

## SIXTIETH DAY

Friday, April 22, 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 Sister Maureen Keleher, O.S.F., Regional Administrator of the Sisters of St. Francis, after which the Roll was called showing all Senators present.

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

At this time, Senator Carpenter, on behalf of Senators Henderson, Solomon and himself, introduced a group of 41 senior citizens from the Big Island, accompanied by their coordinators Fuyu Nagata and Sammy Goya.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 722 to 743), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 722) returning Senate Bill No. 570, S.D. 1, which passed Third Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 723) transmitting House Concurrent Resolution No. 169, which was adopted by the House of Representatives on April 20, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 169 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 724) transmitting House Concurrent Resolution No. 178, H.D. 1, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 178, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 725) returning Senate Concurrent Resolution No. 41, which was adopted by the House of Representatives on April 21, 1983, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 41, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 726) informing the Senate that the amendments proposed by the Senate to House Bill No. 182 were agreed to by the House, and H.B. No. 182, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 727) informing the Senate that the amendments proposed by the Senate to House Bill No. 253, H.D. 1, were agreed to by the House, and H.B. No. 253, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 728) informing the Senate that the amendments proposed by the Senate to House Bill No. 722, H.D. 1, were agreed to by the House, and H.B. No. 722, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 729) informing the Senate that the amendments proposed by the Senate to House Bill No. 722, H.D. 1, were agreed to by the House, and H.B. No. 722, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 730) informing the Senate that the amendments proposed by the Senate to House Bill No. 913, H.D. 1, were agreed to by the House, and H.B. No. 913, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 731) informing the Senate that the House has reconsidered its action taken on April 7, 1983, in disagreeing to the amendments made by the Senate to House Bill No. 1399, H.D. 2, and the Speaker has on April 21, 1983, discharged the 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. 732) correcting a previous communication to the Senate dated April 20, 1983, wherein the Senate was incorrectly informed that House Bill No. 253, H.D. 1, S.D. 1, had passed Final Reading, was placed on file.

A communication from the House (Hse. Com. No. 733) informing the Senate that the amendments proposed by the Senate to House Bill No. 256, H.D. 1, were agreed to by the House, and H.B. No. 256, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 734) transmitting House Concurrent Resolution No. 203, which was adopted by the House on April 21, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO LAUPAHOEHOE HIGH AND ELEMENTARY SCHOOL ON ITS 100TH ANNIVERSARY," was adopted.

A communication from the House (Hse. Com. No. 735) returning Senate Concurrent Resolution No. 92, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 736) transmitting House Concurrent Resolution No. 87, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 87 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 737) transmitting House Concurrent Resolution No. 110, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 110 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 738) transmitting House Concurrent Resolution No. 120, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on

H.C.R. No. 120 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 739) transmitting House Concurrent Resolution No. 126, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 126 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 740) transmitting House Concurrent Resolution No. 187, H.D. 1, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

Senator Cobb moved that H.C.R. No. 187, H.D. 1, be adopted, seconded by Senator Soares.

At this time, Senator Abercrombie rose and stated:

"Mr. President, I'd like to speak in favor of this measure, very briefly indicating that, as I do, that I think it's very important with respect to library services that we utilize available structures or make such innovations as are possible in order to establish contact for the public with libraries, even if we do not have sufficient funds to build brand new libraries. This is something that reflects upon the changing population patterns, not only on Oahu, but on the neighbor islands and well, so that plans, as such, that might have been drawn up years ago, do not necessarily reflect those population changes and the needs of the communities, and it's this kind of innovation that is necessary in order for us to carry out proper availability of library services to the people of this state."

The motion was put by the Chair and carried, and H.C.R. No. 187, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A PUBLIC LIBRARY MOANALUA-SALT LAKE PORTASTRUCTURE," was adopted.

A communication from the House (Hse. Com. No. 741) transmitting House Concurrent Resolution No. 191, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES GENERAL

SERVICES ADMINISTRATION TO EXPEDITE THE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, BY THE STATE OF HAWAII FOR DEVELOPMENT OF THE SALT LAKE-MOANALUA COMMUNITY LIBRARY," was adopted.

A communication from the House (Hse. Com. No. 742) transmitting House Concurrent Resolution No. 193, H.D. 1, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent action on H.C.R. No. 193, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 743) transmitting House Concurrent Resolution No. 198, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 198, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING MAY 1, 1983, AS LAW DAY U.S.A.," was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

#### STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1050) informing the Senate that Standing Committee Report Nos. 1051 to 1060 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.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 1051) recommending that Senate Resolution No. 126 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 126, entitled: "SENATE RESOLUTION RELATING TO A POLICY ON LONG TERM CARE FOR

THE ELDERLY," was adopted.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 1052) recommending that Senate Resolution No. 79, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 79, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF OTHER STATES' LEASEHOLD LAWS AND THE RENEGOTIATION PROCESS OF PROPERTY LEASES UNDER CHAPTERS 516 AND 519, HAWAII REVISED STATUTES," was referred to the Committee on Legislative Management.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 1053) recommending that Senate Resolution No. 94, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 94, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PREPARE STATUS REPORTS ON THE CROWN PROPERTY SITE," was adopted.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 1054) recommending that Senate Resolution No. 100 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 100, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO PREPARE A STATUS REPORT ON THE WAIHAOLE VALLEY PROJECT," was adopted.

Senator Young, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 1055) recommending that Senate Resolution No. 104, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF

ACCOUNTING AND GENERAL SERVICES TO ESTABLISH A COMPREHENSIVE FINANCIAL ACCOUNTING SYSTEM FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS," was adopted.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1056) recommending that Senate Resolution No. 99 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 99, entitled: "SENATE RESOLUTION RELATING TO THE EQUALITY OF WOMEN," was referred to the Committee on Legislative Management.

Senator Young, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 1057) recommending that Senate Resolution No. 135 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 135, entitled: "SENATE RESOLUTION REQUESTING THE CONTINUATION OF THE LEGISLATIVE AUDITOR'S INVENTORY OF LANDS IN THE PUBLIC TRUST AND THE POSSIBLE CONFLICTING CLAIMS MADE ON REVENUES DERIVED THEREFROM," was referred to the Committee on Legislative Management.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1058) recommending that Senate Resolution No. 128 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 128, entitled: "SENATE RESOLUTION CONVENING A JOINT DISCUSSION GROUP, UNDER THE LEADERSHIP OF THE SENATE COMMITTEE ON HEALTH, TO STUDY THE PROBLEMS ATTENDANT TO THE LONG-TERM CARE OF HAWAII'S ELDERLY AND LOW-INCOME PATIENTS," was referred to the Committee on Legislative Management.

Senator Machida, for the Committee on Health, Senator Mizuguchi, for the Committee on Human Resources, and Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 1059) recommending that Senate

Resolution No. 121 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.R. No. 121, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF HAWAII'S HUMAN SERVICES PROVIDERS TO IDENTIFY GOALS AND OBJECTIVES AND DUPLICATION OF SERVICES, ESTABLISH PRIORITIES OF SERVICES, AND TO EVALUATE THE IMPLEMENTATION OF ACT 207, SESSION LAWS OF HAWAII 1981," was referred to the Committee on Legislative Management.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1060) recommending that Senate Resolution No. 119, as amended in S.D. 1, be adopted.

By unanimous consent, Stand. Com. Rep. No. 1060 and S.R. No. 119, S.D. 1, entitled: "SENATE RESOLUTION CONCERNING THE BOARD OF EDUCATION," were recommitted to the Committee on Education.

#### ORDER OF THE DAY

##### FINAL READING

Conference Committee Report No. 13 (H.B. No. 314, S.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 13 be adopted and H.B. No. 314, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Young then rose and stated:

"Mr. President, this bill would enable the Hawaii Housing Authority to issue taxable bonds and proceeds used to acquire lots in fee. The original bill requested a sum of \$75 million. The Conference Committee felt that the present \$50 million would be sufficient."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 13 was adopted and H.B. No. 314, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 14 (H.B. No. 1232, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 14 was adopted and H.B. No. 1232, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 15 (H.B. No. 1620, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 15 was adopted and H.B. No. 1620, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING CORPORATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Ajifu, George and A. Kobayashi).

Conference Committee Report No. 16 (H.B. No. 800, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 16 was adopted and H.B. No. 800, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 17 (S.B. No. 1254, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 17 be adopted and S.B. No. 1254, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Abercrombie then rose and stated as follows:

"Mr. President, I need to ask the chairman one or two questions before voting on this bill. I would like to vote for the bill, but there are a couple of things that came up that I need to have cleared.

"As I understand the college equivalency program, which I favor, that

is to say, giving work credits or credits for other activities which may be reasonably construed by the University faculty as being worthy of granting of credit. I construe that to be a good thing to do. I supported the equivalency idea for a long time. Now, the question here is, an additional language put in called military training program, and it says, 'credits may be awarded for work or other experiences at the discretion of the University.' If that was the end of it, that would be fine. What bothers me, is that on page 3 of the bill, starting on line 15, there is a segment which is removed, and it says, 'nor to non-resident students who are residents of a state or foreign country which permits Hawaii residents to pay resident tuition fees while attending public institutions of higher learning in such state or foreign country.'

"That's removed. That's removed from a section that begins with, 'The non-resident tuition differential shall not be applicable to non-resident students who were enrolled at the University....' et cetera, et cetera. Now, my assumption was that this kind was a kind of reciprocal agreement and there are words to the effect on the next page, page 4, 'The Board may enter into agreements with government and university officials of any other state or foreign country to provide for reciprocal waiver of the non-resident tuition differential.'

"I don't dispute that they could do that, by my assumption is, that on line 15 on page 3, through line 18, that such an agreement was already in place because it refers to people who are attending the school and who are able to pay resident tuition fees in an institution of higher learning in another state or foreign country. My question, therefore, is, is this an inadvertent error or what? It would appear that we would be removing the ability of a student from another state or foreign country to receive resident tuition status when that foreign country or state grants the same to students from Hawaii."

The President then noted:

"Mr. Chairman, that is a long question."

Senator Holt replied:

"Thank you, Mr. President. It's not a mistake. What it is, is the existing statute automatically allows tuition waivers to non-resident students. What we're doing here is

amending the statutes to take away that automatic reciprocity agreement. However, the Board of Regents still has the authority to waive tuition for non-resident students. This is an amendment proposed by the House primarily because there were a substantial number of non-resident students attending the University of Hawaii while only a small number of Hawaii residents were taking advantage of this agreement."

Senator Abercrombie then stated:

"Mr. President, I'm still a bit confused about it and I do want to support this bill, if I can, but I don't want to see something come by that maybe was combined inadvertently.

"If you look at the committee report, it says 'The bill also amends Section 304-14.6.' Maybe I'm reading it incorrectly; 304-14.6, this repeals the sunset provision granting tuition waivers for qualified Hawaii National Guard and Army Reserve members and 304.4, repealing the non-resident tuition differential waivers by reciprocity.

"Maybe I'd better go back to 304, the first part. I didn't understand the chairman's answer with respect to why this was taken out. If there are other states who grant our students resident status because we grant it, in other words, reciprocity is already in existence. If we remove that, won't that threaten the advantage to our students in other states in terms of reciprocity?"

Senator Holt replied:

"Mr. President, in response, this would still allow the Board of Regents to enter into any kind of arrangement or agreement with other states. All it does is to take out the automatic reciprocity agreement. The Regents could still go ahead and enter into agreements with other states to have some kind of automatic waiver of tuition."

Senator Abercrombie then queried:

"Mr. President, I understand that. The language on page 4 allows the Regents to do that. Having done it, why would we want to take out the reciprocity? Shall we take a brief recess, Mr. President?"

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

The Senate reconvened at 12:10 o'clock p.m.

Senator Abercrombie rose and stated:

"Thank you, Mr. President. The chairman has answered my questions. I understand better now, and I want to speak in support of the bill because of the important nature of the college credit equivalency program. However, Mr. President, I do want to indicate this for the record, and I hope that others might join in and perhaps, even the chairman, if he so desires, to urge the Regents to be very, very careful in implementing the language as represented in the bill, because the effect of this bill, when it becomes law, with this deletion, will be that, even considering that the Regents may enter into an agreement, those students already on the Mainland or elsewhere from Hawaii, who are receiving tuition status as a result of the reciprocity that exist here now, might be in jeopardy if the Regents remove that capacity for students from the Mainland or a foreign country coming to the University of Hawaii.

"The chairman informs me that there appears to be a higher ratio of students from elsewhere here receiving the benefit of resident tuition than there are students from Hawaii going to school on the Mainland or in a foreign country. There's somewhat of a disparity there. I don't think the intent really is to try and make it equal. After all, we can't force our students to go elsewhere to school; they might not be able to afford it, et cetera, et cetera. But for those of our students in Hawaii who do enjoy such benefit, for the Regents to remove it, simply because the numbers are different, would jeopardize those students.

"So, my appeal, for the record, is that the Regents be made aware, that to remove the resident tuition status of students coming here from elsewhere, would be a very, very bad policy to pursue and that they should take advantage of other language already in the law which allows them to waive entirely or reduce the tuition fee or any other fees for any students, resident or non-resident, who are well qualified or in need of financial assistance. I would take the phrase 'well qualified' to mean that it is recognized in another state or another country that reciprocity will result in resident status for our students in those places. Thank

you."

Senator Holt then stated:

"Mr. President, I'd also like to place into the record a few comments. I agree with the previous speaker and I think I'd like to make it clear that the intent of this amendment is to insure that areas where we do not send students from Hawaii, (and there are a few states like that,) these are the places that we do have concerns because we are granting automatic waivers to students from those states, and the amendment to this bill is specifically intended to address that particular area. Thank you."

Senator Abercrombie then added:

"Mr. President, I just had one other comment to make, again speaking in favor of the bill, that it should be recognized by all, that the bill, in its passing, will not automatically grant equivalency credit to a military training program or to other work experience. Those programs and/or work experience will be subject to the investigation of the University. When it says, 'at the discretion of the University,' certain procedures with respect to course equivalency and determination of credit would have to apply.

"So, I just add that as a caveat to the people who may try to take advantage of this bill when it passes, and it should, that it is not an automatic process, but rather, they must meet all the pertinent qualifications as required by the University so that those who are receiving credit in particular courses do not find the worthiness of their work effort diluted. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 17 was adopted and S.B. No. 1254, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Carpenter rose and stated:

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

"Mr. President, this morning, on our application before the court, which was not approved, it was

determined, however, in the discussion by the Judge, that the worksheets relative to the budget bill, which we will soon be discussing, are indeed important as regards making a better informed decision.

"I would like to ask at this time, so that we can better prepare ourselves for that discussion, whether or not the chairman of the Ways and Means Committee would allow the members of the Senate to peruse the worksheets prior to getting into discussion on it, or at least, designated members of our staff?"

At 12:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:20 o'clock p.m.

The President then stated:

"Senator Carpenter, I believe a question was directed to the chairman of the Ways and Means Committee. I think the President will answer your question.

"First, I think the court order made it very plain and very clear that the worksheets are not public documents. Second, I think the budget bill, in its final form, has been on the desks of the individual members now for some 40 hours and that there has been ample opportunity to ask questions. However, the chairman of the Ways and Means Committee has told me that he is willing to answer specific questions that any of you six people might have pertaining to the budget. This is to allow you to have information that you may need to properly pursue your discussion this evening."

Senator Carpenter then replied:

"Mr. President, I asked if we could peruse the worksheets, and to that question, is the answer 'no'?"

The President replied:

"That is correct, Senator Carpenter."

Senator Carpenter then continued:

"Then the only method we have for determining what the adjustments were and the agreed upon measures in the adjustments by the House and Senate conferees will be by questioning the chairman?"

The President replied:

"If you have any specific questions, I think he'll be willing to answer them."

Senator Carpenter concluded his remarks to the Chair stating:

"Thank you very much."

At this time, Senator Cayetano rose and stated:

"Mr. President, Judge Sodemani, in his ruling, ruled that while in his view, these worksheets were not public records, that he understood that they were important to understanding the budget. I think every witness who was asked this question on the stand answered accordingly. In fact, Dennis Goda, the Deputy Director of the Department of Budget and Finance, testified that the formalized worksheets which are transmitted to the Department of Budget and Finance are vital to the implementation of the budget.

"The upshot of all this is that while we were denied access to the records via HRS 92-51, the unanimous conclusion was that the budget could not be understood without looking at these worksheets. I can understand the court's concern with respect to the public having access to these worksheets. However, you have six Senators who have had some experience with these worksheets in the past who, without these worksheets, cannot properly assess the budget.

"So, my question is, what is the Chair saying to us, Mr. President? Is your remark to us that these questions should be asked on the floor? Or is it that we have to set aside a time and discuss this with Senator Yamasaki?"

The President replied:

"I would hope, Senator Cayetano, that during the interim later today during our break and before we come back, that you use the opportunity to speak to the chairman of Ways and Means on any questions you may have. Whatever arrangements you make relative to getting information should be made at that time."

Senator Ajifu then rose and stated:

"Mr. President, I rise to a point of order.

"Mr. President, I would like to call to the members' attention, the Order of the Day. I think the next order

of business on the Order of the Day is Conference Committee Report No. 18. I think that we have printed order that we should be following and I think it's out of order to take up this particular subject matter at this time."

Senator Cayetano then replied:

"Mr. President, I believe I was just following up on your remarks so that we have an understanding of what you mean. If what you are saying to us, that we set aside a time with Senator Yamasaki, in the Ways and Means conference room or something like that, I think that arrangement would be well and good. But what are you saying? Do we ask here, or do we ask someplace else?"

The President replied:

"Well, I've already suggested to you, Senator Cayetano, that if you had given me a chance to make arrangements to get the information you wanted, you wouldn't have had the necessity for filing a suit. If I recall correctly, the other evening on the floor, I came over specifically to tell you people that I was trying to work something out. However, before something could be worked out, I find out on the radio that we were being sued for that same information. So what am I to think now of the purpose of your inquiry?"

Senator Cayetano stated:

"Mr. President, one of the problems that we're having here is that sometimes what is said from person to person, differs from what is done and what is said for the record. On the record that evening, the answer was 'no'."

The President replied:

"But the discussion following the session was with you privately, and I said I'm going to try to work something out even though my formal answer had been no. I said we'll try to work something out. Then, when I'm coming in from Salt Lake the next morning, I hear over the radio that I'm being sued in court. I don't think this was conducive to resolving this problem."

Senator Cayetano queried:

"What is it that you were going to work out, Mr. President?"

The President replied:



"At least some arrangement to get specific information for you that you people were looking for! I don't know what information you're looking for."

Senator Cayetano then stated:

"That was not the representation made to us on the record."

The President replied:

"Whatever the representation was, there was an attempt to try and get the sides together to get the additional information. Evidently, Senator Cayetano, you individuals felt it was necessary to go to court to obtain that kind of information!"

Senator Cayetano retorted:

"Because, Mr. President, we have learned the only representation made here that counts is that which everybody hears, and is for the record"

The President replied:

"I want to make it very clear that it's never been the intent to withhold information from Senators. I've heard discussion along this line in the court and I remained silent through the whole discussion. I've not discussed the case in the media. Whenever I've been approached, I said let the Judiciary handle it and whatever it decides has to be done will be done. And I've kept to that commitment. But again, I will not allow the use of the budget to delay this session any longer past midnight tonight!"

Senator Carpenter then rose and stated:

"Mr. President, just to follow up on that, I think I asked you earlier if the six Senators or any Senators for that matter, or our designated personnel could peruse these documents. I think we could have accomplished the same purpose and get along with the agenda and be properly apprised of the information contained in these worksheets, which do in fact, support the budget."

The President replied:

"And my answer was, for you to take a recess and discuss this matter with Senator Yamasaki, if he prefers to do it this way. The Chair does not quarrel with this approach, but I want to make it very clear that those documents are not public and that it is up to the chairman to tell you whether or not he wants to share any

of the worksheets with you. I'm saying that I think there is a possibility that things may happen if only people will just go talk to each other, instead of talking through the courts and the media."

Senator Carpenter then queried:

"Mr. President, can we assume then that there will be an opportunity to peruse something, or at least have some discussion?"

The President replied:

"I hope that we can get on with the agenda and I will personally take any one of the six to talk to Senator Yamasaki."

Senator Carpenter concluded his remarks stating:

"Thank you very much, Mr. President."

At 12:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:49 o'clock p.m.

The President then stated:

"At this time, the Chair would like to say a few words regarding its earlier outburst. Normally it is not my style to criticize a Senator on the floor of this body. To Senator Cayetano, I apologize and I will try to see that it won't occur again. I do want to caution the Senators, however, that we do have some business at hand and that we should continue to do the business of this state and of the people."

Conference Committee Report No. 18 (S.B. No. 569, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 18 was adopted and S.B. No. 569, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 19 (S.B. No. 133, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 19 was adopted and S.B. No. 133, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 20 (H.B. No. 809, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 20 was adopted and H.B. No. 809, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 22 (H.B. No. 844, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 844, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STADIUM AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 23 (H.B. No. 1567, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 1567, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 24 (H.B. No. 1557, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 24 be adopted and H.B. No. 1557, S.D. 1, C.D. 1,

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

At this time, Senator Abercrombie rose and expressed his concerns stating:

"Mr. President, before I'm able to make a decision on this bill, I would like to pose a question, not necessarily to the chairman of the Committee, but in all probability, I hope he can answer it. If I understand this correctly, the Director of the Department of Health can place defendants of non-violent crimes in the least restrictive appropriate environment in light of treatment and protection needs of the defendant.

"My question therefore, is, does this relate specifically to what is commonly known as 'white collar' crime? Is that the idea behind this bill? I guess I'm trying to figure out what is the focus of this bill with respect to fitness? Is it a question of mental capacity or is it a question of the type of crime?"

Senator Chang then replied:

"Mr. President, with all due respect to the Senator, I'm not sure I understand the question. The purpose of the bill is precisely as stated in the bill itself, which is to permit the Director of Health to place defendants charged with misdemeanors or felonies not involving violence or attempted violence, in the least restrictive environment appropriate, in light of the defendant's treatment needs and the need to prevent harm to the person confined or others.

"The Senators may be familiar with the situation at the State Hospital. It is a very costly facility, one that has been established with security safeguards and requires a lot of maintenance and sizeable personnel costs. The committee determined that there are persons who have been charged with Penal Code violations, who nevertheless require treatment needs more than criminal corrective measures; this would permit the Director of Health to meet both the defendant's needs and the public's need for security, and the cost concerns, all at the same time."

Senator Abercrombie then stated:

"Mr. President, I appreciate the chairman's remarks because I believe I should have amended my question a bit further than I did. What I'm trying to get at here is that I'm not

quite sure why it is exclusively residing with the Director of Health. That's what I meant about the kind of crime, and I should have gotten to that point.

"The reason for this, Mr. President, is that there have been questions in the past concerning the role of the Judiciary, that is to say, whether the judges should be making decision or the Director of the Department of Health should be making decisions in this area. So, may I take it then, that in the chairman's mind, that there is not a role in this language for the Judiciary as such, rather the Director of the Department of Health? That's what I should have asked."

Senator Chang then replied:

"Mr. President. That is correct. If the Senator will refer to Section 704-411.1(a), on page 1, he will find that the court commits to the Director of Health such defendants and this is just the continuation of that commission and custody to the Director of Health. Subsection (b) then goes on to discuss situations where the court may order the defendant released; or, in a separate subsection (c), discharged from custody; so that this new language really relates to the flexibility permitted to the Director of Health, while the defendant is within the Director's custody and control."

Senator Abercrombie then stated:

"In that case, Mr. President, I'd like to speak in favor of the bill. I think then, it does not diminish the responsibility of the courts and if I understand the chairman correctly, it will provide a method whereby there will be increased communication between the State Hospital, as the designate of the Director of Health in this area, increases communication between that institution and its treatment and the courts. If this is the effect of this legislation, it may tend to reduce the chances of incidents occurring which will have a detrimental effect both on the defendants placed there and on society."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 24 was adopted and H.B. No. 1557, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESPONSIBILITY AND FITNESS OF DEFENDANT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 25 (H.B. No. 1417, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 1417, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 26 (H.B. No. 1342, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 1342, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 27 (H.B. No. 1119, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 27 and H.B. No. 1119, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 28 (H.B. No. 992, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 28 was adopted and H.B. No. 992, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 29 (H.B. No. 535, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 29 was adopted and H.B. No. 535, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII ADMINIS-

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

Ayes, 25. Noes, none.

Conference Committee Report No. 30 (H.B. No. 467, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 30 was adopted and H.B. No. 467, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 31 (H.B. No. 1562, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 1562, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EFFECT OF FINDING OF UNFITNESS TO PROCEED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 32 (S.B. No. 180, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 32 was adopted and S.B. No. 180, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 33 (S.B. No. 181, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 33 was adopted and S.B. No. 181, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING HOME ADMINISTRATORS ACT," having been read throughout, passed Final Reading on the following

showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 34 (S.B. No. 247, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 34 was adopted and S.B. No. 247, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE AND COLLECTION SERVICING AGENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 35 (S.B. No. 555, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 35 was adopted and S.B. No. 555, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE FEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 36 (S.B. No. 711, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 36 was adopted and S.B. No. 711, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 37 (S.B. No. 735, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 37 was adopted and S.B. No. 735, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 38 (S.B. No. 631, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 38 was adopted and S.B. No. 631, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL HEALTH LAW. ADMISSIONS FOR NONEMERGENCY TREATMENT OR SUPERVISION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 39 (H.B. No. 390, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 39 was adopted and H.B. No. 390, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 40 (H.B. No. 1266, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 40 was adopted and H.B. No. 1266, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 41 (H.B. No. 663, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 41 was adopted and H.B. No. 663, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 42

(H.B. No. 1102, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 1102, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 43 (H.B. No. 901, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 901, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 44 (S.B. No. 30, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 44 was adopted and S.B. No. 30, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 45 (S.B. No. 800, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 45 and S.B. No. 800, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 46 (H.B. No. 393, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 46 and H.B. No. 393, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

At 1:00 o'clock p.m., the Senate stood in recess subject to the call of

the Chair.

The Senate reconvened at 1:03 o'clock p.m.

Conference Committee Report No. 47 (S.B. No. 1338, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 47 was adopted and S.B. No. 1338, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 48 (S.B. No. 1050, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 48 was adopted and S.B. No. 1050, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTENDANCE AT CLASSES OUTSIDE A SCHOOL DISTRICT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 49 (S.B. No. 1122, S.D. 2, H.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 49 be adopted and S.B. No. 1122, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

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

"Mr. President, speaking in favor of this measure, I hope that in the future the State Librarian's position will be recognized for the Department Head status that it in fact, has as a result of our legislation and as a result of the policies which we have established in recognition of the library as it is attempting to become a modern system. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 49, and S.B. No. 1122, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," having been read throughout, passed Final Reading on the following showing of

Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 50, H.B. No. 1018, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 50 was adopted and H.B. No. 1018, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL BANKING FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 51 (S.B. No. 80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 51 was adopted and S.B. No. 80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 52 (S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 52 be adopted and S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Kawasaki rose to ask for a ruling of the Chair as to a possible conflict of interest as he is in the real estate development field.

The President then ruled that there was no conflict.

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 52 was adopted and S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND SALES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 53 (H.B. No. 753, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 53 was adopted and H.B. No. 753, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 54 (H.B. No. 1587, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 54 be adopted and H.B. No. 1587, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Cobb rose and stated:

"Mr. President I'd just like to bring to the members' attention, as well as to express very clearly the legislative intent contained in Section 2, page 3, of the bill. The grandfather clause, which is consistent with the Liquor Commission guidelines and rules and regulations of a 25% change or more in ownership, that the grandfather clause is and intended to be very permanent and that if anybody who would suffer by a subsequent action changing this grandfather clause, would, in my opinion, have a pretty good cause of action.

"The Supreme Court of the United States ruled nine to nothing that it is permissible for states to regulate liquor in this manner, and therefore, the bill which was held over from last year because of that pending court decision is now being acted upon. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 54 was adopted and H.B. No. 1587, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 55 (S.B. No. 904, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, sec-

onded by Senator Soares and carried, Conf. Com. Rep. No. 55 was adopted and S.B. No. 904, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR DEALERSHIP PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 56 (S.B. No. 903, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 56 and S.B. No. 903, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

At 1:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:12 o'clock p.m.

Conference Committee Report No. 57 (S.B. No. 787, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 57 be adopted and S.B. No. 787, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Abercrombie then rose and stated:

"Mr. President, speaking in favor of this bill, I'd like to compliment the chairman and his committee on working on this. It's a big step forward for people and it's taken a lot of work to get here and I hope that the beneficiaries out there who are living under horizontal property regimes will be able to put it to good use."

Senator Cobb then rose and stated:

"Mr. President, I rise just to thank the Senator for his kind words and also to echo the same sentiments. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 57 was adopted and S.B. No. 787, 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, 25. Noes, none.

Conference Committee Report No. 58 (H.B. No. 966, H.D. 2, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 58 be adopted and H.B. No. 966, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Carpenter then rose and stated:

"Mr. President, on House Bill No. 966, just a quick question relating to page 5, lines 2 and 3. I just wanted to ask the chairman if this section authorizes insurers to deny rebate or refund if the car happens to be totaled, stolen, or if the individual moves out of the state before the expiration of six months?"

Senator Cobb then replied:

"In answer to the question, Mr. President, the answer is no, it does not."

Senator Carpenter replied:

"Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 58 was adopted and H.B. No. 966, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ajifu).

At this time, the President stated:

"With reference to Conference Committee Report Nos. 59 to 78, these need to be deferred to the end of the calendar for the purposes of meeting the 48-hour deferral period."

Senator Abercrombie then rose and queried:

"Mr. President, excuse me, I missed that. I did not understand the import."

The President replied:

"That the time of 48 hours has not yet elapsed?"

Senator Abercrombie then stated:

"Is this with respect to H.B. No. 915? Is that what we're discussing?"

The President replied:

"We are now on page 8 of the Order of the Day, beginning with Conference Committee Report Nos. 59 through 78."

Senator Abercrombie then stated:

"So the reference is to Committee Report Nos. 59 through 78?"

The President replied:

"That is correct, Senator Abercrombie."

Senator Toguchi then rose and queried:

"Mr. President, as a request to the Chair, as these types of bills come up, could we also have the clocking times?"

At 1:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:42 o'clock p.m.

At this time, the President stated:

"An inquiry was made of the Chair relative to the clocking times on certain bills. With reference to page 8 of the Order of the Day, beginning with Conference Committee Report No. 59, Report Nos. 59, 60, 61 and 62 were clocked at 1:00 o'clock p.m. With reference to Report Nos. 63 to 68, Report Nos. 63, 65, 67 and 68 contain money and so they will be placed at the end of the calendar. Report Nos. 64 and 66, which were clocked at 6:00 o'clock p.m. will also be placed at the end of the calendar. Report No. 69, which deals with the State Budget, was clocked at 9:07 o'clock p.m. The following Report Nos. 70 to 78 are also deferred to the end of the calendar."

Conference Committee Report No. 59 (S.B. No. 915, S.D. 1, C.D. 2):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 59 was adopted and S.B. No. 915, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:



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

Conference Committee Report No. 60 (H.B. No. 337, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 60 was adopted and H.B. No. 337, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOPEDES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 61 (S.B. No. 1105, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 61 was adopted and S.B. No. 1105, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conference Committee Report No. 62 (S.B. No. 1247, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 62 was adopted and S.B. No. 1247, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 63 (S.B. No. 1062, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 63 and S.B. No. 1062, S.D. 2, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 64 (S.B. No. 834, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 64 and S.B. No. 834, S.D. 1, H.D. 2, C.D. 1,

was deferred to the end of the calendar.

Conference Committee Report No. 65 (S.B. No. 4, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65 and S.B. No. 4, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 66 (H.B. No. 1434, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 66 and H.B. No. 1434, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 67 (S.B. No. 994, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67 and S.B. No. 994, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 68 (S.B. No. 937, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 68 and S.B. No. 937, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

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

By unanimous consent, action on Conf. Com. Rep. No. 69 and H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 70 (S.B. No. 1279, S.D. 2, H.D. 2, C.D. 2):

By unanimous consent, action on Conf. Com. Rep. No. 70 and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 2, was deferred to the end of the calendar.

Conference Committee Report No. 71 (H.B. No. 387, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 71 and H.B. No. 387, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 72 (H.B. No. 45, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 72 and H.B. No. 45, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 73 (H.B. No. 1190, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 73 and H.B. No. 1190, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 74 (H.B. No. 670, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 74 and H.B. No. 670, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 75 (H.B. No. 5, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 75 and H.B. No. 5, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 76 (H.B. No. 236, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 76 and H.B. No. 236, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 77 (H.B. No. 225, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 77 and H.B. No. 225, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 78 (H.B. No. 702, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 78 and H.B. No. 702, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

At 1:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:50

o'clock p.m.

### THIRD READING

House Bill No. 514:

On motion by Senator Cobb, seconded by Senator Soares and carried H.B. No. 514, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 657:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 657, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF ELECTRICIANS AND PLUMBERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 234:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 234, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 273:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 273, entitled: "A BILL FOR AN ACT RELATING TO THE SUBPOENA POWERS OF THE DIRECTOR OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 284, H.D. 1:

By unanimous consent, action on House Bill No. 284, H.D. 1, was deferred to the end of the calendar.

House Bill No. 340:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 340, entitled: "A BILL

FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 440:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 440, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1129:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1129, entitled: "A BILL FOR AN ACT RELATING TO CONFESSION BID DEPOSITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 985 (H.B. No. 72, H.D. 2):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 985 was adopted and H.B. No. 72, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 187, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 187, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," 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. 978 (Gov. Msg. No. 277):

Senator Cobb moved that Stand. Com. Rep. No. 978 be received and placed on file, seconded by Senator

Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Nicholas W. Teves, Jr., to the Board of Electricians and Plumbers, term to expire December 31, 1985, seconded by Senator Soares.

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. 979 (Gov. Msg. No. 286):

Senator Cobb moved that Stand. Com. Rep. No. 979 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Ryokichi Higashionna, Ph.D. as Director of Transportation, term to expire December 1, 1986, seconded by Senator Soares and carried.

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. 982 (Gov. Msg. No. 278):

Senator Cobb moved that Stand. Com. Rep. No. 982 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Massage as follows:

Eve Clute, term to expire December 31, 1986; and

Rex R. Ball, term to expire December 31, 1983,

seconded by Senator Soares.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 986 (Gov. Msg. No. 108):

Senator Cobb moved that Stand. Com. No. 986 be received and placed on file, seconded by Senator Soares

and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Charles M. Saiki, Frank G. Stone, Jr., Reginald Young, D.Sc., and Dennis Tulang, to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, terms to expire December 31, 1986, seconded by Senator Soares.

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. 991 (Gov. Msg. No. 230, 264 and 280):

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Flora M. Shota and Sharon Bazzell, to the Library Advisory Commission, County of Kauai, terms to expire December 31, 1986, seconded by Senator Soares.

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

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Library Advisory Commission, County of Maui, as follows:

Edwin T. Silva, term to expire December 31, 1986;

Penny Lou Endo, term to expire December 31, 1986;

Kerry Yukio Ogawa, term to expire December 31, 1983; and

Harriet Anne Borton, term to expire December 31, 1986,

seconded by Senator Soares.

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

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Library Advisory Commission, County of Hawaii, as

follows:

Hideo Kuniyoshi, term to expire December 31, 1983; and

Diana B. Kahler, term to expire December 31, 1986,

seconded by Senator Soares.

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. 1002 (Gov. Msg. Nos. 82, 162 and 257):

Senator Cobb moved that Stand. Com. Rep. No. 1002 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Katsumi Higa, Barry Brennan, Ph.D. and Mark D. Merlin, Ph.D., to the Advisory Committee on Pesticides, terms to expire December 31, 1986, seconded by Senator Soares.

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

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Stanley T. Tomono, to the Advisory Committee on Agricultural Products, term to expire December 31, 1984, seconded by Senator Soares.

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

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Advisory Committee on Pesticides, as follows:

Charles Y. Nagamine, term to expire December 31, 1986;

Darryl K.H. Choy, term to expire December 31, 1984; and

James K. Ikeda, term to expire December 31, 1986,

seconded by Senator Soares and carried.

The motion was put by the Chair

and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM  
APRIL 20, 1983

Standing Committee Report No. 992  
(S.C.R. No. 98):

By unanimous consent, Stand. Com. Rep. No. 992 and S.C.R. No. 98, entitled: "SENATE CONCURRENT RESOLUTION URGING THE U.S. GENERAL SERVICES ADMINISTRATION TO EXPEDITE STATE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, FOR THE SITE OF THE SALT LAKE/MOANALUA COMMUNITY LIBRARY," were recommitted to the Committee on Education.

Standing Committee Report No. 993  
(S.R. No. 115):

By unanimous consent, Stand. Com. Rep. Non. 993 and S.R. No. 115, entitled: "SENATE RESOLUTION URGING THE U.S. GENERAL SERVICES ADMINISTRATION TO EXPEDITE STATE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, FOR THE SITE OF THE SALT LAKE/MOANALUA COMMUNITY LIBRARY," were recommitted to the Committee on Education.

Standing Committee Report No. 994  
(S.C.R. No. 99):

By unanimous consent, Stand. Com. Rep. No. 994 and S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A PUBLIC LIBRARY PORTASTRUCTURE IN THE MOANALUA-SALT LAKE AREA," were recommitted to the Committee on Education.

At 1:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:47 o'clock p.m.

At this time, Senator Kuroda, on behalf of the Senate, introduced the newly confirmed Director of Transportation, Mr. Ryokichi Higashionna.

FINAL READING

Senate Bill No. 184, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 184, S.D. 1, H.D. 1, having been read throughout, pass Final Reading,

seconded by Senator Soares.

Senator Carpenter then rose and stated:

"Mr. President, I have no objections to the bill, however, just one quick question, please. I notice that the language which designates Doctor of Osteopathy goes to Dr. or D.O., and I'd just like to ask a general question. Does not D.O. include the designation for Doctor of Optometry, as well, and is there a possibility of confusion here?"

Senator Cobb then replied:

"Mr. President, in response to the question, the answer is no. An optometrist does not receive a Ph.D. level degree, but does have a schooling requirement. D.O. is limited to Doctors of Osteopathy and Dennis O'Connor."

The motion was put by the Chair and carried, and S.B. No. 184, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF OSTEOPATHY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 669, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 669, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM  
APRIL 21, 1983

Standing Committee Report No. 1008  
(S.C.R. No. 74):

Senator Cobb moved that Stand. Com. No. 1008 be adopted and S.C.R. No. 74 be adopted, seconded by Senator Soares.

At this time, Senator Kawasaki rose and stated:

"Mr. President, while I support the intent of the resolution, I have question for the chairman of the Ways and Means Committee, if he would yield to a question.

"The work being done by the

Legislative Auditor...is the cost of doing the study being allocated out of the \$150,000 we set aside for audit reports to be conducted by the Legislative Auditor, or is that coming out from part of the allocation to that office, exclusive of the \$150,000?"

Senator Yamasaki replied:

"It would be from the \$150,000 appropriated to the Auditor's office and which would require the authorization of the Speaker of the House and the President of the Senate."

Senator Kawasaki then continued:

"I was afraid of that. That's my concern. Perhaps, in my judgment, this study could be given to the Legislative Reference Bureau and they pay for the cost of this out of their allocation (the lump sum allocation they get).

"I'm just afraid that in view of the many legislative audits we're asking, requesting by resolution, and a number of them have passed us, I just wonder whether we have enough appropriated for the Legislative Auditor to conduct this kind of study, and this one doesn't seem to be so monumental, and I just wonder if that couldn't be handled by the Reference Bureau instead."

Senator Cobb then rose and stated:

"In response, Mr. President, first, this was the result of the demise of H.B. No. 209, which went through five readings and was an Administration measure proposing a change to the Department of Agriculture from the present Department of Commerce and Consumer Affairs on a number of line items as well as functions on the staff level, most of which are consumer related.

"When we examined the legislative history behind it, we found that at least five previous legislatures had found that the preference was to have these within any state department that was directly dealing with consumers. During the course of the hearing, we also found that the Department of Commerce and Consumer Affairs would be able to act more expeditiously, both in terms of resolving complaints or more importantly, conducting meetings in order to make decisions. Therefore, we changed the Administration bill to retain all of these agencies within the Department of Commerce and Consumer Affairs. The Ways and Means Committee felt, and I think quite

appropriately so, that rather than make a decision creating an impasse in conference, it would be best to have an impartial agency go into a thorough study on this.

"The fact that we have a Senate Resolution and a Senate Concurrent Resolution on the subject indicates that it'll probably have to be followed up next year in the House in order to achieve agreement between the two bodies.

"I think the Auditor is the proper agency because a number of the other resolutions that we adopted today have asked the Legislative Reference Bureau to get into detailed studies on a variety of subjects, and, Mr. President, I think it's important that we get these issues resolved because there is quite an impact for consumers and I would disagree somewhat that it is not a major item. It could very well turn out to be just that."

Senator Kawasaki then replied:

"Might I suggest then, that perhaps the Governor's Contingency Fund of \$200,000 be tapped for this study."

Senator Abercrombie then rose and stated:

"Mr. President, speaking in favor of the resolution, I would like to refer to the Consumer Protection and Commerce Committee chairman's remarks. I find them very pertinent and an echo somewhat of my own yesterday. I hope the result is happier for the chairman of Consumer Protection and Commerce than it was for mine."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1008 was adopted and S.C.R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE RAMIFICATIONS OF RELOCATING THE WEIGHTS AND MEASURES FUNCTION FROM THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was adopted.

Standing Committee Report No 1009 (S.R. No. 95):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1009 was adopted and S.R. No. 95, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE RAMIFICATIONS OF RELOCATING THE WEIGHTS AND MEASURES FUNCTION FROM THE

DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1010 (S.C.R. No. 58, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1010 was adopted and S.C.R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXEMPTION OF HAWAII FROM THE FEDERAL LAW ASSESSING DAIRY FARMERS MONEYS FROM THE GROSS PROCEEDS FOR EACH 100 POUNDS OF MILK MARKETED COMMERCIALY TO OFFSET THE NATIONWIDE MILK SURPLUS," was adopted.

Standing Committee Report No. 1011 (S.R. No. 73, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1011 was adopted and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE EXEMPTION OF HAWAII FROM THE FEDERAL LAW ASSESSING DAIRY FARMERS MONEYS FROM THE GROSS PROCEEDS FOR EACH 100 POUNDS OF MILK MARKETED COMMERCIALY TO OFFSET THE NATIONWIDE MILK SURPLUS," was adopted.

Standing Committee Report No. 1012 (S.C.R. No. 82):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1012 was adopted and S.C.R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO RELAX WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO-HAMAKUA COAST," was adopted.

Standing Committee Report No. 1013 (S.R. No. 107):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1013 was adopted and S.R. No. 107, entitled: "SENATE RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO RELAX WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO-HAMAKUA COAST," was adopted.

Standing Committee Report No. 1014 (S.C.R. No. 68):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1014 was adopted and S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMY TO REPORT ON THE PROGRESS OF FIRE HAZARD MANAGEMENT FOR THE POHAKULOA TRAINING AREA, ISLAND OF HAWAII," was adopted.

Standing Committee Report No. 1015 (S.R. No. 87):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1015 was adopted and S.R. No. 87, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES ARMY TO REPORT ON THE PROGRESS OF FIRE HAZARD MANAGEMENT FOR THE POHAKULOA TRAINING AREA, ISLAND OF HAWAII," was adopted.

Standing Committee Report No. 1016 (S.C.R. No. 71):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1016 was adopted and S.C.R. No. 71, entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF A SPECIAL TASK FORCE TO CONDUCT A STUDY EVALUATING THE HISTORIC PRESERVATION PROGRAM," was adopted.

Standing Committee Report No. 1017 (S.R. No. 90):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1017 was adopted and S.R. No. 90, entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF A SPECIAL TASK FORCE TO CONDUCT A STUDY EVALUATING THE HISTORIC PRESERVATION PROGRAM," was adopted.

Standing Committee Report No. 1018 (S.C.R. No. 93, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1018 was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING MAKUA AND KAHANAHAIKI," was adopted.

Standing Committee Report No. 1019 (S.C.R. No. 56):

On motion by Senator Cobb, seconded by Senator Soares and carried,

Stand. Com. Rep. No. 1019 was adopted and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HISTORIC PRESERVATION AND HAWAIIAN AFFAIRS," was adopted.

Standing Committee Report No. 1020 (S.R. No. 85, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1020 was adopted and S.R. No. 85, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A BLUE RIBBON RISK ASSESSMENT TEAM TO CLINICALLY EVALUATE THE POTENTIAL HEALTH HAZARDS FACING HUMANS, AND INFANTS IN PARTICULAR, AS A RESULT OF RECENT HEPTACHLOR CONTAMINATION," was adopted.

Standing Committee Report No. 1021 (S.R. No. 89):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1021 was adopted and S.R. No. 89, entitled: "SENATE RESOLUTION RELATING TO ESTABLISHING AN INFORMATION OFFICE IN THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Standing Committee Report No. 1022 (S.R. No. 81):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1022 was adopted and S.R. No. 81, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON CORRECTIVE MEASURES FOR DANGEROUS CONDITIONS AT WAIANAE BOAT HARBOR," was adopted.

Standing Committee Report No. 1023 (S.R. No. 41, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1023 was adopted and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE USE OF HERBICIDES, PESTICIDES, TOXIC SPRAYS, AND SIMILAR CHEMICALS," was adopted.

Standing Committee Report No. 1024 (S.R. No. 141):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1024 was adopted and S.R. No. 141, entitled: "SENATE RESOLUTION REQUESTING THE CORPS OF ENGINEERS TO

CONDUCT A STUDY ON THE NEIGHBOR ISLANDS BEACH EROSION," was adopted.

Standing Committee Report No. 1025 (S.R. No. 102):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1025 was adopted and S.R. No. 102, entitled: "SENATE RESOLUTION RECOGNIZING THE FINANCIAL PLIGHT OF HAWAII'S FARMERS AND REQUESTING LENDING INSTITUTIONS TO IMPLEMENT MEASURES TO DEFER OR REDUCE THE REPAYMENT AMOUNTS OF LOANS MADE TO CERTAIN FARMERS," was adopted.

Standing Committee Report No. 1026 (S.R. No. 137):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1026 was adopted and S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON ECONOMIC DEVELOPMENT TO CONDUCT AN INTERIM STUDY ON SIGNIFICANT STATEWIDE INTEREST AFFECTED BY LAND USE RECLASSIFICATION," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1027 (H.C.R. No. 21):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1027 was adopted and H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF STRATEGIC PETROLEUM RESERVES IN HAWAII," was adopted.

Standing Committee Report No. 1028 (S.R. No. 132):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1028 was adopted and S.R. No. 132, entitled: "SENATE RESOLUTION REQUESTING A DESIGN STUDY OF AN UNDERWATER CABLE SYSTEM FOR THE ELECTRICAL INTERCONNECTION OF THE ISLANDS OF MAUI AND MOLOKAI," was adopted.

Standing Committee Report No. 1029 (H.C.R. No. 17):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1029 was adopted and H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE PRESI-



DENT AND THE CONGRESS TO AUTHORIZE THE CONTINUED USE OF TAX-EXEMPT REVENUE BONDS AS THE PRIMARY SOURCE OF FUNDING FOR HAWAII'S HULA MAE MORTGAGE LOAN PROGRAM," was adopted.

Standing Committee Report No. 1030 (S.C.R. No. 79):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1030 was adopted and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF THE INTERIOR, THE SECRETARY OF DEFENSE AND ALL OTHERS CONCERNED TO DECLARE A MORATORIUM ON THE TRANSFER OF LANDS IN HAWAII," was adopted.

Standing Committee Report No. 1031 (S.C.R. No. 108):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1031 was adopted and S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF THE LEGISLATIVE AUDITOR'S INVENTORY OF LANDS IN THE PUBLIC TRUST AND THE POSSIBLE CONFLICTING CLAIMS MADE ON REVENUES DERIVED THEREFROM," was adopted.

Standing Committee Report No. 1032 (S.R. No. 125, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1032 was adopted and S.R. No. 125, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS ADVISORY COMMITTEE AND OTHER BUSINESS GROUPS TO IDENTIFY SPECIFIC STATE ADMINISTRATIVE AGENCY RULES AND PROCEDURES WHICH ARE UNREASONABLY COSTLY OR BURDENSOME TO BUSINESS GENERALLY AND SMALL BUSINESS SPECIFICALLY," was adopted.

Standing Committee Report No. 1033 (S.C.R. No. 60, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1033 was adopted and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM STUDY COMMITTEE TO UNDERTAKE A REVIEW OF THE HAWAII LAW AND RULES RELATING TO THE PRACTICE

OF PSYCHOLOGY AND TO RECOMMEND APPROPRIATE AMENDMENTS," was adopted.

Standing Committee Report No. 1034 (S.R. No. 75):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1034 was adopted and S.R. No. 75, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM STUDY COMMITTEE TO UNDERTAKE A REVIEW OF THE HAWAII LAW AND RULES RELATING TO THE PRACTICE OF PSYCHOLOGY AND TO RECOMMEND APPROPRIATE AMENDMENTS," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1035 (S.C.R. No. 51):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1035 was adopted and S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE," was adopted.

Standing Committee Report No. 1036 (S.R. No. 66):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1036 was adopted and S.R. No. 66, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE," was adopted.

Standing Committee Report No. 1037 (S.R. No. 76, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1037 was adopted and S.R. No. 76, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE HOW PRIVATE MEDICAL INSURANCE MAY BE USED TO PROVIDE LONG-TERM CARE BENEFITS TO HAWAII'S ELDERLY PEOPLE," was adopted.

Standing Committee Report No. 1038 (S.R. No. 57, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1038 was adopted and S.R. No. 57, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW THE GENERAL SERVICE

PRACTICES OF T.V. SYSTEMS INC.," was adopted.

Standing Committee Report No. 1039 (S.C.R. No. 45, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1039 was adopted and S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW THE GENERAL SERVICE PRACTICES OF T.V. SYSTEMS INC.," was adopted.

Standing Committee Report No. 1040 (S.R. No. 145):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1040 was adopted and S.R. No. 145, entitled: "SENATE RESOLUTION REQUESTING COORDINATED EFFORTS IN ENSURING COMPLIANCE OF UNLICENSED CONTRACTORS WITH THE HAWAII REVISED STATUTES," was adopted.

Standing Committee Report No. 1041 (S.C.R. No. 115):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1041 was adopted and S.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING COORDINATED EFFORTS IN ENSURING COMPLIANCE OF UNLICENSED CONTRACTORS WITH THE HAWAII REVISED STATUTES," was adopted.

Standing Committee Report No. 1042 (S.R. No. 51, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1042 was adopted and S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STUDY OF A RESIDENTIAL PROPERTY TRANSFER CODE," was adopted.

Standing Committee Report No. 1043 (S.C.R. No. 33, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1043 was adopted and S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STUDY OF A RESIDENTIAL PROPERTY TRANSFER CODE," was adopted.

Standing Committee Report No. 1044 (H.C.R. No. 91):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1044 was adopted and 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 adopted.

Standing Committee Report No. 1045 (S.R. No. 17, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1045 was adopted and S.R. No. 17, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR CONSTRUCTION OF A CONVENTION CENTER," was adopted."

Standing Committee Report No. 1046 (H.C.R. No. 57):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1046 was adopted and H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COMMERCIAL AND CABLE NETWORKS TO INCLUDE HAWAII IN THEIR DAILY NATIONAL WEATHER REPORTS," was adopted."

Standing Committee Report No. 1047 (H.C.R. No. 172, H.D. 1, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1047 was adopted and H.C.R. No. 172, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY BY THE LEGISLATIVE AUDITOR OF ALL CAUSES AND OTHER MATTERS, EVENTS, ORGANIZATIONS, INCLUDING LABOR, EMPLOYERS, GOVERNMENT, MEDICAL CARE AND REHABILITATION AND THE INSURANCE INDUSTRY WHICH MAY AFFECT THE COST OF WORKERS' COMPENSATION IN HAWAII," was adopted.

Standing Committee Report No. 1048 (S.R. No. 136):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1048 was adopted and S.R. No. 136, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE APPROPRIATE STATE AGENCY TO PROVIDE CHILD ABUSE AND NEGLECT PREVENTION SERVICES," was adopted.

Standing Committee Report No. 1049

(S.R. No. 61):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1049 was adopted and S.R. No. 61, entitled: "SENATE RESOLUTION REQUESTING THE STATE TO AGGRESSIVELY PUSH FOR AN AGREEMENT WITH THE NAVY WHICH PROVIDES THAT THE STATE BE IMMEDIATELY NOTIFIED OF OCCURRENCES SUCH AS LEAKS OF RADIOACTIVE MATERIAL INTO PEARL HARBOR AND BE PERMITTED TO PERFORM INDEPENDENT MONITORING IMMEDIATELY AFTER SUCH RADIOLOGICAL ACCIDENTS OCCUR, AND ARRANGE TO PERFORM INDEPENDENT MONITORING ON A REGULAR BASIS," was adopted.

#### 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, was deferred to the end of the calendar.

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, was deferred to the end of the calendar.

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, was deferred to the end of the calendar.

S.B. No. 418, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 418, S.D. 1, H.D. 1, was deferred to the end of the calendar.

#### THIRD READING

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, was deferred to the end of the calendar.

House Bill No. 1531, H.D. 1:

Senator Cobb moved that H.B. No. 1531, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

At this time, Senator Carpenter rose and stated:

"Mr. President, I rise to speak against this bill.

"Mr. President, I just don't think

that a moratorium, per se, is going to accomplish a great deal. I think we all know that the problem is not with the insurance companies in this particular case, but that it is the result rather than the cause. I recognize that this bill has been held over pending the passage of resolutions which would address the worker's compensation situation in its entirety and hope that that would more adequately address the root cause rather than taking this kind of action. I suggest a 'no' vote on this measure. Thank you."

At 1:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:00 o'clock p.m.

Senator Kawasaki then stated:

"Mr. President, I rise to speak in favor of the passage of this bill. I think short of doing something of this nature, that is to say a moratorium, I'm afraid that the plight of the small businessman is not being addressed. It just might end up in the small business sector of our community just suffering more than they should. Perhaps this is a palliative to be true, to be honest about it, perhaps this is better than nothing that we have proposed so far in this session."

Senator Henderson then stated:

"Mr. President, I rise to speak against this bill. I am opposed to any form of price control, which this represents, and I feel that the resolution we passed addresses the problem. The effect of this bill would be very minimal because there's not a retroactive provision in it. The rate increases have already gone into effect. It's inapplicable, in addition to being ineffective, because it only controls the premiums and not the benefits. It's not an even-handed bill and I recommend a 'no' vote."

Senator Cobb then rose and stated:

"Speaking in favor of this bill, Mr. President, I'd like to rebut point by point, each of the arguments raised.

"First, we did address one of the problems in the insurance area by the passage of H.B. No. 1528, which dealt with the subject of investment income, as it related to workers' compensation. Second, I have made it clear, both in committee and on the floor of this Senate, that this bill is directly and inextricably related to

the resolutions calling for the study by the Legislative Auditor's report. Third, there will be an interim report on the subject of what the insurance increase would have been in February of 1984, during the first month of the moratorium. Fourth, the reason benefits were not included was because during the course of the public hearing, it was made very clear by the actuaries and others present testifying on this subject, that the level of benefits, if frozen, would only impact only one to two percent of the amount of the actual cost. Finally, Mr. President, I think the moratorium is necessary so that small business can survive and give us time to act by getting a comprehensive study accomplished with an interim report on that study due prior to the 1984 session, and a final report due prior to the 1985 session. If we fail to act, then the monkey will very clearly be on our backs. Thank you."

The motion was put by the Chair and carried and H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Ajifu, Carpenter, George, Henderson, Soares and Uwaine).

At 2:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:19 o'clock p.m.

At 2:20 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 5:00 o'clock p.m., this afternoon.

#### EVENING SESSION

The Senate reconvened at 6:30 o'clock p.m., with all Senators present.

At this time, Senator Cobb moved that upon the expiration of the 48-hour notice, Conf. Com. Rep. No. 69 be adopted and House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, pass Final Reading, seconded by Senator Uwaine and carried.

Senator Cobb then moved for the creation of a Special Order to limit the debate on House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, to 10:00 o'clock

p.m., seconded by Senator Uwaine.

Senator Abercrombie then objected:

"Mr. President, I..."

The President then interjected:

"This vote on this issue requires a two-thirds majority. Mr. Clerk, please call the Roll."

Senator Abercrombie queried further:

"Mr. President?"

Senator Toguchi then rose and stated:

"Mr. President, I would like to call for a recess!"

The President instructed the Clerk to call the Roll and Senator Cayetano then rose and queried:

"Mr. President, are you going to recognize the Senators?"

The President replied:

"No. I will not."

Senator Cayetano then continued:

"Then there is no need to play this charade, Mr. President."

Senator Abercrombie then asserted:

"Mr. President, I asked for the floor."

The President replied:

"You are out of order, Senator Abercrombie. Mr. Clerk, call the Roll."

Senator Abercrombie then stated:

"Well, I don't know what the bill is. I do not know what the vote is that is being taken."

The President replied:

"The motion is to create a Special Order to fix the time of debate on House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, to end at 10:00 o'clock p.m., at which time, the...."

Senator Abercrombie then interjected:

"Yes, then are you prepared to hear discussion on that?"

Senator Cobb then asserted:

"Mr. President, the motion is not debatable! It is a privileged motion requiring a two-thirds vote."

The motion was put by the Chair, and Roll Call vote having been requested, the motion to create a Special Order to limit the debate on H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, was carried on the following showing of Ayes and Noes:

Ayes 19. Noes, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

At this time, Senator Carpenter rose and stated:

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

"Mr. President, I understand that this is the first time in the annals of the Senate of the State of Hawaii that is being used at this time. Is that correct?"

The President replied:

"No, it is not."

Senator Carpenter then queried:

"Under your jurisdiction then?"

The President replied:

"Under my jurisdiction, yes."

Senator Carpenter then continued:

"Then, also under the representations that you made to us as our leader for the past five sessions, you've always invoked a very open kind of atmosphere, allowing full and free discussion?"

The President replied in the affirmative and Senator Carpenter then queried:

"May I ask at this time, then, why you have taken this route?"

The President replied:

"From all accounts that I have received, any attempt to try and resolve the differences in the Senate that surfaced 15 days ago seems to have fallen upon deaf ears. In the last few days, I have pondered the whole question of how we should conduct the people's business. And, I have come to the conclusion, from the media accounts, that it is not one of the ways to conduct the people's business by filing suit against the Senate for the purpose of retrieving

worksheets, which some people feel are valuable in their determination of the budget.

"But, more importantly, in the last two days, I have been hearing direct accounts attributed to certain Senators in the dissident group, of their plans for a filibuster. And that, I will not condone. We are here for a sixty-day period, to work to the best of our ability to and try and get out on time. And, today, just this evening, on television, I heard one of the dissidents state that, 'Well, it looks like that's the way it's going to be. You can rest assured that a filibuster is for sure.'

"I will not tolerate that action. It grieves me to take this action, but I do believe that we have to get out of here this evening. The reason for this is quite simple. We have been through some very trying times, and I do not want to put any more stress and strain on the Senate than is necessary. I want to try and get this body back together in the interim. And, the sooner that we adjourn and leave this building, the sooner we will be able to reconcile our differences. That is the reason for my action."

Senator Carpenter then replied:

"I appreciate your response, Mr. President. I think that one of the reasons that court action ensued, certainly, was the fact that the coordination and communication which you so eloquently expounded, from the podium all these years, essentially dried up. Mr. President, during the last 48 hours, you may recall a direct plea to you, as the presiding officer of this body, for the information that would make it more appropriate for us, as fellow Senators, to make a fully-informed decision as regards the outcome of the bills before this honorable body.

"Mr. President, you gave us no choice, you certainly gave me no choice, but to leave these chambers at this time, in disrespect for the Chair."

The President then stated:

"That is your choice, Senator Carpenter."

Senator Yamasaki then stated:

"Mr. President, I move that H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, pass Final Reading."

The President replied:

"Senator Yamasaki, that motion has already been made. For clocking purposes the 48-hour waiting period will elapse at 9:07 o'clock p.m."

Senator Abercrombie then stated:

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

"Mr. President, I'd like to read into the record, my objection to, what I consider, the essence of hypocrisy, with respect to your reasoning (if you can call it reasoning).

"Mr. President, I don't doubt that you do not wish a debate on this budget. After all, the previous speaker that just left, indicated this afternoon, when he went to see the chairman of the Ways and Means Committee and asked if we could have an opportunity, even for half an hour, to view the worksheets, was told, 'no.' Despite everything that's been said, and speaking of television, the use of it, you certainly had your opportunity this afternoon, talking about trying to work things out; making some kind of arrangement; was told 'no' again.

"We're just saying one thing. But what it comes down to, with the bottom line is, that the Ways and Means chairman says, 'no.' That doesn't surprise me any, because the Ways and Means chairman never informed us, in the first place, about the secret budget that's being made. While some of us were out telling the people of this state that we had to cut the budget, under orders from the Ways and Means Committee, in writing; the Ways and Means Committee was out putting together a 'secret' budget together, enabling them to spend a great deal more money than was projected for us to be able to spend. And, the budget document that I have been able to get my hands on here, and take a look at here, shows an enormous increase in expenditures! Way past that in the Governor's budget, which will result in a completely phony set of numbers coming out of this Legislature, which will not only invite, but virtually mandate the Governor to 'slash and burn' this budget, so that people who think that their programs are safe, are going to find that the Legislature completely absconded from its responsibility to do its duty! They placed it on the Governor and said, 'Here, you take care of it.'

"If that was the case, and that was

what your intent was, why didn't you say so on the first day. We could have just passed the budget out of Ways and Means and sent it up to the Governor and told him to do it! And, you talk about the peoples' business. I have some elements here from Lenin and others, who will explain how that form of democracy works! After saying yesterday, that we were going to debate this issue, and then saying that we would have to ask questions on the floor, in order to try and make a determination, and getting your information as such that you decide that you have to cut off debate, you will not tolerate it. You will not tolerate it! You will not tolerate it!

"You come up and you make this motion. Why? Because you've got the votes! Well, let me tell you, and let me put into the record, what the votes are when you have it. This is not new, of course! This has been done before, in society. The difference of course, is now, that this is going to be on the record. Let me read to you from Alexis de Tocqueville on the tyranny of the majority:

'I hold it to be an impious, and inexorable maxim, that politically speaking, a people has a right to do whatever it pleases. Yet, I have asserted that all authority originates in the will of the majority. Am I then in contradiction with myself? A majority taken collectively may be regarded as a being whose opinions, and most frequently, whose interests are opposed, to those of another being, which is styled "the minority."

'If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should a majority not be liable to the same reproach? Men are not apt to change their characters by agglomeration. Nor does their patience in the presence of obstacles increase to with the consciousness of their strength. And, for these reasons, I can never willingly invest any number of my fellow creatures with that unlimited authority which I should refuse to any one of them.

'I am of the opinion that some one social power must always be made to predominate over others, but I think that liberty is endangered when this power is checked by no obstacles which may retard its course and force it to moderate its own vehemence. Unlimited power, in itself, is a bad and dangerous thing. Human beings are not competent to exercise it with

discretion and God alone can be omnipotent. Because His wisdom and His justice are equal to His power. But no power upon earth is so worthy of honor for itself or of reverential obedience to the rights of which it represents, that I would consent to admit its uncontrolled and unpredominate authority.

'When I see that the right and the means of absolute command are conferred upon a people or upon a king, upon an aristocracy, or a democracy, a monarchy, or a republic, I recognized the germ of tyranny. And, I journey onward to a land of more hopeful institutions. In my opinion, the main evil of the present democratic institutions of the United States, does not arise, as is often asserted in Europe, from their weakness, but from their overpowering strength, and I am not so much alarmed by the excessive liberty which reigns in that country as that the very inadequate securities which exist against tyranny.

'When an individual or party is wronged in the United States, to whom can he apply for redress? If to public opinion, public opinion constitutes the majority, and if to legislature, it represents the majority and implicitly obeys its functions, if to the executive power, it is appointed by the majority and it remains a passive tool in its hands. The public troops consist of the majority under arms. The jury is the majority invested with the right of hearing judicial cases, and in certain states, even the judges are elected by a majority. However iniquitous and absurd the evil of which you complain may be, you must submit to it as well as you can.

'I do not say tyrannical abuses frequently occur in America today, but I maintain that no sure barrier is established against them, and that the causes which mitigate the government are to be found in the circumstances and manners of the country, more than in its laws. In America the majority raises very formidable barriers to the liberty of opinion. Within these barriers, an author may write whatever he pleases, but he will repent it if he ever stepped beyond them. Not that he is exposed to the terrors of the auto-de-fe, but he is tormented by the slights and persecutions of daily obloquy. His political career is closed forever, because he has offended the only authority which is able to promote his success.

'Monarchical institutions have thrown

an odium on despotism. Let us beware lest the democratic republics should restore oppression and should render it less odious or less degrading in the eyes of the many, by making it more onerous to the few.'

"And in addition, Mr. President, from Walter Lippmann, on the idea of minorities should not be coerced:

'Although the question before the Senate (and this was taken from a newspaper column in 1949, the New York Herald Tribune, March 3rd) is whether to amend the rules, the issue is not one of parliamentary procedure, it is whether there shall be profound or far-reaching Constitutional change in the character of American government.

'The proposed amendment to Rule 22 would enable two-thirds of the Senate to close the debate and force any measure, motion or other matter to a vote. If the amendment is carried, the existing power of the minority of the states to stop legislation will have been abolished. Stripped of all the mumbo jumbo and flag waving, (said the New York Times,) the issue is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated, iron-lunged members, who don't want democratic decision. I'm sure you would agree, this is an unduly scornful and superficial way to dispose of a great Constitutional problem, for the real issue is whether any majority, even a two-thirds majority shall now assume the power to override the opposition of a large majority of the states.

'In the American system of government, the right of democratic decision has never been identified with majority rule, as such. The genius of the American system, unique, I believe, among the democracies of the world, is that it limits all power, including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, or a popular majority, is alien to the American ideal of democratic decision. The American idea of democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary, and it is better to postpone the decision, to respect the opposition and then to accept the burden of trying to persuade it, for a decision which has to be enforced against a determined opposition of large communities and

regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce.

'The opposition, in resistance to being overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing and nullifying the decision, for that decision is a cardinal principle of the American democracy that great decisions on issues that men regard as vital, shall not be taken by the vote of the majority until the consent of the minority has been obtained. When the consent of the minority has been lacking, as for example in the case of the Prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.

'This is the issue in the Senate. It is not whether there shall not be an unlimited debate, the right of unlimited debates is merely a device, a rather awkward and tiresome device to prevent large and determined communities from being coerced. The issue is whether the fundamental principle of American democratic decisions, that strong minorities must be persuaded and not coerced, shall be altered radically, not by Constitutional amendment, but by subtle change in the Rules of the Senate. The issue has been raised and connection with Civil Rights legislation. The question is whether the vindication of these civil rights requires the sacrifice of American limitation on majority rule. The question is a painful one, but I believe that the answer has to be, that in the end, the rights of the Negroes will be more secure, even if they are vindicated more slowly, if the cardinal principle that minorities shall not be coerced by majorities is conserved, for if that principle is abandoned, then the great limitations of absolutism and tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator, who having aroused the mob, destroys the liberties of the people.'

'Mr. President, I can assure you, that if I was to read on liberty, if I was to read 'Society and the Individual,' from Mill, to go over the history of the evolution of thought which has led to the persuasion of the people of the United States, that institutes democratic government, I could not find two more pertinent historical bases upon which to defend my view.

'You have that 'tyranny of the

majority;' your transient majority, at this moment. And, if it is your desire merely to leave here, I don't dispute that it is good for you to do so as quickly as possible. Because, when the people of this state discover what it is they have, in this budget, they too, will find that it was reasonable for you to get out of here as quickly as possible, so that you did not have to answer anything for it. However, you will find, and others will find, who exercise the 'tyranny of the majority,' the transient majority, that they will have to answer for their actions, and I have great trust and faith that that's exactly what will happen.

"After all, I came into office almost ten years ago, on a platform, which I'm very happy to say today, that I can still stand firmly upon -- that I was against 'pork barrel' legislation; that I was against the undermining of the education system through it; that I was against the ramming through of individual decisions made by any individual legislator, based on the exegeses of the moment; I stand on that same platform today. It seems to me that when I came into the legislature, and was encouraged to run for the legislature, by people such as yourself; who supposedly espoused the same kind of views, it seemed to me at the time, that they were more than allies, they were friends, who understood those propositions, who had fidelity to those propositions. I don't see that today. It'll be up to the people to decide who it is that is best able to exemplify those foundations, those principles and those values that I have enumerated in these two brief essays.

"So, Mr. President, I say to you, take your budget, pass it, take it before the people, and when the Governor cuts the budget, because there's no financial plan, because in the plan that does exist, there's no relationship to the revenues that are coming in. When it becomes apparent that this Legislature has completely abandoned anything in the way of a check and balance as is required in our system to make it work; when it becomes clear that the Legislature has reverted full circle, back to the days when it merely put numbers on papers and let the executive do as it will, and in fact, mandated the executive to do it, that the people will then see that what took place tonight was a Pyrrhic victory indeed, and they will call everyone that is associated with it into account. Then we will see.



"As you have indicated in the past, you are perfectly willing to do that. That's fine. That's the way it's going to work. There's no question in my mind that when the people of this state find out, when they have to suffer, what is going to occur when this budget fails, that they will indeed remember, what was said here and what was done here. And, Mr. President, we will both be held to account. And I know, for my part, that I will not be found wanting and that the record of it will be here, as will yours. The people will judge."

At this time, Senator Toguchi rose and stated:

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

"You know, Mr. President, what I do today, is not easy for me. Today is supposed to be the last day. Having spent some time in the House, I know the feeling of accomplishment after a hard and rigorous session. There have been a lot of rough roads to travel, and we may have had to resolve many difficult problems, but if it improves the quality of life for Hawaii's people; if it improves Hawaii's schools; if we are able to improve Hawaii's economic development possibilities; then we have fulfilled the mandate that we were elected to do. But sadly, I believe that my first session in the Senate, leaves me empty. I do not speak with a sense of accomplishment or purpose. I do not honestly believe that we can go home and tell the people that we have done a good job.

"I don't feel that the work that was done this year, meets the standards that have been set in past sessions, and I think, that although some of you don't admit it, many of you share my feelings. You know, tonight we will have before us, a State Budget (which, just by your past action, which will limit debate,) that is symbolic of everything that is wrong in the Senate. No other bill has raised this kind of bill among members as this bill has, and throughout its legislative history, it has been clouded with secrecy. In the Senate, the State Budget has forged a conspiracy of silence to prevent members from knowing what the budget contains. This conspiracy has given new meaning to the term 'silent majority,' and the refusal to give such information has seriously undermined each legislator's authority to make enlightened decisions that are in the best interests of his or her constituents, and the general welfare of the

people of Hawaii.

"For the later passage of this budget, the 'silent majority' has resorted to being less than candid about the contents of this budget. It would have members vote on summaries with only the vaguest hint of what these numbers contain. If we are required to have faith in the committee report, it is merely perfunctory. No effort has gone into the preparation of this report. It is a far cry from the standards of past reports. For the new members of this body, I would point out that any odd numbered year Journals of the House and Senate, if you read any of the committee reports on the budget from those years, you would find a wealth of detail that would make you more inclined to support a budget for this state. The lack of openness, the inability to provide the most basic information, and the willingness to sacrifice basic beliefs for the sake of maintaining a majority, has had a tremendous effect on our institution and what it means to the future of budget formulation in the legislature and especially in the Senate.

"It is ironic that these issues are now before us again. For you know, Mr. President, these were, as some people pointed out earlier, the same issues that were before the House ten years ago, when you were in the House. At that time, you wore the same label that is given to some of the more independent members of this body. As others have said, you were also called a 'dissident.' You know, the issues are very similar, Mr. President, it's similar to the days when you were a 'dissident.' Prior concurrence, (you know a lot about prior concurrence,) a programmed approach to the budget, which I think we didn't have, and a further delineation of responsibility between subject matter committees and money committees. I read with interest your comments on the budget before the House, (and it may have been said earlier,) I quote your remarks from that Journal (and this is on one of the topics that will be coming out later, on the budget, on which you have limited debate,):

"This bill is a "pork barrel" approach to operating expenditures. We all know what "pork barrel" is in the area of capital improvement expenditures. "Pork barrel" has been criticized, ridiculed and misused. Nevertheless, it remains a weapon in the hands of those who control legislative power, to dispense public works projects in the districts

of the favored and powerful, and to withhold such projects from those districts represented by the less favored and powerless. And now, the irrational and unfair "pork barrel" approach was spread into the realm of operating expenditures as well.'

"Mr. President, you go on further:

'We cannot, in good conscience, pass this bill, and make it possible, its enactment into law. It does not take a systematic approach to the expenditure of operating funds. It reflects no rational plan for attacking the problems of this state. It has misplaced priorities. We need priorities in terms of human needs, not human egos, and powerful interests. This bill is the height of a display of vested interests. It is nothing but a "pork barrel" approach to operating expenditures.'

"Those were your words, Mr. President. Ironically, the budget that you plan to pass tonight, the budget that you are limiting debate to, this 'pork barrel' budgeting is in tonight's budget. If we are honest about the approach of this budget, it was not always done with the idea of merit evaluation. Rather, we have gone through a system of accommodation among the 'silent majority.' Their support has become more important than being fair to those affected by our budget decisions.

"Mr. President, what has led us down this path? How did we become so misdirected in our responsibility? How is it that we have neglected our fundamental responsibility when it came to the most important work that we would accomplish all year -- the State Budget? To understand what is involved, and I think we owe the public an explanation about how we have come to these set of circumstances surrounding the budget, let us review the history of this budget, its politics, the issues it has raised in the Senate, and the approach that was adopted in its formulation. It is important that, as we consider this budget, that we provide a context for the events of the past few days, relating to the inability to have access to worksheets. To do this, we must review the events as they happened in the 1983 Legislative Session, and how they relate to the bill that is before us."

Senator Toguchi then proceeded to speak in opposition to House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE STATE BUDGET," until 10:00 o'clock p.m.

At this time, the President interjected:

"Senator Toguchi, your time is up. Mr. Clerk, please call the Roll."

Senator Toguchi replied:

"Mr. President, I'm speaking on a point of personal privilege."

Senator Cobb then rose and stated:

"Mr. President, a point of order please. In accordance with the Special Order adopted by the Senate to fix the time of debate, it is now 10:00 o'clock p.m. and it is now time to vote."

Senator Toguchi asserted:

"Mr. President, I am speaking on a point of personal privilege!"

Senator Cobb then replied:

"It does not matter. The discussion or period of debate allowed on the floor of the Senate was set by the Senate Special Order at 10:00 p.m."

Senator Abercrombie then rose and stated:

"Point of order, Mr. President, the Majority Floor Leader is not correct in his assessment, despite the vehemence of it. As a matter of fact, the whole thing can be decided all over again, according to Cushing's Rules, Mr. President."

The President instructed the Clerk to call the Roll and Senator Toguchi then maintained:

"Mr. President, I have the floor!"

Senator Toguchi then began to continue his remarks on the budget and the President then interjected:

"Will the Sergeant-at-Arms please remove Senator Toguchi."

Senator Abercrombie then queried:

"What's the vote on, Mr. President?"

The President replied:

"We are voting on the budget. Mr. Sergeant-at-Arms, would you please remove Senator Toguchi."

Senator Abercrombie then remarked:

"You would be awfully good in El Salvador. No, remove me too. It would be an honor."

Senator Cayetano then rose and stated:

"Remove me too, Dickie! What are you going to do next year for an encore? What are you going to do? Come on?"

The President replied:

"The debate is over."

Senator Cayetano replied:

"Yes, we realize that. I thought you were going to let us talk?"

The President then stated:

"I told Senator Toguchi, I gave him fair warning of the time limit. He has been given full opportunity to continue his debate; for four hours now it has continued. We have not interrupted him during any portion of the debate. I had already spoken to the members of the dissident group that there would be no way that there would be a filibuster here in the Senate. All that has occurred this evening has given the appearance of a filibuster."

Senator Toguchi then replied:

"Mr. President, the rules also state that each member would be allowed two times to speak."

The President then maintained:

"I will not allow six individuals to dictate whether or not the Senate will adjourn this evening on time."

Senator Abercrombie then asserted:

"But you'll allow yourself to dictate to us, when you make up your secret budget and your secret agendas and you come in with all this cockamamie routine about taking over and all the rest of it! So, don't go preaching to me, about that stuff, Dickie! You want to remove us, you remove us! You got the guts, go ahead and do it!"

The President replied:

"A Roll Call has been requested...."

Senator Cayetano interjected:

"Dickie, I thought you were going to let us talk before the vote was

taken?"

The President replied:

"Evidently, Senator Cayetano,...."

Senator Cayetano continued:

"There is no filibuster, just a few remarks."

The President then stated:

"I have no problems with the few remarks, Senator Cayetano. It's a fact that Senator Toguchi refused to adhere to the guidelines set by the Chair. I was more than willing to allow you the privilege of saying a few words before you people departed from the floor. Now, if Senator Toguchi is willing to do that,...."

Senator Cayetano replied:

"He's willing, he's willing Mr. President."

Senator Cobb then rose and stated:

"Point of order, Mr. President."

Senator Cayetano then remarked:

"Sit down, Cobb."

Senator Cobb responded:

"No way. The Senate adopted by two-thirds vote, a motion to set the time of voting at 10:00 p.m."

Senator Abercrombie then interjected:

"Thank you, Frank Burns."

Senator Cayetano then stated:

"He is willing, Mr. President."

The President then replied:

"If he will yield the floor, and with that understanding, Senator Cayetano, we will allow the members of the dissident group to speak, but we will come back and take up the matter of the budget."

Senator Cayetano replied:

"Yes, I think that is the understanding that I had."

The President queried:

"Is that agreed to? A few moments for each of you to say what you have to say? Is that an understanding?"

Senator Cayetano replied:

"That is my understanding. I can't however, speak for the rest of them. I never could you know."

The President replied:

"Fine."

At this time, Senator Kawasaki rose and queried:

"Mr. President, could we have a brief recess at this time?"

Senator Cayetano asserted:

"No. I don't want a recess. I just want to get out of here!"

The President replied:

"Okay. Will you all be seated. Mr. Sergeant-at-Arms, will you return to your position."

Senator Cayetano then rose and stated:

"Mr. President, thank you.

"Mr. President. I would have been out of here when Senator Carpenter spoke, because I share his feelings. But out of respect for my colleague, Senator Toguchi, for whom I have the highest respect for, I stayed.

"Mr. President, I'm a bit disappointed. I won a bet actually. You know, we can read the rules too. And, Senator Kawasaki and I were discussing whether or not you would in fact, do this. And he said, 'no' because he felt that with your history as a dissident ten years ago that you would have some feeling for the right of free and full discussion. Well, Duke, you lost that bet.

"Mr. President, I also am a bit disappointed with the Minority. I'm very disappointed, especially with two of them, one of whom always tells me that he loves me like a brother. The Minority thinks this budget 'stinks.' They tell me that this budget is defective. But instead of fighting it out and seeing whether we can get the defects corrected, they want to do the worst thing that they can to themselves as a Minority and dilute the only power of the Minority really, the right to the floor, in order to get out of here. Perhaps that's how ashamed they are of the work product that we have coming out of this session.

"Personally, I want to know, Mr.

President, today you limited debate. What are you going to do next year for an encore? When we speak on opening day on the rules, are you going to pass a special resolution to cut us off? When we speak each day on each bill, when we ask questions of these freshmen chairmen that you were so concerned about, that you told us could not handle the job, next year, then, are you going to change the rules so that we become like the House of Representatives where we have only ten minutes to talk? Have you come about in a full circle that you have totally disregarded whatever you believed in ten years ago? That's the last time that I'm going to say that because frankly, I will no longer flatter you by comparing you with the old Dickie Wong.

"What are you going to do for an encore next year, Mr. President? What are you going to do? If you think that what happened here in the last two weeks is bad, what do you think it's going to be like next year? Sometimes it is necessary to tear down the house to save the institution. Maybe that's going to happen next year. And frankly, I can tell you this. Five of the six dissidents have four-year terms. Many of you will be up for re-election next year, and you will have to answer to the people. I hope your product is better than it is this year, because we'll be there to ask the questions."

Senator Kawasaki then rose and stated:

"Mr. President, speaking on a point of personal privilege, which will in no way violate the rule made earlier that you would limit debate on the motion to adopt the budget at 10:00 o'clock. I'm speaking on a point of personal privilege.

"I'd like to point out my concern, Mr. President, that I failed in trying to get some results, following your suggestion that we speak to the chairman of the Ways and Means Committee to get some information that we deemed vital in our ability to vote intelligently on this budget bill. Earlier in the evening, I asked the chairman of the Ways and Means Committee whether I could get, I suppose, what is called the work-sheet.

"In my case, that happens to be that data that I know is in the possession of the Ways and Means Committee, (on which I worked pretty hard, incidentally, as a member of the Ways and Means Committee)

specifically, on that portion of the budget pertaining to grants-in-aid. I asked them, in order for me to determine whether what was ultimately agreed to in the conference committee on the grants-in-aid allocations to the private agencies asking for funds from the state, whether these figures are something that I could support; and I asked this question primarily, because of what I read in the media that grants-in-aids followed a formula, (a formula that in my judgment is not a very good one,) it said that we are going on current services. Now, we spent last year, some seven and a half million dollars on these grants-in-aid, and current services in my judgment means going along as we did last year. This gives me the impression that we did not examine too closely, the grants-in-aid, which ones are justified in being re-funded; which ones should be increased, and perhaps, which ones should be completely eliminated; because it does not justify spending taxpayers' money for these programs.

"The chairman of Ways and Means, according to my interpretation, agreed that I would get those figures. I waited over the hours and I did not get these figures. On that basis, I am not able to determine, in my judgment, whether or not the grants-in-aid portion, at least, of the budget is something that I can vote on. I'd like to pose a question to the chairman of the Ways and Means Committee, if I can at this point, what are these people here doing? Apparently, these are the staff people of the Ways and Means Committee, and I'd like to ask...."

Senator Cobb then interjected:

"Point of order, Mr. President. A point of information is not relevant when speaking on a point of personal privilege."

The President replied:

"That is correct, Senator Cobb. Senator Kawasaki, would you...."

Senator Kawasaki then interrupted stating:

"A point of personal privilege could include my trying to get information in order that I can make some judgments here."

The President replied:

"I think the point of personal privilege is to express some concern or some aggrieved position, if you

have any."

Senator Kawasaki then replied:

"Fine, then I won't ask. I just assumed that these people are here tonight, at this late hour, to give us information. I wish I had this information earlier, perhaps, a few days ago, which was not available to me. Be that as it may, I feel that as I do not have this information, then I can in no way support the bill and vote for the bill. I regret this, but this is a fact."

Senator Young then rose and stated:

"Mr. President, may I make a few comments also.

"Mr. President, the budget bill before us, for final vote tonight, is the product of long and intense negotiations with the House. There was a lot of hard bargaining. But, also, there was a lot of give and take! I would like to take this opportunity to commend the freshmen members of the Ways and Means Committee. They worked hard. They did their homework. They contributed positively and constructively to the preparation of the budget. They did their job. By their performance, they dispelled the notions that some may have had that the freshmen Senators lacked sufficient experience and knowledge to do a capable job. Mr. President, they did a good job! They are to be congratulated, and I'm very pleased with their performance. Thank you."

Senator Fernandes Salling then rose and stated:

"Mr. President, I'd like to congratulate the Majority for a well executed parliamentary move this evening. But, if I were sitting in your shoes tonight, I wouldn't feel so proud about the kinds of actions and this motion that you have supported which limits debate on a very critical issue before us, the Budget of the State of Hawaii.

"I think we should all remember, however, as my good friend Duke Kawasaki has always said and reminded us that, there's always another day. I don't condone this kind of action to limit debate, and because of that I will be leaving the floor along with my other five colleagues. My understanding, Mr. President, from what you have said from the podium, was that we would be discussing this budget, however, you alluded to

remarks made by one of us on TV, that there would be a filibuster. I'd like to remind you, Mr. President, that a lot of things are said sometimes, and then people change their minds later, and I've seen this happen many times in the last two weeks of this Legislature. That fact that you may have inferred that a filibuster would occur from remarks such as those, does not necessarily mean that that was what could happen. I came here, to this night session, with the intent to fully question the Ways and Means Committee chairman and staff, if necessary, to determine what details I needed, in order to formalize my vote on the budget. Now, I was denied that because of this motion to limit debate.

"I find myself in a quandry, because of this budget. I have been able to identify, without Ways and Means, some of the appropriations for the Island of Kauai, which at this point, I would like to register my vote as 'aye' to those items as stated in the budget. I would also, like to, before leaving this floor, register my vote as 'aye' to those standing committee reports that refer to relief from Hurricane Iwa on the Island of Kauai. Those being specifically, H.B. 1190, H.B. 670, and H.B. 702, which relates to the Office of Hawaiian Affairs."

The President then interjected:

"Excuse me, Senator Fernandes Salling, but...."

Senator Fernandes Salling then replied:

"I have nothing further to add except for the fact that I'm very disappointed in what happened here this evening and I will be leaving the floor with the rest of my colleagues."

The President then stated:

"The Chair would like to caution you, that should you wish to vote on those measures, you will have to be present on the floor."

Senator Fernandes Salling replied:

"Mr. President, I would just like the record to reflect that if I were present on the floor, that is how I would be voting on those measures."

The President then expressed his concerns stating:

"But you have that choice to remain."

Senator Fernandes Salling replied:

"I understand fully. But, because of the action that was taken tonight by the Majority, I have made the decision to leave the floor. Thank you."

Senator Uwaine then rose and stated:

"Mr. President, I urge Senator Fernandes Salling not to leave; because if she leaves, the Island of Kauai, an island with only one Senator would be before this body without representation."

Senator Abercrombie then stated:

"Point of order, Mr. President. I suggest the previous speaker take that up with his lawyer before he lectures anybody else."

Senators Abercrombie, Cayetano, Fernandes Salling and Toguchi then proceeded to leave the chambers.

Senator Kawasaki rose and stated:

"Mr. President, I would...."

The President interjected:

"Senator Kawasaki, I'm sad to see that the group is leaving the floor and I can understand some of their frustrations on what has taken place this evening. I wish that they would extend to me the courtesy of explaining some of the things that have been occurring here in the Senate, Senator Kawasaki.

"I would like to say very simply, people, for you sitting in the audience, whether you're pro or con, we have the business of the state at hand. And, I want to put things into proper perspective because I think that's very important and I wish they had stayed.

"All of this discussion that you've heard about the budget this evening is nothing but political rhetoric. The truth of the matter is that several weeks ago, there was an attempt to take over and change the Senate. And that should not be forgotten. That there was an attempt to remove Senator Yamasaki as chairman of Ways and Means, and when that failed, to remove all freshmen members who were members of the committee. At that time, I indicated to the general public as well as to the individuals involved, that as long as I am President, and that may be a short time, that I will not tolerate that kind of

action.

"When the stripping of the chairmanships took place, I offered every single one of the six dissidents, chairmanships on various alternative committees. They refused to accept that responsibility. Secondly, I offered them the chance to be conferees on various bills for discussion with the House, and they refused. Finally, they felt that they should not participate in the final product. What I do not like to see is the hypocrisy in the discussions you've heard this evening, relative to the final product, when all of them refused to participate in the making of that final product. I'm not saying that they would have been totally successful in achieving their goals and objectives, but I am very certain that at least some of the things that they sought would have been included.

"I want to say this very sincerely because in the past few days, if people have felt aggrieved, then so have I. They have followed the way of going to the courts for settling an issue here in the Senate, and I don't think that's proper. But, nevertheless, they did that, and that's their privilege. I will defend their right to try to seek judicial adjudication of any grievance that they might have. I want to make it clear that there was every attempt to try and bring them back in to the discussion and the business of the Senate, and as a matter of record, they refused that responsibility.

"So, I am sorry and aggrieved also, that they chose the route of leaving the Senate floor instead of voting up or down on the budget."

Senator Kawasaki then stated:

"Mr. President, the time right now, is 10:20 by the clock, and I believe that you have ample time to have discussion and voting procedures on both the budget bill and other bills, depending the budget bill passing. First of all, Mr. President, I think a correction is in order. You stated that all six people refused to hang on to their committees. I did not do that because I considered it important to the state government for me to retain my committee."

The President replied:

"I stand corrected, you were the only one."

Senator Kawasaki then continued:

"Mr. President, I also suggested earlier, in a note to you, that perhaps cutting of the debate, which is, in my seventeen years of being in this body, unprecedented. It just seemed to me an awfully drastic step to take, and that is a step that would create such a breach, that trying to get these people together, (and as you admitted, perhaps, a most talented group of people, among the other five people that you need badly; more importantly, the State of Hawaii needs badly,) every one of those people who are Senators duly elected by their constituents, are talented people. They work hard. They do their homework. It's important that they remain unified in this body of which I am so proud to have served for the last seventeen years.

"I suggested to you that cutting off the debate, which is unprecedented, as I have said, was too drastic a step that would create such a breach that it would be very difficult that even if I tried my best, as a catalyst of sorts, between the two groups to bring them together. I suggested therefore, that perhaps you allow debate to take place, and if the time runs over past midnight, it is not a big deal to have the session extended one day so that some of these questions that we have regarding the budget could be addressed, and then they have their day in court, make their criticisms, as I would, and then extend the session one day, and then close the session. I think that this is perhaps the wiser of the two courses of action.

"I suggested this to you. You may have your reasons for not doing this, and I regret that, but I do want to put on the record that this is a suggestion that I made to you, in good faith and so far as my remaining here to vote, I would have voted 'no' anyway, because I find this budget rather defective, particularly because the information I was led to believe that I was going to get, hasn't come to me, as it was agreed to by the chairman of the Ways and Means Committee.

"As a consequence, I cannot vote intelligently on this bill. For that reason, I will leave this body too."

Senator Soares then rose and stated:

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

"I think it's in order that I should

make a few comments, Mr. President, in view of the fact that the Republican Minority has been mentioned on the floor of this Senate, and also in view of the fact that we had prepared a number of statements against the budget. We feel very strongly that there are substantial errors in the budget requiring us to vote against it.

"But, Mr. President, I should like to remind this body, that two weeks ago, I stood in this very same spot and tried my level best to bring together the twenty Democrats by asking you and them to recess and do whatever was necessary to bring us all together. How ironic that I stand here on the last night of the session, as five Republicans are asked to take a position against open debate! The five Republicans against twenty Democrats! The worthy opposition must make that move tonight, and I will tell all of you, it was not easy for us to sit in our caucus room and decide whether we would vote with the President and the Majority, or whether we would sit by and later on in the evening make a decision to sustain a previously questioned motion, which is just as bad.

"We were convinced, in our discussions, that five hours was ample time to discuss the pros and cons of the budget, because we too, had points that we would have liked to question, Mr. President. I feel a little concerned, as my colleagues do, about six of our very close friends with whom we've worked in coalition as I said before and really learned to like...I am the one that told Senator Cayetano that I love him like a brother and I damn well do!...but I respect all of you Senators, I have the highest regard for your ability and your integrity. We all cherish the friendships and the relationships that we have with each other, and it's harder than heck to have to feel that someone now does not appreciate or like another Senator because the five Republicans had to make a decision!

"But, let me tell you all this, the five of us have been around a long time. We've had to make tough decisions before, but I think all of you will have a lot tougher ones to make between now and next January. Mr. President, we have taken a very responsible position throughout this session. We've done our homework; we've worked very hard to represent our constituency; we've asked you to remember that we represent the people in the streets, and what we do

here reflects on them! I can tell you this, the same thing I said two weeks ago is going to be said tomorrow, 'What did you guys do last night? What in the heck went on in that Capitol building last night? How come you folks let this thing go on and on?' We're convinced to do so, would be another day, another big bunch of statements, and a move for previous question on either Monday, Tuesday or Wednesday.

"So, my colleagues in the Senate, let's all stand tall this evening if we possibly can and vote the measures on their merits. I'm very, very saddened, and I'm sure you are as well, to see our friends leave the floor. They've worked hard themselves, and they're hurt. I want to remind you before I close, that today was a very odd opening for us, our beloved Sister Maureen quoted the prayer of St. Francis of Assisi, the prettiest prayer anyone could learn, and two phrases in there are: 'To pardon, rather than we pardon ourselves, we pardon others.' and, 'To love, is much more important than to be loved.'

"I would suggest, we do our best to respect our six colleagues' position; respect that the Republican Minority is part of the ball game we play together; and let's address the business one ball at a time."

Senator Kuroda then rose and stated:

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

"Mr. President, I think it is only proper that all who are here realize that it is not just the President who makes the decision. You are there as President because you happen to have thirteen Senators who agree with your thinking and your decision. If you did not have these thirteen to support your decision, you cannot conduct business and you cannot carry on whatever programs you have in mind. So, I think it is only proper that it is publicly noted that it is not just a single person in this Senate, the President, who makes the decision. That President cannot make a decision unless there are others who think like he does.

"It is unfortunate that six other Democratic Senators could not agree with our program and I believe, Mr. President, that since we do have some time, there should be a little discussion on the budget because there are some good things about this



budget, and if there are criticisms about this budget, let them be aired. The other thing is, as my colleague from Leeward Oahu mentioned, the work of the Senators serving on the Ways and Means Committee should be given much attention and credit because all their efforts should not go for naught. Thank you."

Senator Uwaine then rose and stated:

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

"I think it is very important today, as we did approximately two weeks ago, Mr. President, that we put things into proper perspective. I think you did a very good job in your remarks, however, I would like to carry it a bit further, and if I could beg the indulgence of my colleagues, maybe I could repeat a few of those points previously mentioned.

"As is well known in this body, two weeks ago, there was an attempt to remove Senator Yamasaki as the chairman of the Ways and Means Committee. When that failed, as you mentioned, then the move went on to the freshmen members of the committee. At that point, many of the arguments regarding the removal of Senator Yamasaki and the freshmen were based on lack of experience, no direction, a weak Ways and Means Committee, unsure of where they were going. It was explained to them by you, Mr. President, as well as by some other members of this body, that the sword goes two ways. What you may attempt to do may come back to you.

"Apparently, for these individuals, at least for five of them, it did. They lost their committee chairmanships, and apparently, the very people that they criticized of lack of experience and lack of knowledge, became the chairmen of these major committees. Senator Aki, Economic Development; Senator Chang, Judiciary; Senator Hagino, Agriculture; Senator Solomon, Education; and so on. The thing that happened, Mr. President, that I think surprised the majority of the Senators who walked off this floor, was that these new Senators did an outstanding job. They chaired two committees and they served on the Ways and Means Committee. I think that when you examine the record, the record will prove that all the accomplishments that were set forth by the previous chairmen were carried out into con-

ference, and, as we all know, nothing fell between the cracks. They did an outstanding job, both as chairmen of a major committee as well as a smaller committee.

"In addition, Mr. President, these energetic Senators stood up around the clock from Thursday till Wednesday, with about two hours of sleep in between, running between both committees and trying to resolve the conferences as well as supporting Senator Yamasaki. The thing about it is that we have a good budget today. We have an outstanding budget. It was largely attributed to the fact that Senator Yamasaki provided the leadership and he had the support of the freshmen Senators as well as a few experienced Senators on this floor today, and he had a superb staff behind him.

"The point is, Mr. President, we finished the people's business on Wednesday, and we are here today on Friday, ready to vote. But the only thing that remains, and I think it is an embarrassment, is that the very people whom those Senators who walked off the floor criticized couldn't get the job done, did get the job done. The only thing that remains toward finishing the job is the vote tonight on the budget. That is what we plan to do tonight, and I thank Senator Yamasaki and the members on this floor, for staying here and supporting him on this budget. Thank you."

Senator Yamasaki then rose and stated:

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

Senator Soares then rose and queried:

"Mr. President, are you going to allow the chairman to speak for the bill?"

The President replied:

"Senator Soares, I believe he has to insert his comments."

Senator Cobb then stated:

"It could only be for a Journal insertion, Mr. President, otherwise it would be out of order."

Senator Soares then asserted:

"That's exactly right, I think it's only fair to make sure that we follow the rules we've been insisting on,

and I think it's important because we have some comments to insert in the Journal against the budget."

The President then stated:

"Senator Yamasaki, it is not debatable but you would have to insert a statement into the Journal relative to the budget."

Senator Yamasaki then replied:

"If that is the case, then, Mr. President, I would like to have permission to insert into the record these statements that I have prepared in favor of the bill. However, at this time, I would like, in addition to that, to state that in accordance with the provisions of Chapter 37.112 (b), HRS, and on behalf of the Legislature, I now make public the fact that the revenue estimates used differs from that of the Council on Revenues.

"The reason is that the Council on Revenues did not use the Liquor Tax revenues which are in escrow, and we have learned that a portion of the taxes due are now available and can be used because two of the three attorneys representing the liquor dealers have decided not to appeal their cases to the U.S. Supreme Court. Thank you."

Senator Yamasaki then requested that the following statement be inserted into the record and the President, noting that there was no objection, so ordered.

"Mr. President, I rise to speak in favor of H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, relating to the State Budget.

"In doing so, I wish to express my thanks to the conferees of the Ways and Means Committee for their tireless efforts in developing this bill during the week-long conference negotiations. I especially want to thank the members of my Ways and Means staff for their dedicated work and their effort put into this bill.

"In developing this bill and others which affect state finances, your committee encountered the difficult task of attempting to meet a multitude of competing demands with an uncertain and somber revenue picture. The 4% growth in General Fund tax revenues, which was the experience in the first nine months of the current fiscal year, lags significantly behind the 8.2% increase which had originally been projected, and the estimates of the Council on Revenues,

the latest of which was reported on March 15, 1983. This provides little reason for optimism over the immediate short term.

"I would like to just highlight some of the budgetary decisions made by your conference committee.

"In the program area of Economic Development, your committee has provided \$2.8 million in Fiscal Year 1983-84 and \$3.3 million in Fiscal Year 1984-85 for a contract with the Hawaii Visitors Bureau to encourage the continued growth of our major industry, tourism. An additional one half million dollars for each of the next two years is provided for the promotion of tourists from Asia, particularly Japan, which represents a key segment of Hawaii's tourist market. To increase our children's awareness of the positive aspects of tourism, \$20,000 has been provided to produce a film on the educational benefits of tourism offered by the Visitor Industry Education Council.

"In its continued support of another major industry, pineapple, your committee has provided \$200,000 for the promotion of fresh pineapple in Fiscal Year 1983-84. Your committee believes that this product promotion will result in increasing consumer demand and improve the stability of the major agricultural industry in Hawaii.

"In the program area of Health, the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982 was signed into law by President Reagan. One feature of this act reduced Medicaid/Medicare reimbursements to hospitals in an effort to contain medical care costs.

"The impact of TEFRA on the county/state hospital system was projected to result in a revenue shortfall of approximately \$6 million for each year of the 1983-85 biennium.

"Shortly before your committee reviewed budgetary differences, it was learned that this aspect of TEFRA would probably be deferred for one year. In light of TEFRA, the committee feels the granting of additional positions for the county/state hospital system in a time of fiscal uncertainty is not in the best interest of the State of Hawaii; therefore, your committee has embraced the policy that no new positions be allocated to the hospitals except those identified as revenue producing, and where workload clearly justified the

granting of position requests.

'With the elimination of new positions accounting for the major portion of the reduction, your committee has reduced the county/state hospital's budget by approximately \$2 million in each year of the biennium.

'It is the committee's hope that the one year delay before TEFRA is implemented will provide the hospitals sufficient time to effect the cost containment measures needed to respond to TEFRA without reducing the quality of patient care.

'This session, more than ever before, the Legislative committees have been deluged with requests for funding by private organizations. This year's request from various organizations seeking grants-in-aid totaled \$12.4 million, an increase of 64% over the last year's appropriations for this purpose. The causes of this situation include: The cut-back in Federal funds; the lack of budgetary constraints resulting in departments recommending higher levels of funding for private organizations than could be accommodated in the executive budget; and the generally haphazard implementation of Chapter 42, the statute on grants, subsidies, and purchases of service. These factors, in addition to severely limited resources, have resulted in Legislative committees having to make exceedingly difficult decisions regarding the funding of programs. In light of these concerns, your committee has provided grants-in-aid totaling \$8.9 million to various private organizations as listed in the budget bill.

'Although your committee believes that disadvantaged individuals must be provided essential medical services, it remains concerned about the reduction in Medicaid funds due to Federal funding assistance. Therefore, your committee has provided additional funds totalling \$9,082,650, but it will require that payments to non-institutional medical care practitioners be reduced by ten percent.

'To explore alternatives to the high cost of institutionalization, your committee has provided \$386,000 for a nursing home without walls demonstration project to provide extended home care services.

'In the program area of Lower Education, focus has been on two major educational programs. The first program, the Hawaiian Studies program expansion was funded almost

\$525,000 in Fiscal Year 1983-84 and \$553,000 in 1984-85 to assist students in understanding Hawaii's cultural heritage, as noted in the Education Plan and also in keeping with the mandate of Article X, Section 4 of the Hawaii State Constitution, which requires this type of program in our public schools.

'The second major educational program emphasized in this budget is a computer training program in our public schools. Your committee recognizes the rise of high technology and its impact on daily living for all our people and has therefore provided over \$838,000 in Fiscal Year 1983-84 and \$538,000 in Fiscal Year 1984-85 for the immediate needs of our graduating high school seniors in a program called Computer Awareness Interim Program.

'In other equally important educational programs, funding has been provided for such programs as: \$139,000 in Fiscal Year 1983-84 and \$239,000 in Fiscal Year 1984-85 for Summer School for the Handicapped; over \$100,000 in Fiscal Year 1983-84 and \$216,000 in Fiscal Year 1984-85 for students of limited English proficiency and; one million dollars in both Fiscal Years of the biennium for badly needed repairs and maintenance of public schools.

'In the Higher Education program area, particular emphasis has been placed on such areas as: library automation where, \$520,000 in Fiscal Year 1983-84 and \$75,000 in Fiscal Year 1984-85 has been appropriated, and a computer consortium where \$242,000 in Fiscal Year 1984-85 has been provided for a system-wide computer system to improve the University's electronic computing and data processing capabilities in academic, administrative and student services.

'In the area of capital improvements, your committee has provided design and construction funds for such major projects as:

\*The new prison facility in Halawa, \$52 million;

\*Renovation and modification of the Hawaii State Hospital, \$1.3 million;

\*Auto mechanic shops at Honolulu Community College, \$4.9 million;

\*New facilities at Kapiolani Community College, \$8.1 million;

\*George Hall - TIM Program, \$4.1

million;

\*New UH Stadium Complex, \$2.7 million;

\*Alternative energy demonstration projects, \$3 million; and

\*Lihue Airport Complex, \$26 million.

'In closing, Mr. President, this budget could not have been accomplished without the spirit of cooperation between the House and Senate. For that, I would like to especially thank Representative Kiyabu, chairman of the House Finance Committee, his conferees and his staff.'

At this time, Senator Cobb then rose and stated:

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

"Very briefly, Mr. President, in speaking in light of the discussion tonight, if anything, tonight's discussion is a clear example of the strange twist of history. In the 1940's and in the 1950's, and certainly the decade of the 1960's, it was the great liberals of the United States Senate that fought long and hard to change the cloture rule to limit debate in the Senate for Civil Rights legislation.

"It took over twenty years to achieve a change in the cloture rule limiting debate from a two-thirds vote to a three-fifths vote. It was precisely those Senators who are considered 'liberals' who fought hardest for that rule. And then a decade later, Mr. President, history ran full cycle. There was a minority of liberals who filibustered against some utilities legislation. The right of unlimited debate is a precious one, and when it begins to interfere with the legislative process and the business of the public, the Senate of the United States has provided the extraordinary means of limiting debate. That fact was completely overlooked in tonight's discussion. Completely.

"Mr. President, the motion to limit debate was adopted at 6:40 p.m. It provided for more than three hours and twenty minutes of discussion on the budget. I don't think that anybody can honestly say that three hours is not an adequate time for serious and meaningful deliberations on the budget. In short, we are not trying to stifle debate on the budget. I would point out further, of each of the six individuals, five have served on the Ways and Means Committee or

the Finance Committee of the House at one time or another. Some dating back eighteen years.

"Yet, at no point in that time did any one of those five ever ask for worksheets as a condition of their vote of the budget, 'yes' or 'no,' and I can and will, Mr. President, insert into the Journal, the voting record of each of those individuals, relative to their position of voting on the budget 'yes' or 'no,' for each of their years of legislative service. Yet, at no time, during those years of service, were worksheets ever demanded as a condition for voting 'yes' or 'no' on the budget.

"Mr. President, what was attempted here tonight was a filibuster to force the budget pass the midnight deadline and to force this Legislature into an extension. I say that enough is enough. It is unfair for the remaining nineteen members of the Senate, both Democrats and Republicans alike, and we should be permitted to finish the people's business, finish our work, and go home. Mr. President, let's get going."

Senator Cobb then requested that the following document be inserted into the record, and the President, noting that there was no objection, so ordered.

**"DISSIDENT DEMOCRATS' SERVICE ON MONEY COMMITTEES AND VOTING ON FINAL BUDGET**

Cayetano (20th District):

Not a member of House Finance 1975-78 (was the chairman of the Committee on Energy/Transportation), chairman of Ways and Means 1979-80, member of Ways and Means 1981-82, not a member of Ways and Means in 1983; Has voted yes all times 1975 to 80 and 1982 except for voting no in 1981\* (voted no in 1981 Regular Session, excused and didn't vote in 1981 Special Session).

Abercrombie (11th District):

Not a member of House Finance 1975-78, became a member of Ways and Means in 1979-82, not a member of Ways and Means in 1983; voted no in 1975, voted yes in 1976, 1978-82, in 1977 voted yes in the Regular Session but voted no in the 1977 Special Session.

Toguchi (22nd District):

Never a member of either House

Finance (was chairman of the Committee on Ocean/Marine Resources 1977-80, was chairman of Education 1981-82) or Ways and Means; has always voted yes on the final budget.

Carpenter (1st District):

Was a member of Ways and Means 1979-80, not a member of Ways and Means 1981-83 (was chairman of Judiciary); has always voted yes on the final budget.

Kawasaki (14th District):

Was vice-chairman of Ways and Means 1967-70, not a member of Ways and Means 1971-78, vice-chairman of Ways and Means 1979-80, member of Ways and Means 1981-83 (part of 1983); voted yes in 1967-68, 1970-72, 1974-75, 1978-80, 1982. Voted no in 1973, 1976, 1977\* (voted no in 1977 Regular Session, was excused in 1977 Special Session), 1981\* (voted no in 1981 Regular Session, and 1981 Special Session). In 1969 he was excused and didn't vote."

At this time, Senator Henderson rose and stated:

"Mr. President, I rise on a point of information. I'd like to ask the chairman of Ways and Means a question."

The President queried:

"Does it pertain to the State Budget? Because if it is, the debate is over and we're ready to vote."

Senator Henderson replied:

"This is a point of information. I'm not saying that I'm for or against the budget, Mr. President."

The question was posed and Senator Yamasaki, having answered in the affirmative, Senator Henderson continued:

"Mr. President, in the twelve years that I've been here, we always had a financial plan that showed the expenditures and the sources of revenues, and what the fund balances would be, and I would like to ask the chairman of Ways and Means if we do have such a plan to back up this budget?"

Senator Yamasaki replied:

"We have the source of revenues, yes."

Senator Henderson then queried

further:

"Then you have the total expenditures in the budget?"

Senator Yamasaki replied:

"The General Fund revenues expenditures are...."

Senator Henderson then interjected:

"Do you have the fund balances?"

Senator Yamasaki replied in the affirmative and Senator Henderson then queried:

"Can you tell me what the General Fund balance is at the end of June 30, 1983?"

Senator Yamasaki replied:

"According to our figures, the General Fund balance at the end of the first fiscal year would be 27.9 and at the end of the second fiscal year, 1.8."

Senator Henderson then stated:

"The Governor's Financial Plan that came down had fund balances on June 30, 1983 of \$46,724,000; and then he showed a total deficit at the end of '85 of \$255,000,564. After the Legislature was in session, he sent down another letter, and that letter, Mr. President, allowed that there would be some \$5 million in additional hospital receipts in the '83 fiscal year and \$45 million in lapses, that he recommended that the Legislature take into account. He also indicated that he expected the liquor tax revenues that were in escrow to be realized in fiscal year '84 to the tune of \$85 million and in '85 by the amount of \$25 million. In addition to that,...."

Senator Chang then interjected:

"Point of order, Mr. President. The point of information is an incidental motion and must give way to the privileged status of the Order of the Day. The Order of the Day calls for a vote on this question at 10:00 o'clock and we are far past that time."

Senator Henderson then replied:

"Mr. President, I'm almost through and I would like to state my question.

"In addition to that he made some recommendations to specific appropriations of \$6 million. So, in effect, if you took the Governor's Financial

Plan, and took his later recommendations to cover the deficits, you would end up in 1985 with a surplus of \$5,436,000. Now, if we just take the Governor's Financial Plan, and insert the expenditures, it appears that from the numbers that I have, that that Financial Plan turns into a General Fund balance at the end of June of 1984 of a surplus of \$9,385,000 and a deficit on June 30, 1985 of \$69,458,000.

"Now, in addition to that, Mr. President, that includes the \$120 million that is coming from the liquor taxes in escrow and also the receipts that will be received in 1985. I talked to the tax office late this afternoon and was advised that even though some of the distributors had decided not appeal to the United States Supreme Court, the issue is all in one case and that the money is going to be locked up until the last person waives his right to appeal, which I think has gone by, or until the Supreme Court refuses to review the case, which could happen in June, but if they agree to review the case, we're looking at a period of time that would probably take two years to get this thing through the Supreme Court, so this revenue source would be entirely out of the biennium.

"So, what I am suggesting, Mr. President, is that if we use those assumption, and I'm saying that I can't argue that you can't use them, but I'd just like to point out that if you do use them, you have to realize that there is a potential shortfall in June of 1985 of \$69 million plus \$120 million. So you're looking at a \$190 million deficit at the end of 1985! And, I think that this is the kind of concerns that we should have been talking about tonight. Not grievances against the way this place is run. Be that as it may, Mr. President, it's my feeling that we really need to take a hard look at this, during the interim,...you know, you can go and pass this thing, I'm obviously going to vote 'no,' and I don't urge you to vote 'no' if you want to pass it, because I think that we need a budget obviously, to run this state, and I can justify in my own mind allowing you to do that since we do have a surplus at the end of 1984, and we will be coming back into session to look at this whole budget again, next year.

"So, I think what we really have to start doing is start looking and making some hard decisions. We really have to make some hard deci-

sions. We can't play games with these budget figures, and that's what we're doing right now, gentlemen, we're playing games. Thank you."

At this time, Senator Ajifu rose and stated:

"Mr. President, just a short statement, please.

"Mr. President, I rise to speak in favor of the budget bill. I recognize that this is not a perfect document...."

The President then interjected:

"Senator Ajifu, at this point, there is no further debate because of the motion to fix time. So we will proceed now with having the Clerk identify the bill and then taking a vote."

Senator Ajifu then requested that the following statement be inserted into the record and the President, noting that there was no objection, so ordered.

"Mr. President, I rise to speak in favor of the budget bill before us.

"It is not a perfect document. Every one of us here may oppose some portion of it.

"But I think that over-all it is a good budget; it is one that we can all buy and support.

"Second, let me speak for a moment in recognition and commendation of the chairman of the Senate conferees, Senator Mamoru Yamasaki of the Fourth Senatorial District.

"For over seven days now, Senator Yamasaki has chaired what were essentially continuous negotiations.

"He helped run the conference committee in a friendly fashion as he mixed humor with the seriousness of the subject matter we were discussing.

"Consistently, he showed that he knew the subject matter which we were discussing very well.

"Besides being well versed in all aspects of the budget, he was able to explain and translate the complex portions of the budget document in a manner that made it easy to understand and follow for the conferees.

"I think the full Senate owe a debt of gratitude to Chairman Yamasaki for

the job he performed this past week.

'In conclusion, Mr. President, I wish to show my support of Chairman Yamasaki and the budget bill that we have before us.

'Thank you very much.'

The motion was put by the Chair and Conf. Com. Rep. No. 69 was adopted, and, Roll Call vote having been requested, H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 4 (George, Henderson, A. Kobayashi and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

At 10:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:10 o'clock p.m.

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

##### FINAL READING

Conference Committee Report No. 27 (H.B. No. 1119, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 27 was adopted and H.B. No. 1119, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING AN APPROPRIATION THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 45 (S.B. No. 800, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 45 was adopted and S.B. No. 800, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL,"

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

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 46 (H.B. No. 393, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 46 was adopted and H.B. No. 393, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 56 (S.B. No. 903, S.D. 1, H.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 56 be adopted and S.B. No. 903, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At 11:12 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:14 o'clock p.m.

The motion was put by the Chair and carried and Conf. Com. Rep. No. 56 was adopted, and Roll Call vote having been requested, S.B. No. 903, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 4 (Chang, A. Kobayashi, B. Kobayashi and Solomon). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 63 (S.B. No. 1062, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 63 was adopted

and S.B. No. 1062, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 64 (S.B. No. 834, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 64 was adopted and S.B. No. 834, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN AN ACT RELATING TO DISLOCATED WORKERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 65 (S.B. No. 4, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 65 was adopted and S.B. No. 4, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND MAKING APPROPRIATIONS THEREFOR," having been read throughout passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 3 (George, Henderson and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 66 (H.B. No. 1434, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 66 was adopted and H.B. No. 1434, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused,

6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 67 (S.B. No. 994, S.D.1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 67 was adopted and H.B. No. 994, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI GENERAL HOSPITAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 68 (S.B. No. 937, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 68 was adopted and S.B. No. 937, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 70 (S.B. No. 1279, S.D. 2, H.D. 2, C.D. 2):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 70 was adopted and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 71 (H.B. No. 387, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 71 was adopted and H.B. No. 387, H.D. 2, S.D. 2,



C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 4 (George, Henderson, A. Kobayashi and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 72 (H.B. No. 45, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 72 was adopted and H.B. No. 45, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 73 (H.B. No. 1190, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 73 was adopted and H.B. No. 1190, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY FARM LOANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 74 (H.B. No. 670, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 74 was adopted and H.B. No. 670, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and

Toguchi).

At 11:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:19 o'clock p.m.

Conference Committee Report No. 75 (H.B. No. 5, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 75 was adopted and H.B. No. 5, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 4 (George, Henderson, A. Kobayashi and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 76 (H.B. No. 236, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 76 was adopted and H.B. No. 236, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 77 (H.B. No. 225, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 77 was adopted and H.B. No. 225, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 78

(H.B. No. 702, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 78 was adopted and H.B. No. 702, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

### THIRD READING

House Bill No. 284, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 284, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL EMPLOYMENT AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

### FINAL READING

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

On motion by Senator Cobb, seconded by Senator Soares and carried, 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 APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

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

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 368, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

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

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 608, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

### THIRD READING

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

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 917 was adopted 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," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

### FINAL READING

Senate Bill No. 418, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 418, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Uwaine rose and stated:

"Mr. President, I find myself caught between a rock and a hard place. As the chairman of the Transportation Committee, I must recommend to this body that we vote down this bill. I would have preferred to recommit this bill back into conference, but because of parliamentary and Senate Rules, causing time to lapsed for conference...I think the primary reason for asking to go back in to conference was so that we could get more input on this particular bill...so for these reasons, I ask that the members vote this bill down.

Thank you."

Senator Henderson then rose and stated:

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

"Mr. President, this is an important bill for people in Kona. The tourist industry on the neighbor islands, especially on Kauai and Hawaii, is in serious shape. If there is one thing that we could do in this Legislature this year, the least we could do is to give these people over there some psychological boost, and this would be one way to do it.

"They want this bill. They feel that it is important for the marketing of the whole Kona Coast. The Rock Resorts, the United Airlines Mauna Kea Beach Hotel, has agreed to change their designation of their area from South Kohala to Kona; all of Maunalani has agreed to use, not South Kohala, but Kona. The Sheraton Waikoloa has agreed to change their name from South Kohala to Kona. All of the hotels in Kailua and Keahou have all agreed to use the word Kona. They want to promote Kona as a resort area on West Hawaii. This bill ties right into that promotion. It's a very simple bill. It just changes the name from Keahole to Kona. It's not hard to understand, we don't need to consider it any more. It's a straightforward deal. Either the airport's name is Keahole, or it's Kona. I therefore urge all of you to vote this bill up to make the name of the airport Kona, which everybody calls it."

At 11:24 o'clock p.m., the Senate closed in recess subject to the call of the Chair.

The Senate reconvened at 11:25 o'clock p.m.

Senator Uwaine then stated:

"Mr. President, I would just like to thank the good Senator from the Big Island, Senator Henderson, for his remarks and to reassure him that they would be taken into consideration next year."

Senator George then commented:

"Mr. President, I wonder if someone can explain to me why this area, formerly known as Kailua Airport, should retain that designation. I am concerned lest my constituents be under the impression that there's going to be an airport located in

Kawainui Marsh."

The motion was put by the Chair and Roll Call vote having been requested, S.B. No. 418, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KONA AIRPORT," having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes. 10, Noes, 9 (Chang, Hagino, Holt, Machida, Mizuguchi, Uwaine, Yamasaki, Young and Wong). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

#### RECONSIDERATION OF ACTION TAKEN

Senator Cobb moved that the Senate reconsider its action taken earlier on the calendar on Conf. Com. No. 13 and H.B. No. 314, S.D. 2, C.D. 1, seconded by Senator Soares and carried.

Senator Cobb then moved that Conf. Com. Rep. No. 13 be adopted and H.B. No. 314, S.D. 2, C.D. 1, pass Final Reading, seconded by Senator Soares.

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 13 was adopted and H.B. No. 314, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Concurrent Resolution No. 169:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ACKNOWLEDGE THE ILLEGAL AND IMMORAL ACTIONS OF THE UNITED STATES IN THE OVERTHROW OF THE KINGDOM OF HAWAII IN 1893, AND TO INDICATE ITS COMMITMENT TO GRANT RESTITUTION FOR THE LOSSES AND DAMAGES SUFFERED BY NATIVE HAWAIIANS AS A RESULT OF THOSE WRONGFUL ACTIONS," was adopted.

House Concurrent Resolution No. 178,

H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 178, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE BOARD OF LAND AND NATURAL RESOURCES OF THE STATE OF HAWAII TO GIVE PRIORITY TO HAWAIIAN TUNA PACKERS FOR SPACE AT THE KOULA STREET PROPERTY," was adopted.

Senate Concurrent Resolution No. 41 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 41, and S.C.R. No. 41, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPROVING AIR CARRIER SERVICE FOR MOVING DIVERSIFIED HAWAII AGRICULTURAL PRODUCTS," was finally adopted.

House Concurrent Resolution No. 87:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN UPDATED STUDY OF THE FEASIBILITY OF CONSTRUCTING A SECOND BREAKWATER AT PORT ALLEN, KAUAI," was adopted.

House Concurrent Resolution No. 110, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 110, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUVENILE JUSTICE INTERAGENCY BOARD TO REPORT ON ITS PROGRESS IN IMPLEMENTING THE JUVENILE JUSTICE SYSTEM MASTER PLAN," was adopted.

House Concurrent Resolution No. 120:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES SENATE EXPEDITIOUSLY ADVISE AND CONSENT TO THE UNITED STATES PACIFIC ISLANDS FRIENDSHIP TREATIES," was adopted.

House Concurrent Resolution No. 126:

On motion by Senator Cobb, seconded by Senator Soares and carried,

H.C.R. No. 126, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE APPOINTMENT OF TWO ADDITIONAL AMBASSADORS TO THE PACIFIC ISLAND NATIONS," was adopted.

House Concurrent Resolution No. 193, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 193, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS AND PRESIDENT OF THE UNITED STATES TO AUTHORIZE THE NATIONAL AQUACULTURE ACT OF 1980," was adopted.

At 11:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:33 o'clock p.m.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 744 to 746) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 744) informing the Senate that the House has reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1505, H.D. 1, and the Speaker, on April 21, 1983, discharged the 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. 745) returning Senate Concurrent Resolution No. 61, S.D. 1, which was adopted by the House of Representatives on April 22, 1983, in an amended form, was placed on file.

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 61, S.D. 1, seconded by Senator Soares.

Senator Cobb then rose and stated:

"Very briefly, Mr. President, the committee amended this concurrent resolution to provide for the transmittal of copies to the Director of Labor and the Insurance Commissioner. That was the only change to this Senate Concurrent Resolution and I find this perfectly agreeable."

The motion was put by the Chair and carried, and S.C.R. No. 61,

S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ARRANGE FOR A STUDY OF THE WORKERS' COMPENSATION PROGRAM BY THE LEGISLATIVE AUDITOR," was finally adopted.

A communication from the House (Hse. Com. No. 746) returning Senate Concurrent Resolution No. 107, S.D. 1, which was adopted by the House of Representatives on April 22, 1983, in an amended form, was placed on file.

Senator Machida moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 107, S.D. 1, seconded by Senator Cobb.

Senator Machida then stated as follows:

"Mr. President, the only amendment to the resolution is taking away the requirement for a report to be submitted to the Legislature and I have no objections to this amendment."

The motion was put by the Chair and carried, and S.C.R. No. 107, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE ADOPTION OF A RULE TO REQUIRE STAMPING THE PROCESSED DATE AND THE PULL DATE ON EACH CARTON OF MILK," was finally adopted.

#### STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1061) recommending that Senate Resolution No. 122 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 122, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE ADVISABILITY OF ESTABLISHING A BOARD UNDER THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO LICENSE PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS AND REGULATE THE PRACTICE OF PHYSICAL THERAPY," was adopted.

Senator Hagino, for the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 1062) recommending that House Concurrent Resolution No. 179, H.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.C.R. No. 179, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE OPPOSITION TO THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT AND ENCOURAGING THE HAWAII CONGRESSIONAL DELEGATION TO FIGHT ITS PASSAGE," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1063) recommending that House Bill No. 703, H.D. 1, pass Third Reading.

Senator Aki moved that H.B. No. 703, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

At this time, Senator Soares rose and stated:

"Mr. President, I hadn't intended to speak against this bill, but I feel that I am compelled to and that therefore, I should. The more I think about it, the bill actually will serve to help a few people. When it originally came out two years ago, it was intended to assist us in trying to diversify our energy resources by allowing wind energy and OTEC and geothermal to go ahead. While we talked about this bill satisfying some of our needs with regards to those who have windmills getting their fair share of assistance from the utility companies, I find it very difficult at this point in time to vote for this measure, so I ask all the members to vote against it. Thank you."

Senator Aki then rose to speak in favor of the measure stating:

"Mr. President, this bill does two things. First of all, it extends the same minimum protection of state law concerning the prices utilities must pay for alternate energy generated electricity, to all sources of alternate energy.

"Second, Mr. President, this bill directs the PUC to hold hearings on the establishment of a price floor for alternate energy. The purpose of the minimum floor, is to provide income protection against large fluctuations in the cost of fossil fuel, such as we have seen in the past six months.

"Your committee is well aware, Mr. President, that the approach provided by this bill may be considered unique. However, innovative mea-

asures appear necessary in order to insure the survival of the alternate energy industry at this critical point.

"Finally, Mr. President, it is the committee's expectation that with the passage of this bill, all segments of the energy industry, utilities and small producers of light, will forge a new alliance to help release the state from its dependence on increasingly scarce fossil fuel sources. Thank you."

The motion was put by the Chair and carried and the report of the Committee was adopted, and H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Aye, 14. Noes, 5 (Ajifu, George, Henderson, A. Kobayashi and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 148 to 156) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 148) entitled: "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE MINISTERS OF RELIGION WHO OPENED A DAY OF THE SENATE, TWELFTH LEGISLATURE, 1983, STATE OF HAWAII, WITH AN INSPIRATIONAL INVOCATION," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 148 was adopted.

A resolution (S.R. No. 149) entitled: "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE TWELFTH LEGISLATURE, REGULAR SESSION OF 1983," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 149 was adopted.

A resolution (S.R. No. 150) entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE," was offered by Senators Uwaine and

Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 150 was adopted.

A resolution (S.R. No. 151) entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 151 was adopted.

A resolution (S.R. No. 152) entitled: "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE TWELFTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 152 was adopted.

A resolution (S.R. No. 153) entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 153 was adopted.

A resolution (S.R. No. 154) entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 154 was adopted.

A resolution (S.R. No. 155) entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND THE GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 155 was adopted.

A resolution (S.R. No. 156) entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTIETH DAY," was offered by Senators Uwaine and

Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 156 was adopted.

At 11:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock p.m.

The President then stated:

"Before adjourning this evening, I know the hour is late, but the Chair would just like to make some very brief comments.

"Very soon, in fact, in a few minutes, we will be adjourning this 1983 Legislative Session Sine Die. Before we finish up and go home, I would like to make just a very few short remarks.

"This has been a very long, a very difficult, and a very arduous session. We have had our difficulties and our differences, to be sure. However, I must emphasize this, we have managed to finish the job on schedule. I'm proud of that.

"To all of you who have contributed to finishing the job, especially the young freshman Senators, thank you very much. I think we're all anxious to go home.

"To all of the members of the Senate, Democrats, Republicans, allies and adversaries, I wish you all well. I'm only sorry that we were not able to end this session on a harmonious note. I want you to know that in the coming interim, that I will be taking action to address some of the internal concerns of this body. I will be in touch with you in the weeks and months ahead. Hopefully, by the time we reconvene next year, we will be a stronger and a more united body.

"I would certainly be remiss if I did not express my heartfelt appreciation on behalf of all the Senators to our hard working staff, both in the printshop and in the committees and on the floor. I know our staff has been putting in very long and hard hours, under very tense and trying circumstances. We would not have been able to complete our work, truly, without them. And, in response to the question that has been raised on the question of our

patronage staff compensation, the matter is being taken care of.

"So, rest up, everybody. Get re-acquainted with your families, resume your private lives. Until next year's session, Senators, staff, visitors and everybody, Governor and Mrs. Ariyoshi, Lieutenant Governor Waihee, Aloha."

Senator Henderson then rose and stated:

"Mr. President, I think that I would also like to say a few words in response to your statement.

"You're right. This has been a long and arduous session. I think that the best thing that we can do for the people of the State of Hawaii, right now, is to close this place up and go home.

"I sincerely hope, that you twenty Democrats, can get yourselves reorganized, where you can run an orderly body and conduct the affairs of the State of Hawaii and legislate good legislation, for the people of the State of Hawaii. There are a lot of areas that we have to take up next year: workers' compensation, the budget ...there are a lot of other areas that really need attention, and I think that the divisiveness and the conflict that has been shown here tonight, has been simmering here, for a long, long time under the surface, is something that needs to be addressed in the interim, and I urge you, Mr. President, and all of you to make amends, make your pardons and get together and come back next year to get down to work. Thank you."

At this time, the President appointed Senators Kuroda, Chairman, Cobb, and Uwaine as a Committee to inform the Governor and the House of Representatives that the Senate stands ready to adjourn Sine Die.

At 11:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock p.m.

Senator Kuroda, for the Special Committee, reported orally that it has informed the Governor and the House of Representatives that the Senate is ready to adjourn Sine Die.

The President then discharged the Committee with thanks.

## ADJOURNMENT

Senator Cobb moved that the Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, adjourn Sine Die, seconded by Senator Soares and carried.

At 11:50 o'clock p.m., the President rapped his gavel and declared the Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, adjourned Sine Die.