

FIFTIETH DAY

Thursday, April 5, 1984

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, convened at 11:20 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Robert Nagamine, Pastor of the First Baptist Church of Waimanalo, after which the Roll was called showing all Senators present with the exception of Senator Toguchi who was excused.

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

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

Senator Ajifu introduced 50 students from the student councils of the Ahuimanu and Heeia Elementary Schools, accompanied by their teachers: Mrs. Margaret Sakoeiki, Mrs. Grace Ing and Mr. John Linsky from Ahuimanu, and Mrs. Marge Bright from Heeia.

Senator Solomon, on behalf of Senators Carpenter and Henderson and herself, introduced students involved in the Big Island Legislative Experience Program, representing high schools from Honokaa, Kau, Pahoia and the Waiakea districts, accompanied by: Mr. Wallace Aki, district advisor for this program and the Big Island district personnel specialist; Mrs. Nellie Yokoyama, faculty advisor; and student coordinators, Whitney Jenkins, Julie Sakasegawa and Beth Choi.

Senator Chang introduced 34 seventh graders from the Cathedral School, accompanied by their teacher, Ms. Sally Rota.

At 11:28 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:31 o'clock a.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 299) informing the Senate of an error in Governor's Message 289 which transmitted nominations to the Statewide Health Coordinating Council, identifying Leonard Paresa, Sr. as the party whom Albert P.

Moniz is to succeed, was read by the Clerk and filed.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 437 to 440) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 437), returning Senate Bill No. 538, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1984, was placed on file.

A communication from the House (Hse. Com. No. 438), returning Senate Bill No. 1943-84, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1984, was placed on file.

A communication from the House (Hse. Com. No. 439), returning Senate Bill No. 1948-84, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1984, was placed on file.

A communication from the House (Hse. Com. No. 440), returning Senate Bill No. 1949-84, which passed Third Reading in the House of Representatives on April 4, 1984, was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 80 to 86) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 80), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE REAL ESTATE COMMISSION TO STUDY METHODS TO EXEMPT HOTEL OPERATIONS FROM REAL ESTATE LICENSING," was offered by Senators Cobb, Yamasaki, Soares, A. Kobayashi, Mizuguchi, Aki, Henderson, Machida, Toguchi, Fernandes Salling and B. Kobayashi.

By unanimous consent, S.C.R. No. 80 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 81), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO PERFORM AN AUDIT OF THE CANCER CENTER OF HAWAII," was

offered by Senators Kawasaki, Solomon, Chang, Ajifu, Soares, Fernandes Salling, Toguchi, Hagino, Carpenter, Abercrombie, Cayetano, Aki, Holt, George, Henderson and Mizuguchi.

By unanimous consent, S.C.R. No. 81 was referred jointly to the Committee on Higher Education and to the Committee on Health.

A concurrent resolution (S.C.R. No. 82), entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE PROPOSED TERMINATION OF THE STATE-FEDERAL COOPERATIVE PREDEPARTURE INSPECTION PROGRAM," was offered by Senators Yamasaki, Uwayne, Abercrombie, Aki, Ajifu, A. Kobayashi, Hagino, Machida, Kuroda, Carpenter, Cayetano, Young, Fernandes Salling, Holt and Solomon.

By unanimous consent, S.C.R. No. 82 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 83), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII VISITORS BUREAU TO RESUME ITS SUPPORT OF THE MAUI COUNTY VISITORS ASSOCIATION," was offered by Senators Yamasaki, Uwayne, Abercrombie, Aki, Ajifu, A. Kobayashi, Hagino, Machida, Young, Carpenter, Cayetano, Chang, Fernandes Salling, Holt and Solomon.

By unanimous consent, S.C.R. No. 83 was referred to the Committee on Tourism.

A concurrent resolution (S.C.R. No. 84), entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR CONGRESSIONAL ACTION TO INCREASE THE DOLLAR LIMITATION ON THE INFORMAL ENTRY OF IMPORTED GOODS," was offered by Senators Yamasaki, Kuroda, Solomon, Cayetano, Carpenter, A. Kobayashi, Soares, Aki, Young, Hagino, Abercrombie, Toguchi, Cobb, Fernandes Salling, George, Ajifu, Chang, Machida, B. Kobayashi, Kawasaki, Holt, Uwayne and Mizuguchi.

By unanimous consent, S.C.R. No. 84 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 85), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF SOCIAL SERVICES AND HOUSING AND LAND AND NATURAL RESOURCES TO

RECOMMEND ALTERNATIVE USES FOR THE OLINDA HONOR CAMP," was offered by Senators Yamasaki, Uwayne, Abercrombie, Aki, Ajifu, A. Kobayashi, Hagino, Machida, Mizuguchi, Kuroda, Holt, Carpenter, Cayetano, Young, Chang, Fernandes Salling and Solomon.

By unanimous consent, S.C.R. No. 85 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 86), entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING CONCERN REGARDING THE USE OF KAHO'OLAWA AS A SHELLING TARGET BY THE DEPARTMENT OF THE NAVY AND RIMPAC 1984 PARTICIPANTS," was offered by Senators Young, A. Kobayashi, Holt, Toguchi, Aki and Hagino.

By unanimous consent, S.C.R. No. 86 was referred to the Committee on Housing and Urban Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 90 to 96) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 90), entitled: "SENATE RESOLUTION REQUESTING THE REAL ESTATE COMMISSION TO STUDY METHODS TO EXEMPT HOTEL OPERATIONS FROM REAL ESTATE LICENSING," was offered by Senators Cobb, Yamasaki, Soares, A. Kobayashi, B. Kobayashi, Machida, Aki, Henderson, Toguchi, Fernandes Salling and Mizuguchi.

By unanimous consent, S.R. No. 90 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 91), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO PERFORM AN AUDIT OF THE CANCER CENTER OF HAWAII," was offered by Senators Kawasaki, Solomon, Chang, Ajifu, Soares, Fernandes Salling, Toguchi, Hagino, Carpenter, Abercrombie, Cayetano, Aki, Holt, George, Henderson and Mizuguchi.

By unanimous consent, S.R. No. 91 was referred jointly to the Committee on Higher Education and to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 92),

entitled: "SENATE RESOLUTION OPPOSING THE PROPOSED TERMINATION OF THE STATE-FEDERAL COOPERATIVE PREDEPARTURE INSPECTION PROGRAM," was offered by Senators Yamasaki, Uwaine, Abercrombie, Aki, Ajifu, A. Kobayashi, Hagino, Machida, Mizuguchi, Kuroda, Carpenter, Cayetano, Fernandes Salling, Holt and Solomon.

By unanimous consent, S.R. No. 92 was referred to the Committee on Agriculture.

A resolution (S.R. No. 93), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII VISITORS BUREAU TO RESUME ITS SUPPORT OF THE MAUI COUNTY VISITORS ASSOCIATION," was offered by Senators Yamasaki, Uwaine, Abercrombie, Aki, Ajifu, A. Kobayashi, Hagino, Machida, Mizuguchi, Carpenter, Cayetano, Young, Chang, Fernandes Salling, Holt and Solomon.

By unanimous consent, S.R. No. 93 was referred to the Committee on Tourism.

A resolution (S.R. No. 94), entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR CONGRESSIONAL ACTION TO INCREASE THE DOLLAR LIMITATION ON THE INFORMAL ENTRY OF IMPORTED GOODS," was offered by Senators Yamasaki, Kuroda, Solomon, Cayetano, Carpenter, A. Kobayashi, Soares, Aki, Young, Hagino, Abercrombie, Toguchi, Cobb, Fernandes Salling, George, Ajifu, Chang, Machida, Kawasaki, Holt, Uwaine and Mizuguchi.

By unanimous consent, S.R. No. 94 was referred to the Committee on Economic Development.

A resolution (S.R. No. 95), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF SOCIAL SERVICES AND HOUSING AND LAND AND NATURAL RESOURCES TO RECOMMEND ALTERNATIVE USES FOR THE OLINDA HONOR CAMP," was offered by Senators Yamasaki, Uwaine, Abercrombie, Aki, Ajifu, A. Kobayashi, Machida, Kuroda, Holt, Carpenter, Cayetano, Young, Chang, Fernandes Salling and Solomon.

By unanimous consent, S.R. No. 95 was referred to the Committee on Judiciary.

A resolution (S.R. No. 96), entitled: "SENATE RESOLUTION EXPRESSING CONCERN REGARDING

THE USE OF KAHO'OLAWA AS A SHELLING TARGET BY THE DEPARTMENT OF THE NAVY AND RIMPAC 1984 PARTICIPANTS," was offered by Senators Young, A. Kobayashi, Holt, Toguchi, Aki and Hagino.

By unanimous consent, S.R. No. 96 was referred to the Committee on Housing and Urban Development.

STANDING COMMITTEE REPORTS

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 635-84) recommending that House Bill No. 1854-84, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1854-84, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 9, 1984.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 636-84) recommending that House Bill No. 1947-84, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 1947-84, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 12, OF THE HAWAII CONSTITUTION, TO ALLOW GREATER FLEXIBILITY IN SCHEDULING THE DEADLINE FOR INTRODUCING BILLS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 9, 1984.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 637-84) recommending that House Bill No. 1948-84, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1948-84, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION TO ALLOW

FLEXIBILITY IN SCHEDULING THE MANDATORY RECESS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 9, 1984.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 638-84) recommending that Senate Resolution No. 68 be adopted.

On motion by Senator Kuroda, seconded by Senator Aki and carried, the report of the Committee was adopted and S.R. No. 68, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY RELATING TO THE CONCEPT OF HAWAII AS 'THE HEALING ISLANDS'," was adopted.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 639-84) recommending that Senate Concurrent Resolution No. 58 be adopted.

On motion by Senator Kuroda, seconded by Senator Aki and carried, the report of the Committee was adopted and S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY RELATING TO THE CONCEPT OF HAWAII AS 'THE HEALING ISLANDS'," was adopted.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 4, 1984

FINAL READING

Senate Bill No. 1718-84, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. 1718-84, S.D. 1, H.D. 1, was deferred to the end of calendar for further consideration.

Senate Bill No. 20, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Kawasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 20, S.D. 1, and S.B. No. 20, S.D. 1, H.D. 2, was deferred to the end of calendar for further consideration.

Senate Bill No. 29, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 29, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Chang and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 139, S.D. 2 (H.D. 1):

On motion by Senator Kuroda, seconded by Senator Aki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 139, S.D. 1, and S.B. No. 139, S.D. 1, H.D. 1, was deferred to the end of calendar for further consideration.

Senate Bill No. 285, S.D. 1 (H.D. 2):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate agreed to the amendments proposed by the House to S.B. 285, S.D. 1, and S.B. No. 285, S.D. 1, H.D. 2, was deferred to the end of the calendar for further consideration.

At 11:35 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:37 o'clock a.m.

Senate Bill No. 423, S.D. 2 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Machida and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 423, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Machida, B. Kobayashi, Young and Soares, as Managers on the part of the Senate at such conference.

Senate Bill No. 784, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate agreed to the amendments proposed by the House to S.B. 784, S.D. 1, and S.B. No. 784, S.D. 1, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 785, S.D. 1 (H.D. 2):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the

amendments proposed by the House to S.B. No. 785, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Uwayne and Soares, as Managers on the part of the Senate at such conference.

Senate Bill No. 878, S.D. 2 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 878, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Mizuguchi, Uwayne, Machida and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 905, S.D. 2 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 905, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Aki, Hagino, Uwayne and Ajifu as Managers on the part of the Senate at such conference.

At 11:39 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

Senate Bill No. 1115, S.D. 2 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1115, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Mizuguchi, Holt, Abercrombie and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 1532-84, S.D. 1 (H.D. 1):

On motion by Senator Young, seconded by Senator Holt and carried, the Senate agreed to the amendments proposed by the House to S.B. 1532-84, S.D. 1, and S.B. No. 1532-84, S.D. 1, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 1541-84 (H.D. 1):

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. 1541-84, and S.B. No. 1541-84, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 1551-84, S.D. 2 (H.D. 1):

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. 1551-84, S.D. 2, and S.B. No. 1551-84, S.D. 2, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 1577-84, S.D. 1 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1577-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Hagino and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 1629-84, S.D. 1 (H.D. 2):

On motion by Senator B. Kobayashi, seconded by Senator Uwayne and carried, the Senate agreed to the amendments proposed by the House to S.B. 1629-84, S.D. 1, and S.B. No. 1629-84, S.D. 1, H.D. 2, was deferred to the end of the calendar for further consideration.

Senate Bill No. 1707-84 (H.D. 1):

On motion by Senator Young, seconded by Senator Holt and carried, the Senate agreed to the amendments proposed by the House to S.B. 1707-84, and S.B. No. 1707-84,

H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 1709-84, S.D. 1 (H.D. 1):

On motion by Senator Yamasaki, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1709-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Chang and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1725-84, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate agreed to the amendments proposed by the House to S.B. 1725-84, S.D. 1, and S.B. No. 1725-84, S.D. 1, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 1729-84, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1729-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, Chairman, Cobb and George, as Managers on the part of the Senate at such conference.

Senate Bill No. 1732-84, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate agreed to the amendments proposed by the House to S.B. 1732-84, S.D. 1, and S.B. No. 1732-84, S.D. 1, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 1734-84, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate agreed to the amendments proposed by the House to S.B. 1734-84, S.D. 1, and S.B. No. 1734-84, S.D. 1, H.D. 1, was de-

ferred to the end of the calendar for further consideration.

Senate Bill No. 1744-84, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1744-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Kawasaki, Uwaine and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1788-84, S.D. 1 (H.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1788-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, B. Kobayashi and Henderson as Managers on the part of the Senate at such conference.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

Senate Bill No. 1841-84, S.D. 2 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1841-84, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Mizuguchi, Machida, Uwaine and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 1890-84, S.D. 1 (H.D. 1):

On motion by Senator Yamasaki, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1890-84, S.D. 1, and

requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Young and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 2085-84, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2085-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Uwaine and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 2119-84, S.D. 2 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2119-84, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Mizuguchi and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 2125-84, S.D. 2 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2125-84, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Mizuguchi, Solomon, Hagino and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 2180-84 (H.D. 1):

On motion by Senator Aki, seconded by Senator Hagino and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2180-84, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Aki,

Chairman, Hagino, Fernandes Salling and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 2203-84, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate agreed to the amendments proposed by the House to S.B. 2203-84, S.D. 1, and S.B. No. 2203-84, S.D. 1, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 2206-84, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate agreed to the amendments proposed by the House to S.B. 2206-84, S.D. 1, and S.B. No. 2206-84, S.D. 1, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 2209-84, S.D. 2 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2209-84, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Kawasaki, Machida, Mizuguchi and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 2248-84 (H.D. 2):

On motion by Senator Young, seconded by Senator Holt and carried, the Senate agreed to the amendments proposed by the House to S.B. 2248-84, and S.B. No. 2248-84, H.D. 2, was deferred to the end of the calendar for further consideration.

Senate Bill No. 2249-84, S.D. 2 (H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2249-84, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators

Yamasaki, Chairman, Young, Holt and A. Kobayashi as Managers on the part of the Senate at such conference.

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

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

Senate Bill No. 2251-84, S.D. 1 (H.D. 1):

On motion by Senator Young, seconded by Senator Holt and carried, the Senate agreed to the amendments proposed by the House to S.B. 2251-84, S.D. 1, and S.B. No. 2251-84, S.D. 1, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 300, S.D. 1 (H.D. 1):

On motion by Senator B. Kobayashi, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 300, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators B. Kobayashi, Chairman, Uwaine and George as Managers on the part of the Senate at such conference.

Senate Bill No. 328, S.D. 1 (H.D. 1):

On motion by Senator Young, seconded by Senator Holt and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 328, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Young, Chairman, Holt and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 761 (H.D. 1):

On motion by Senator Machida, seconded by Senator Fernandes Salling and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 761, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Machida, Chairman, Young and George as Managers on the part of the Senate at

such conference.

Senate Bill No. 934, S.D. 1 (H.D. 1):

On motion by Senator Machida, seconded by Senator Fernandes Salling and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 934, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Machida, Chairman, B. Kobayashi and George as Managers on the part of the Senate at such conference.

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

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

Senate Bill No. 1450, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1450, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, Chairman, Carpenter and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 1516-84 (H.D. 1):

On motion by Senator Machida, seconded by Senator Fernandes Salling and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1516-84, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Machida, Chairman, Fernandes Salling and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1540-84, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate agreed to the amendments proposed by the House to S.B. 1540-84, S.D. 1, and S.B. No. 1540-84, S.D. 1, H.D. 1, was deferred to the end of the calendar for further consideration.

Senate Bill No. 1575-84, S.D. 1
(H.D. 1):

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1575-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Mizuguchi, Chairman, Holt, Abercrombie and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 1693-84, S.D. 1
(H.D. 1):

On motion by Senator B. Kobayashi, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1693-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators B. Kobayashi and Cobb, Co-Chairmen, and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1694-84, S.D. 1
(H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1694-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, B. Kobayashi, Uwaine and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 1702-84, S.D. 1
(H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1702-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, B. Kobayashi and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 1740-84, S.D. 1
(H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1740-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Kawasaki and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1745-84, S.D. 1
(H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1745-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Carpenter, and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 1766, S.D. 1 (H.D. 1):

On motion by Senator Solomon, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1766, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Solomon and B. Kobayashi, Co-Chairmen, Abercrombie and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 1815-84, S.D. 1
(H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1815-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Uwaine, Carpenter and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 1835-84, S.D. 1
(H.D. 1):

On motion by Senator Kawasaki, seconded by Senator Machida and

carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1835-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Kawasaki, Chairman, Abercrombie and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1846-84, S.D. 2 (H.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1846-84, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, B. Kobayashi, Aki, Hagino, Holt, Kawasaki, Machida, Mizuguchi, Solomon, Uwaine, Young, Ajifu, Henderson and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1854-84 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1854-84, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, Chairman, Cayetano and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 1867-84, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1867-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Fernandes Salling and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 1868-84, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate agreed to the

amendments proposed by the House to S.B. No. 1868-84, S.D. 1, and S.B. No. 1868-84, S.D. 1, H.D. 1 was deferred to the end of calendar for further consideration.

Senate Bill No. 1872 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1872, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Fernandes Salling and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1874-84, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1874-84, S.D. 1, and S.B. No. 1874-84, S.D. 1, H.D. 1 was deferred to the end of calendar for further consideration.

Senate Bill No. 1877-84, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1877-84, S.D. 1, and S.B. No. 1877-84, S.D. 1, H.D. 1 was deferred to the end of calendar for further consideration.

Senate Bill No. 1878-84 (H.D. 1):

On motion by Senator Aki, seconded by Senator Hagino and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1878-84, and S.B. No. 1878-84, H.D. 1 was deferred to the end of calendar for further consideration.

Senate Bill No. 2026-84, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2026-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, Chairman, Hagino and George as Managers on the part of the Senate at

such conference.

Senate Bill No. 2049-84 (H.D. 1):

On motion by Senator B. Kobayashi, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2049-84, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators B. Kobayashi, Chairman, Toguchi and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2056-84, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2056-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Kuroda and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 2057-84 (H.D. 1):

On motion by Senator Young, seconded by Senator Holt and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2057-84, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Young, Chairman, Holt and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 2073-84, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2073-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, Chairman, Hagino and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2087-84, S.D. 1 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2087-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Uwaine and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 2184, S.D. 1 (H.D. 1):

On motion by Senator Aki, seconded by Senator Hagino and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2184, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Aki, Chairman, Chang and A. Kobayashi as Managers on the part of the Senate at such conference.

At this time, Senator Cayetano inquired: "Mr. President, will the chairman yield to a question?"

The Chair posed the question to the chairman and the chairman asked to hear the question.

Senator Cayetano asked: "Mr. President, will you ask the chairman the reasons for the Senate's disagreement with the House?"

Senator Aki replied: "Mr. President, the House made several amendments to the bill. First of all, it clarifies the language as to the 'grandfather' clause; secondly, it subzones geothermal resources; and thirdly, it clarifies the language as to the permitting process. I think these are things that we have to look further into."

Senator Cayetano further inquired: "Mr. President, is the chairman saying that as far as the Senate is concerned it opposes those amendments?"

Senator Aki further replied: "Mr. President, as you know, we took steps last session on geothermal development, and these amendments are substantive. They seem to go beyond what the Legislature intended last year, and therefore, I think it's proper that that we look at these amendments very carefully."

Senator Cayetano then asked: "Mr. President, when the chairman says that they go beyond what the Legislature intended, is he speaking about going beyond the purpose and intent of Act 296?"

Senator Aki replied: "I am referring to the area of subzones. Last year, when we passed Act 296 we had asked the Department of Land and Natural Resources to come up with subzones, and unfortunately up to now this has not happened, and this amendment mandates or takes steps to 'grandfather' these subzones before the Land Board can make the determination. And I think we should give the Board of Land and Natural Resources the discretion to come up with these subzones before we designate the subzones ourselves."

Senator Cayetano then asked: "Mr. President, would you ask the chairman what his intent is with respect to the 'grandfathering' of Campbell Estate?"

Senator Aki answered: "The 'grandfather' clause as far as the first section is concerned, deals with the language that clearly clarifies the issue as to who can explore geothermal developments and it states specifically that geothermal developments can take place on agricultural, urban and conservations lands."

Senator Cayetano remarked: "Mr. President, I'm not sure he answered my question. My question was what is the chairman's position with respect to the 'grandfathering' of Campbell Estate."

Senator Aki replied: "I'm not sure, Mr. President, I understand the question fully because we are not actually 'grandfathering' any particular group. All we are saying is that geothermal development is very important; we should let it continue to progress; and we're just saying that we should clarify that these kinds of developments can take place on all four land zone classifications."

Senator Cayetano then stated: "Well, Mr. President, if that's what we want to do, it seems to me that the House bill...I'm not very happy with the House Bill...but the House bill does that rather nicely. I voted against the Senate bill, but I think for purposes of this motion, I wanted to know and want the chairman to make it clear what the Senate's position would be with respect to the

position as stated in the Senate bill as it went over to the House. I think that his answers haven't given me the information I want."

Senate Bill No. 2193-84, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2193-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, Chairman, Carpenter and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill 2205-84, S.D. 2 (H.D. 1):

On motion by Senator Chang, seconded by Senator Solomon and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2205-84, S.D. 2, and S.B. No. 2205-84, S.D. 2, H.D. 1 was deferred to the end of calendar for further consideration.

Senate Bill No. 2212-84, S.D. 1 (H.D. 1):

On motion by Senator Machida, seconded by Senator Fernandes Salling and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2212-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Machida, Chairman, Fernandes Salling and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2243-84, S.D. 1 (H.D. 1):

On motion by Senator B. Kobayashi, seconded by Senator Uwayne and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2243-84, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators B. Kobayashi, Toguchi and Soares as Managers on the part of the Senate at such conference.

At 12:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:30 o'clock p.m.

ADVISE AND CONSENT

Standing Committee Report No. 633-84 (Gov. Msg. Nos. 96, 142, 144, 145, 146, 147 and 219):

Senator Solomon moved that Stand. Com. Rep. No. 633-84 be received and placed on file, seconded by Senator Abercrombie and carried.

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

Edwin T. Hara, to the 1984 Hawaii Statehood Silver Jubilee Committee; term to expire June 30, 1986;

John A. Thompson, Ph.D., to the Education Commission of the States; term to expire December 31, 1987;

Betty Hemphill, to the Library Advisory Commission, City and County of Honolulu; term to expire December 31, 1987;

Hideo Kuniyoshi, to the Library Advisory Commission, County of Hawaii; term to expire December 31, 1987;

Kerry Y. Ogawa, Lawrence Kawasaki and Edward Espiritu, Jr., to the Library Advisory Commission, County of Maui; terms to expire December 31, 1987;

Leonora Villatora, Hilda D. Cannon and Helen H. Kaneshiro, to the Library Advisory Commission, County of Kauai; terms to expire December 31, 1987; and

Arthur Fumio Koga, to the Hawaii Education Council; term to expire December 31, 1986,

seconded by Senator Abercrombie.

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

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

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

The Senate reconvened at 1:10 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

FINAL READING

Senate Bill No. 1718-84, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Young and carried, S.B. No. 1718-84, S.D. 1, H.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, 23. Noes, none. Excused, 2 (Kuroda and Toguchi).

Senate Bill No. 20, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Kawasaki and carried, S.B. No. 20, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 139, S.D. 1, H.D. 1:

On motion by Senator Kuroda, seconded by Senator Aki and carried, S.B. No. 139, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PARKS BETWEEN THE STATE AND THE COUNTIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill 285, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Carpenter and carried, S.B. No. 285, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS FOR MOTOR VEHICLE REPARATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 784, S.D. 1, H.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 784, S.D. 1, H.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, 24. Noes, none. Excused, 1 (Toguchi).

Senate Bill No. 1532-84, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 1532-84, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1541-84, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, S.B. No. 1541-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1551-84, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, S.B. No. 1551-84, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1629-84, S.D. 1, H.D. 2:

On motion by Senator B. Kobayashi, seconded by Senator Uwayne and carried, S.B. No. 1629-84, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1707-84, H.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 1707-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1725-84, S.D. 1, H.D. 1:

Senator Chang moved that S.B. No. 1725-84, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

At this time, Senator Carpenter rose to speak against this bill as follows:

"Mr. President, should this bill become enacted into law, I guess it will be known as the 'Roland Higashi Act.'

"Mr. President, the language on page 2 relating to the proviso, and I quote: 'provided that a holdover member shall not hold office beyond the end of the second regular legislative session following the expiration of the member's term of office.' I believe the language should read 'the next regular legislative session.'

"Mr. President, I don't disagree with the intent of the legislation. I think in many cases the Senate has been rather kind to the Governor in not denying appointments for nomination to certain boards and commissions, and I think in that sense, perhaps the Senate has been remiss in not sending the message very clearly to the Governor that certain individuals were not to be appointed with the advice and consent of the majority of members of this body.

"Mr. President, I believe the Constitution speaks very clearly to the fact that if an individual is not approved in a subsequent legislative session to a removal of nomination by the Governor in a prior session, that that member no longer has status, no longer should be submitted to this body for 'advise and consent'. So I know that the intent of this bill is essentially to make that point very

clear to the Governor, but I think we can be more succinct in the language by assuring that if the words were 'the next regular legislative session,' and I think that would reenforce the language of the Constitution, and certainly make it very clear to the Governor that the 'advise and consent' process that is held to this body is one to be respected.

"Thank you very much."

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

The Senate reconvened at 1:19 o'clock p.m.

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

"Mr. President, I'm convinced philosophically by Senator Carpenter's argument. I think the intent is one that I support, but the more I think about it the more I reflect upon remarks that I made at length in the past on this floor with respect to this issue and similar issues about appointments and what the Senate should or should not do.

"It seems to me that if there's to be any leeway at all, other than an outright rejection by vote on the floor, that it should be in effect even next session. The argument convinces me, so therefore I feel that a 'no' vote would be in order and we should take it up again next year and do that. The reason I would say that I would vote 'no' now is that if this passes, the chances of it ever being amended to have it read 'the next session,' I think would be rather slight.

"If it passes in the current days, I was willing to accept it until, as I say, I thought on his argument it would give an opportunity for a tremendous amount of logrolling as it'll really take two sessions up and in a certain...not in a certain...in a very real sense, if I understand the language correctly (and if I understand it incorrectly, I hope the chairman will disabuse me of my notions), if I understand it correctly, the Governor, even under this bill, will have an out and leverage to utilize on the Senate.

"Now if that's the intent of the legislation, that's fair enough if people are willing to vote for that and allow that to take place, but I think that the previous speaker, Senator Carpenter, is correct in his

assessment of what the effect of the law would be, if it passed, and therefore, philosophically, I feel that this bill is something that we should defeat now and address, or perhaps reconsider, if his argument prevails and take it to a conference where we might be able to see if the next session idea might prevail."

Senator Cayetano then stated:

"Mr. President, I support this measure but with some reservations which I'd like to state for the record.

"I share the concerns of the two previous speakers, but I recognize that this bill, I think, is a compromise of sorts between the Senate and this present governor. I hope it will be; I hope the Governor will sign the bill.

"The problem that I have with this bill, of course, is that it sets into law the definition of a 'holdover' and I can see that this governor and perhaps future governors will probably take advantage of the provision that we are now going to set into law. We will have appointments which will probably be held over for maybe as much as two years. The law, however, the existing law as I understand it, is unclear.

"I would have preferred that we deal with holdovers and allow them the same terms that we allow an interim appointment, for example. This bill does erode, in my view, what my understanding was of the Senate's right of 'advise and consent', but I think under the circumstances and taking into account the history of the Senate as it has dealt with the Governor's appointments and the Governor's reaction, I think that this is probably a compromise that's best under the circumstances."

On motion by Senator Chang, seconded by Senator Cayetano and carried, and Roll Call vote having been requested, S.B. No. 1725-84, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Carpenter, Fernandes Salling and Kawasaki). Excused, 1 (Toguchi).

Senate Bill No. 1732-84, S.D. 1, H.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 1732-84, S.D. 1, H.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, 23. Noes, 1 (Fernandes Salling). Excused, 1 (Toguchi).

Senate Bill No. 1734-84, S.D. 1, H.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 1734-84, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS AND FEES FOR SERVICE OF PROCESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2203-84, S.D. 1, H.D. 1:

Senator Chang moved that S.B. 2203-84, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

Senator Abercrombie asked if the chairman would yield to a question and the Chair having posed the question to the chairman, the chairman asked to hear the question.

Senator Abercrombie inquired: "Mr. President, the question I have is, if I understand the intent of the bill correctly, to have it on the record, the idea here is that a 'yes' vote will mean that the constitutional amendment passes and a 'no' vote means that it will not pass. Is that correct, when the proposition is put before the voters?"

Senator Chang replied: "It does not explicitly say that, Senator, but I would expect that the phrasers of the bill and the phrasers of the question would be well advised to state the change in the affirmative."

At 1:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:34 o'clock p.m.

Senator Abercrombie then stated:

"Mr. President, I am satisfied that

your chairman has answered fully on it, but I think there is a problem, as a result, which should be addressed in the record. I'll speak for the bill, but in doing so I would like to speak for the record.

"I don't know how much weight that would carry in terms of if this should ever be looked at, but perhaps if future Legislatures deal with this question of a proposed constitutional amendment in a bill, they will pay attention to remarks that will be made, and I think the chairman is going to make a remark or two on it, as well.

"Mr. President, the reason I raise the question with the chairman is as follows. The language speaks to the passage of a bill with respect to a proposed constitutional amendment and indicates that such a bill should contain the exact question to be printed on the ballot. It then goes on to say that the question should be phrased to require a 'yes' or 'no' response by the voter. That implies, I think, that the intent is that the question be framed in such a way that a 'yes' means it passes and a 'no' means it does not pass, as similar to a vote that is taken on this floor, and that 'yes' is an affirmation of a 'no' is a negation of a proposition. But, there is no requirement in the language as stated in this bill that the question be phrased in such a way as to permit that result.

"If the Legislature chose to do it, although the chances of that happening might be slim because, obviously, questions would be raised about such a procedure. Nonetheless, it would be legally allowed, and I can think of instances of high emotion and especially as regards, say, fiscal matters and their jurisdiction, etc. in which it might be possible for a Legislature to in fact confuse the electorate, however inadvertent or intended for that matter.

"Therefore, I think while this bill addresses one problem, it creates probably, inadvertently, the possibility of another, that is to say, the proposition could be put before the voters theoretically which would have yes or no answers that in fact operated against what the voter thought was going to happen by casting a 'yes' or 'no' vote. So, the admonition, I guess, I would make for the purposes of the record is that I'm sure the intent of the chairman and those voting for it would be that the question would be framed in such a

way in the bill, subsequently on the ballot if it passed the Legislature, that a 'yes' vote in fact was affirmative of an affirmative proposition and a no vote similarly regarded by both the Legislature and the voters."

Senator Chang then stated:

"Mr. President, I too wish to note for the record that the previous speaker and I had discussed this matter during the recess and we do share similar concerns.

"I take one minor difference with his remarks and that is that this particular proposal does not create any problem. The problem that he is concerned with, which I also share, exists at the present time with or without the bill. What this bill does is to address one aspect of the concern that the good Senator knows and attempts to cure that, and any other remaining concern that the Legislature wishes to address if subsequent legislation can be proposed in a subsequent session of the Legislature. Thank you."

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 2203-84, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTITUTIONAL AMENDMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2206-84, S.D. 1, H.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 2206-84, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2248-84, H.D. 2:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 2248-84, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2251-84, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 2251-84, 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, 24. Noes, none. Excused, 1 (Toguchi).

Senate Bill No. 1540-84, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Carpenter and carried, S.B. No. 1540-84, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1868-84, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Carpenter and carried, S.B. No. 1868-84, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1874-84, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Carpenter and carried, S.B. No. 1874-84, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1877-84, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Carpenter and

carried, S.B. No. 1877-84, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1878-84, H.D. 1:

On motion by Senator Aki, seconded by Senator Hagino and carried, S.B. No. 1878-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2205-84, S.D. 2, H.D. 1:

On motion by Senator Chang, seconded by Senator Solomon and carried, S.B. No. 2205-84, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

ADJOURNMENT

At 1:44 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 6, 1984.