan Act is the law right now."

Senator Abercrombie then continued:

"I think then, Mr. President, I shall speak against the bill.

"Mr. President, I find it very unfortunate that the chairman of the Transportation Committee is unwilling to answer a fundamental question with respect to where the exact authority, responsibility or obligations of the counties are concerned, and if the Transportation chairman is in addition, the Majority Leader, I presume that means that the Majority is also unwilling to give an answer, or that he can speak on behalf of the Majority. This may be the way that the new Majority Leader thinks that business should be conducted, but I think that it neither serves the purpose of the body politic nor does it serve the voters.

"Now, the County of Oahu, in particular, is in the throes of trying to finish their development plans at the present time, and it is not clear in my mind from any answer, (and I do appreciate that the Ways and Means chairman was willing to attempt to give me an answer with respect to some of the implications,) but I think that a law is concerned here, and that the chairman of the Transportation Committee at least owes the public an explanation as to why the bill is coming forward, minus the approval of the county agencies!

"There may be a perfectly good reason for it. It may be obscure. But I am not a member of the Transportation Committee...it is obscure at the moment. Perhaps the Majority Leader, when he indicated before that

he was so busy with his new duties is such that he can't take care of his old duties, either. But, nonetheless, the fact still remains that there is a bill...it says here on page 4, '...without the approval of county agencies.'

"Now, a perfectly reasonable question was asked by the Senator from the Big Island as to whether or not that would have an impact on the taxpayers of the various counties with respect to sewage and drainage, et cetera, or actually to go further would have an impact on their development plans. Now, it's not that I see anything nefarious or mysterious in it. I thought that there would be a simple answer to a question as to whether the present law covers this. But the fact that the chairman is unwilling to give an answer in public makes it mysterious...the fact that we cannot have a simple answer to a simple question as to what the import of the law is, is indicative to me, that this, perhaps, is another bill that has not been very well researched!

"I have to ask these questions on the floor because there's no other way to get the answers! And, when the chairman of the committee sits in his chair, his arms folded behind his head, looking very self-satisfied about his inability or his incapacity to answer a question that may affect the counties, I think it shows exactly what's going on here! I notice that he continues in that endeavor and that, perhaps would give an indication to the public as to exactly what we can expect from the leadership that's involved with both his chairmanship and his position as Majority Leader!

"In the meantime, Mr. President, it would seem to me that in the absence of an answer to a perfectly reasonable question to put forward, (there's nothing tricky in it; there's nothing deceptive in it; on the contrary, the lack of an answer is indicative of those particular activities,) that it would be better not to vote the bill up.

"Now, if there is anyone who can give a definitive answer, in the absence of the chairman's incapacity or unwillingness, as to what the effect of this is in terms of the present state law and the county development plans, I would be happy to hear of it. And, if it is a satisfactory answer, I would be happy to vote for it, but in the absence of an answer to that question, it seems to

me it's incumbent upon us to vote this bill down!"

At 12:19 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.

By unanimous consent, action on Stand. Com. Rep. No. 912 and H.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," was deferred until Tuesday, April 19, 1983.

House Bill No. 242, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 242, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF CREDIT CARDS FOR HOSPITAL CHARGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1285, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1285, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PLACEMENT OF A SCULPTURE AT THE KAUAI STATE OFFICE BUILDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 882:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 882, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

House Bill No. 244, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 244, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 917
(H.B. No. 1262, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 917 and H.B. No. 1262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," was deferred until Thursday, April 21, 1983.

House Bill No. 251, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 251, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILD BIRD, GAME BIRD, AND GAME MAMMAL PERMITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 837, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 837, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC LIFE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADVISE AND CONSENT

Standing Committee Report No. 906
(Gov. Msg. No. 250):

Senator Yamasaki moved that Stand. Com. Rep. No. 906 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Yamasaki then moved that the Senate advise and consent to the nomination of Jensen S.L. Hee as Director of Finance, term to expire December 1, 1986, seconded by Senator B. Kobayashi.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 907
(Gov. Msg. No. 251):

Senator Yamasaki moved that Stand. Com. Rep. No. 907 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Yamasaki then moved that

the Senate advise and consent to the nomination of George Freitas as Director of Taxation, term to expire December 1, 1986, seconded by Senator B. Kobayashi.

Senator Soares then stated:

"Mr. President, I rise to speak in favor of the nomination of George Freitas as Director of Taxation, and I do so with great pride in that fact that this gentleman, who is a career employee of the Department, has wisdom and knowledge in the area of taxation far beyond any ever dreamed of by us here in this capitol building.

"George has been available at all times with his page number and section and clause and whatever else you ask him to interpret for you, and has more than satisfied all of us in his tremendous capacity to serve. I think it's a great opportunity for us today to honor this gentleman again, and ask all of us in this chamber to support his nomination."

Senator Kawasaki then rose and stated:

"Mr. President, I also rise to speak in favor of confirmation of Mr. Freitas. I believe Mr. Freitas' problem is not as much trying to get confirmed around here, but getting the Legislature to go along with his recommendations. At the rate of which some recommendations have been turned down! If I were him I would not even seek the position.

"My only concern about Mr. Freitas is that he's been rather anxious to conform the state code with the Internal Revenue Code. Inasmuch as the Internal Revenue Code is altered every time we get a new President and a new administration in Washington, perhaps he should take a better look and not be so anxious to conform our state code to the Internal Revenue Code."

Senator Chang then stated:

"Mr. President, I rise to speak in favor of this nomination. Mr. Freitas' presence at committee hearings has been joyful occasions and he has made my first legislative session a very memorable one, indeed. Thank you."

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

Ayes, 25. Noes, none.

Standing Committee Report No. 908
(Gov. Msg. No. 252):

By unanimous consent, action on Stand. Com. Rep. No. 908 and Gov. Msg. No. 252 recommending that the Senate advise and consent to the nomination of Hideo Murakami as Comptroller in accordance with Gov. Msg. No. 252, was deferred until Tuesday, April 19, 1983.

Standing Committee Report No. 918
(Gov. Msg. No. 231):

By unanimous consent, action on Stand. Com. Rep. No. 918 and Gov. Msg. No. 231 recommending that the Senate advise and consent to the nomination of Georgiana Padeken as Chairperson, Hawaiian Homes Commission in accordance with Gov. Msg. No. 231, was deferred until Tuesday, April 19, 1983.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

ADVISE AND CONSENT

Standing Committee Report No. 890
(Gov. Msg. No. 241):

Senator Machida moved that Stand. Com. Rep. No. 890 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Machida then moved that the Senate advise and consent to the nomination of Joshua C. Aagsalud as Director of Labor and Industrial Relations, term to expire December 1, 1986, seconded by Senator Abercrombie.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Carpenter, Cobb, Fernandes Salling, George, Henderson, Kawasaki and Solomon).

RECONSIDERATION OF ACTION TAKEN

Senator Chang moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 115, S.D. 1, H.D. 1, seconded by Senator Cobb.

Senator Chang then stated as follows:

"Mr. President, the Senate had previously disagreed with the House version of this bill. On further analysis, your conferees have found

that the House version is preferable and would recommend its adoption by the Senate after 48 hours' notice."

Senator Cayetano then rose and stated:

"Mr. President, would the chairman explain the differences, please?"

Senator Chang replied:

"Mr. President, this motion will put the bill on 48 hours' notice and I'll be happy to go over the differences between the versions in detail with the Senator in the comfort of his office."

Senator Cayetano then queried:

"How about the 'discomfort' of the floor?"

Senator Chang then stated:

"Mr. President I would be willing to go through that too, if he permits me the courtesy of going over it with him, line by line, in his office first."

Senator Cayetano then replied:

"I will, Mr. President."

Senator Abercrombie then rose and stated:

"Mr. President, would it be too much to ask what the bill relates to? It's not before me, so that's to give us some clue."

Senator Chang then replied:

"Mr. President, as has been my custom, I will recite the numbers of the standing committee reports that relate to this bill so that the Senators can conduct their own analysis -- first, the House Standing Committee Report No. 725 and the Senate Standing Committee Report No. 343. This relates to the Uniform Unclaimed Property Act."

The motion was put by the Chair and carried.

On motion by Senator Chang, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 115, S.D. 1, H.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 115, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT."

At 12:34 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:36 o'clock p.m.

At this time, Senator Carpenter rose and queried:

"Mr. President, would you ask the chairman of the Economic Development Committee if he's had a chance to reconsider his decision relating to the governor's message on the Board of Land and Natural Resources candidate, Roland Higashi?"

Senator Aki replied:

"Yes, Mr. President, I am still considering the matter and at this time I have not scheduled a public hearing."

Senator Carpenter then stated:

"Mr. President, on a point of inquiry, what would be the appropriate time so that should the matter come to the floor it would time out with the completion of this session?"

The President replied:

"Within 24 hours and hopefully for adjournment on Friday."

At this time, Senator George then stated:

"Mr. President, I rise on a point of personal privilege. Mr. President, I believe there isn't anybody in this room who did not read with a great deal of attention the article in Sunday's Star Bulletin and Advertiser and this morning's Advertiser on a subject of considerable interest to this body. The article was on, of course, drunk driving.

"I found reading the articles a 'sobering' experience. Unfortunately the results of our laws were not equally sobering, as I had something to do, as did several of the other people here on the floor today, with passage of the original bill. I think it's appropriate for us to reflect a little bit as to whether or not the article is indeed correct. The headline says, 'Tough law' (which is what we felt we were passing last year) 'not tough enough, experts say, on drunk driving.'

"The article goes on to spread blame around liberally, not just on the law that we passed, which was signed by the Governor last year,

but also spreads a little of the blame around on the enforcement policies of the police which they feel to have been (with the possible exception of the Island of Kauai) no tougher than they had been in previous years; the prosecutors who have chosen to ignore one aspect of the law which we felt would give them an additional weapon (and that's the culpability or punishment for refusing to take a test to find out what the blood alcohol content level is;) and on the courts which are using only to a very tiny degree the possibility of imprisonment of those who are found guilty of driving while drunk.

"Mr. President, I don't think we can expect the police, the prosecutors and the courts to toughen their responsibilities to get the drunks out from behind the wheel and off the roads unless we ourselves are willing to shoulder some of the blame and tighten up on the law that we passed. I remember standing here last year and moving for passage on Final Reading of the drunk driving law and having Senator O'Connor say 'the law was not tough enough; that the current law was tougher because it provided for the capability of the courts to fine up to a thousand dollars,' although they rarely did so. After that, Senator Kawasaki rose and said that the law was exactly the opposite, that it was too tough. So, I imagine that prevailed on my colleagues who felt that if there were people so widely dispersed in their feeling about it that probably it was about in the middle, so we went ahead and passed it.

"I hesitate to do this, Mr. President, (I don't think that I have ever done this before) but I would like to implore the chairman of the Transportation Committee to report out H.B. No. 187, which is presently in that committee. I realize that this bill has a second referral. It would be a little difficult, even though we were to report it out to the floor now, for it to 'get out of the woods,' but the possibility exists that the bill could be waived to the Judiciary Committee, which was the second referral. That chairman could then waive the second referral and we could conceivably pass that measure, unamended, and give some indication to the public that this Legislature is indeed serious about stopping the carnage on our highways.

"Mr. President, would you ask the chairman of the Transportation Committee if he would respond to an inquiry?"

The President then replied:

"Senator George, I must apologize, the chairman has left the floor at this particular juncture."

Senator George then replied:

"I think that's a great pity. I don't know whether it was in anticipation that something like this might happen. I hope not. I have a feeling that he will hear of my query and perhaps will respond to it at some later date. I think I've made about as much of a point and implored about as loud as I can implore about this."

"Thank you very much, Mr. President."

Senator Cayetano then rose and stated:

"Mr. President, may we have a short recess so that the Sergeant-at-Arms can find the chairman. I think that it's a good question that Senator George is asking."

The President replied:

"I think, Senator Cayetano..., I don't know how to locate the chairman, but I will make every effort to do it and see that he contacts Senator George sometime today for a response."

Senator George then replied:

"I would hope, Mr. President, that a response could be made not just to me, but to my colleagues. I'm pretty sure I'm not the only one in this chamber who'd be interested in this legislation and who would like to know whether there's going to be serious consideration in resuscitating it. Thank you."

Senator Carpenter then rose and stated:

"Mr. President, if I may rise on a point of personal privilege, taking off where Senator George left off, I think one of the things we did last year in promulgating a bill relating to driving under the influence was that we standardized the effectiveness of the sentence. We may not have standardized it to a point where people feel that it's strong enough or tough enough, but Senator George and I co-introduced a bill this year which would have brought us up to the federal standards. Basically, H.B. 187, with H.D. 1, would take us to that minimum standard essentially

requiring the removal of license from 30 days on the first offense to an automatic 90 days. If that bill is resurrected, I think it could add, indeed, a great measure toward the strengthening of the initial bill which was put forward by the Legislature last year. It's a fairly small change; it would cost basically nothing in terms of the administration of the present driving under the intoxication of liquor laws. Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, if you would permit me to follow up just a bit on the remarks of the previous two speakers. The reason why I would favor an action such as suggested by the Senator from the Windward Area is that, as so often takes place in the legislative process, and I think it is taking place right now in the conference committee between the Finance Committee and the Ways and Means Committee, you often find, in the course of events, that information comes to hand that you did not have previously, which either strengthens or perhaps weakens one's position, and hopefully, we're all flexible enough that when we get information that would cause us to alter our position, that we do so in the public interest."

"So, my remarks refer to the articles of Mr. Hollis, who, by the way, I might add, is a particularly well qualified person in terms of conducting in-depth studies, not just necessarily in regard to this topic, but in doing surveys and working with the people at the University and in the judiciary system in a systematic and scholarly fashion. He has been a recipient of several awards to pursue this kind of background so as to enhance his repertorial capacities. I think we can rely on the validity of his approach and upon the people with whom he has worked, with whom I'm familiar."

"There are studies currently being undertaken in the University system and elsewhere that back this up, so the thrust of my point, Mr. President, is that if the chairman of the Transportation Committee would examine this information, which after all only came to light yesterday in organized form, it perhaps would have a positive effect on the movement of this legislation. It does not reflect at all on the committee holding the legislation to this point, but rather it's merely a recognition that when information does become avail-

able to us that enables us to make a move on our positions, that it's incumbent upon us to do so and that reflects credit on the whole body when we are able to do it.

"Thank you."

The President then replied:

"We will take a short recess. Perhaps the issue will be attended to in a very short while as the chairman has just returned to the floor."

At 12:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m.

At this time, Senator Uwaine rose and stated:

"Mr. President, early this morning when the conference was over, at about 5:00 a.m. this morning, on my way home, I stopped off at a newspaper stand and bought the Advertiser and prominently on the page of this morning's Advertiser, as well as yesterday's...on Sunday's paper, there was an article on the drunk driving bill.

"I found this morning's article to be especially disturbing as there were major points of interest that were raised by very prominent people in the community -- judges, as well as prosecutors and the police department -- about the effect of the present drunk driving law that we were led to believe was a very tough law. However, after reconsideration upon reading this article and properly reflecting on several of the comments that I had made previously and listening to the testimony that was presented to the Committee on Transportation during the hearings on the drunk driving bills, which, on the contrary to this article, nobody came to testify to that effect.

"I find myself presently in agreement with several of the statements that were made pertaining to the fact that maybe Hawaii's drunk driving law isn't as strong as I was led to believe. In that respect, Mr. President, I would like for you to consider waiving the drunk driving bills over to the Committee on Judiciary. There are several bills and probably, perhaps maybe even after the session adjourns today, we can have a discussion with yourself, Senator George and other interested Senators in reflecting upon which

bill, or rather, the appropriate bill to pass over. I would have no objections.

"Thank you, Mr. President."

Senator George then stated:

"Thank you. Mr. President, I'm sorry that the chairman didn't get a chance to hear my impassioned plea to waive. Our minds must have been moving along the same lines.

"I wonder if the chairman of the Transportation Committee would indicate whether in his last statement he intended that a request be made to report the bill out of the Judiciary Committee to the floor for action in this session or if we are to anticipate a year's delay before passage can be made?"

The President replied:

"Senator George, I think the request will come to the Chair shortly for working out the mechanics involved in bringing the measure to the floor."

Senator George then concluded her remarks stating:

"I would appreciate thoughtful attention to the matter. Thank you."

The President replied:

"Thank you very much, Senator George."

Senator Carpenter then stated:

"Mr. President, I would like to point out to Senator George, the author of the Senate version...I think it's a little bit better. However, in the absence of that one as a vehicle that could move forward before the end of the session, I certainly think that H.B. 187, H.D. 1, would certainly be acceptable."

The President replied:

"We are bound by the deadline arrangements made with the House on amending House bills. At this late date, it's my understanding that the leadership of the House has indicated that the only measure that they will accept past the deadline is the State Budget. All other House bills with Senate amendments will not be acceptable to the House."

Senator Cayetano then queried:

"Mr. President, just for my clari-

fication. I heard the chairman of the Transportation Committee indicate that he would waive the bill to Judiciary. Now, since we are running out of time, for my information, is the bill in Judiciary?"

The President replied:

"The bill is now in Transportation. It's a matter of working out the mechanics. Perhaps, if I can discuss the matter with the Judiciary chairman, he may choose to waive his referral and the bill can come out on Second Reading, unamended, to the floor for a vote."

Senator Cayetano then stated:

"Fine. Would you inform us as to when the decision will be made?"

The President replied:

"As soon as we can mechanically work it out."

Senator Cayetano concluded his remarks stating:

"Okay. Thank you very much, Mr. President."

Senator Cobb then rose and stated:

"On a point of order, Mr. President, the decision to waive is the chairman's. In either case, a decision for subsequent public

hearing is the chairman's. If the committee decides to report a bill out, then it would come out, I presume, with a committee report. If there's a double waiver, then the bill would come out with no committee report attached. But, in any event, the decision would first have to be made by the Transportation Committee chairman and second, by the Judiciary chairman."

The President then stated:

"Yes, but I think, Senator Cobb, that there is a mechanical problem that first must be resolved."

Senator Cayetano then queried:

"Can we expect an answer tomorrow?"

The President replied:

"I'll get you an appropriate answer as soon as I can, Senator Cayetano."

Senator Cayetano then replied:

"Thank you, Mr. President."

ADJOURNMENT

At 12:55 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 19, 1983.